

SCREEN

RADIO

MUSIC

STAGE

VARIETY

Published Weekly at 164 West 46th Street, New York, N. Y., by Variety, Inc. Annual subscription, \$10. Single copies 25 cents. Entered as second-class matter December 12, 1908, at the Post Office at New York, N. Y., under the act of March 3, 1879. Copyright 1941, by VARIETY, INC. ALL RIGHTS RESERVED.

VOL. 142 NO. 4

NEW YORK, WEDNESDAY, APRIL 2, 1941

PRICE 25 CENTS

THREATEN RINGLING STRIKE

Flock of 'Babes' Converge on Toronto For a Share in Plumber's \$12,521

Toronto, April 1. With the court hearings getting underway here yesterday (Monday) before Justice MacKay, the 'Babes' are in town with their scrap-books and photos to collect that \$12,521 which William John Wright, Toronto plumber, willed to a girl he saw when she was five in a burlesque show in Indiana at the end of World War I. From California to New York to Tennessee, the girls are answering that "Where Is Miss Babe?" query first propounded in the Court of Missing Heirs' program and in a VARIETY advertisement.

Some of the gals are glamorous and some are not, but all have that anticipatory gleam in their eyes which accompanies the prospective spending of \$12,521. The good-lookingers are getting plenty of air spreads but only one—and perhaps not she—will win this particular pot of gold, for Charles Barkworth of Toronto,

(Continued on page 18)

U. S. Wants a 10% Tax Slice From All Benefit Shows From Now On

A ruling by the U. S. Internal Revenue Bureau last week (26) and taking immediate effect places virtually all benefit shows in the position of paying the 10% amusement tax. Heretofore charity shows have been tax-free, but the department ruled that all benefits that pay any part of the gross for anything or to anybody in connection with the show must pay the tax either by adding 10% to the face value of the tickets, or absorb it and pay the Government the percentage on the total take.

This is the outcome of the Treasury Department's probe into the great rash of benefits of late, most of them for sundry war relief agencies, and into the Theatre Authority's and talent union's disbursement of charity funds. At a meeting last week immediately after the Govern-

(Continued on page 47)

GENE AUTRY YENS TO HEAD HIS OWN RODEO

Dallas, April 1. Gene Autry, Republic's singing cowboy, recently made a flying trip to Dallas to confer with Lloyd Rust, district manager of Republic Pictures, in regard to staging a rodeo here during the Texas State Fair next fall. Rust would business manage the venture.

A native of Tioga, Texas, Autry has for some time wanted to boss a big rodeo in his home state. Dallas has never been a good rodeo town but others point out that it has never had a real rodeo with a real attraction.

Some More Escapology?

Paramount is mulling a life story of Houdini. It has registered the name of the famed magician as a potential title for the film.

Fewer Strawhats In Sight; Names Put 'Em In Red

Advance preparations for summer stock and trout theatres are expected to start this month, first step being to register with Equity where such ventures will be classified. Understood that there will be fewer stocks in the stocks this year because operating expenses have risen to such a level that a majority of the rural show shops went into the red last summer. Spread of the star system and fairly large salaries of Coast names used in a number of the highways explains why the operators went overboard.

One of the summer stands unlisted this year is the Westchester Playhouse, Mt. Kisco, N. Y. Tuttle & Skinner, who operated the house for nine seasons, say they are out of the running there or elsewhere this summer. They are presenting the revival of "Chatterbox's Aunt," Cori, N. Y., which was a "find" last summer. Mt. Kisco house will possibly re-light under another management.

Welles' Disks of His 'Native Son' Cast Not OK For Sound With Equity

Equity has nixed a plan by which Orson Welles intended to record performances of his production of "Native Son," at the St. James, N. Y., so he could keep tabs on the show while he's on the Coast. Producer-director figured having microphones in the footlights and making records of occasional performances, say every week or so, without the actors being aware of just when the waxings were being done.

Producer-director put the matter up to the Equity council and, although the records were not to be played publicly, the regular rule of a full week's extra pay for each recorded performance was insisted upon. Welles consequently dropped the idea.

AGVA DEMANDS CIRCUS PACT

Big Top Due at Madison Square Garden Next Monday (7)—AGVA Ties in With Combined Theatrical Crafts, Embracing 33 Show Biz Unions

PATRIOTIC SAWDUST

A general strike against the Ringling-Barnum & Bailey Circus prior to its opening at Madison Square Garden, New York, Monday (7) looms as a strong possibility unless the big-top show signs a new agreement with the American Guild of Variety Artists. AGVA last week fortified itself by joining the recently formed Combined Theatrical & Amusement Crafts Council, encompassing all the 33 crafts unions in the show business in N. Y.

Via joining the Council, AGVA gets the support of the stagehands, (Continued on page 18)

Jan Valtin Mystery Radio Appearance in WOL Has Newspapermen Hopping

Washington, April 1. Wild-goose chase after "Jan Valtin"—author of the spine chilling best-seller, "Out of the Night"—took place in Washington last Wednesday (26) when the former Communist put on a broadcast from an "unnamed spot somewhere in America" over WOL. Reporters, tipped off by reports published in the New York newspapers, and employees of the station itself, were kept in the dark as Valtin—recently identified as Harry Krebs—flew into Washington and out again, pausing only for the broadcast in which he told of his experiences at the hands of the German Gestapo. No one knew, until it was all over, that the program had been aired from the apartment of William B. Dolph, president of WOL, where Valtin arrived with three mysterious men, identified as either bodyguards or press agents.

Station was flooded with phone calls as the author of "Out of the Night" warned that "any one who works for Nazi Germany is digging his own grave" and apologized to the announcer for his poor hearing by explaining that his "ear drums" had been "cracked by a Nazi whip." As the former Communist organizer—arrested in New York a couple of days later, but released on bond—expressed fears for his life because of his exposure of the terrorist methods of the Russian OGPU and the German Gestapo, local newsmen sought vainly to track him to the scene of the broadcast.

'Bring Your Mother and Father Free,' Ballroom Operator's Newest Slogan

Mary Astor, Emcee

Hollywood, April 1. A mistress of ceremonies on a variety show, new to Coast commercial, will be tried out on Hudem's "Hollywood Showcase" over Columbia's Pacific network. Running the half hour program will be the cinema's Mary Astor.

Russ Johnston, KNX program director, handles the production for Benton & Bowles.

Auburndale, Mass., April 1. "Where does your daughter go to dance?"

This announcement coming through the radio speaker has set many a parent to thinking, and that is just what manager Roy Gill, of Totem Pole Ballroom, aimed to do.

The radio announcer continued in a "confidential" tone to explain that liquor and stags are taboo at this spot, and pointed out that the place is conducted on the standards of a "family ballroom."

And he will go this one better when he begins a full week schedule about mid-May. He is going to advertise, "Bring your mother and father free on Monday nights."

Parents are informed that the dance ends at midnight, and so this enables couples to return home at a reasonable time. Just before intermission each night, Gill instructs his assistant manager, Bill Johnson, to caution the dancers not to drive too fast on leaving the ballroom because of several speed traps in the vicinity. This also makes a hit with people, as well as his stopping ticket sales when 3,000 enter the ballroom, to allow room for dancing.

U. S. Has New Weapon, Grabs Booze for Taxes

Philadelphia, April 1. Mr. Whiskers has conceived a new little twist to make it tough on the nitery ops who fail to cough up Federal taxes. He now seizes the liquor stock.

First to have his booze confiscated was Benjamin (Benny-the-Bum) Fogelman, operator of an intimate Locust street bistro. Internal revenue agents cracked down on him Saturday (26) for the non-payment of taxes totaling \$1,064.22. The spot was closed.

Owner of the place is listed as the 1321 Locust Street Corp. Fogelman is not one of the official proprietors, but has been fronting the spot since October 4, 1940. Previously it was known as the El Chico and the 21 Club. Latter handle was changed (Continued on page 47)

Joe Cook, In Person, Vs. J.C. Impersonated; In D. C. on April 25

Joe Cook in person will play against Joe Cook Impersonated in Washington, D. C., the week of April 25. Catholic University, which last year based its annual musical on the life of George M. Cohan, this year will mould it around Cook. And the juggling comedian himself will at the same time be in vaude at the (Continued on page 36)

Mrs. H.B. (Renee) Harris Once Nixed \$1,300,000 For Theatre, Now Broke

Mrs. Henry B. (Renee) Harris filed voluntary petition in bankruptcy in the federal court, N. Y., last Thursday (27), listing liabilities of \$546,378 and assets of \$18. One creditor is William Harris, Jr., whom she owes \$17,000 on a judgment filed in 1931. He was a brother of her husband, once prominent legit producer who went down on the Lusitania. (Charles Frohman was among other notables lost in that disaster.)

Emigrant Industrial Savings Bank is the largest creditor, to the amount of \$528,354, judgment dated in 1932. It represents the first mortgage on the Hudson theatre, N. Y., which H. B. Harris operated. Widow lost control of the house several years later.

At one time she is said to have rejected an offer of \$1,300,000 for the property. She remarried three times but is known by her first marriage name.

Mrs. Harris was on the payroll of the WPA theatre project, earning \$22.75 per week for a time up to September, 1939, but has had no other income since then.

Earl Carroll Vanities

STARRING

Bert Wheeler with Hank Ladd

The Unit of Perfection! Pittsburgh Now — Buffalo Next

DEFENSE COIN HYPOS BIZ

No More Free Talent Programs From Hollywood After Parsons Completes Present 13 Weeks

Hollywood, April 1. Louella Parsons (not heard in New York) will under 13 weeks for Lifebuoy soap under her latest radio contract. From then on, she is the loser in her fight with the Screen Actors Guild over her policy of selling to advertisers her former ability to get natter talent to appear for gratis appearances. The American Federation of Radio Artists shares with its Hollywood sister union, SAG, a pronounced aversion to newspaper or other personalities profiting through sponsored entertainments where the talent works for nothing or for reduced salaries.

Matter of free shows on the air was brought to a head last week when Jean Herschfeld, president of the Motion Picture Relief Fund, dispatched a letter to the Screen Actors Guild asking what action was to be expected in the case of Miss Parsons. Herschfeld wanted to know whether SAG would crack down with Rule 6 which states "no member shall give a free performance on the radio." Parsons is an amount of compensation so far below the member's usual standard as to amount to evasion of this rule. (Continued on page 28)

VEG PROTESTS H'WOOD PRO-BRIDGES PLEA

Albany, April 1. An AP story from Hollywood to the effect that 23 prominent had petitioned Attorney General Robert H. Jackson for a dismissal of deportation proceedings against west coast labor leader Harry Bridges caused a backfire in Albany veterans circles which may be felt throughout the country. The Admiral Coghlan-Lieut. Johnson post, Veterans Foreign Affairs, is an protest meeting. Following addresses by Lieut. Ormond N. Jennings, post commander, and Capt. Roland J. Easton, legislative representative, post members voted to communicate with Washington VFW headquarters to urge similar protests on a national scale.

Another meeting of the post was scheduled for April 2. At the VFW members will discuss steps to be taken to emphasize their feelings over what they consider the 'unpatriotic' and 'un-American' position taken by the Hollywood leaders of the petition in Bridges' behalf.

H'wood's Bridges Backers
Among show big luminaries reported to have urged dismissal of the Bridges deportation proceedings, the petition, are Orson Welles, Robert F. Sisk, Burgess Meredith, Artie Shaw, John Howard Lawson and Dalton Trumbo.

DOLAN'S COAST CALL Maestro to Paramount For DeSylva and Crosby Musical

Robert Emmett Dolan, pit conductor for 'Louisiana Purchase,' at the Imperial, N. Y., has gone to the Coast to work with producer B. G. DeSylva on the next singing Crosby picture, 'Birth of the Blues,' a one-picture deal, but he may stay there to do the screen version of 'Purchase.'

Also figured possible that before Dolan is ready to return east Irving Berlin may have completed the original musical he is writing for another Crosby picture, in which case he might use Dolan, with whom he has worked on several films and legit shows.

Vilma Ebsen (Mrs. Dolan) didn't immediately accompany her husband to the Coast, but is remaining at their Connecticut home for the present.

No Soap

Hollywood, April 1. Film players win gratis for Louella Parsons on the Lifebuoy series not only perform without remuneration but also no soap. On her 'Hollywood Hotel' broadcasts as Parsons saw to it that every player got a case of soap.

Payoff, however, on both shows is the same—in publicity.

Noel Coward to London For Four Week Visit, Cantor Fills for Campbell

Eddie Cantor does a guest appearance Friday (4) night on 'Campbell Playhouse,' but behind the booking was a hectic scramble of dates and arrangements. Noel Coward, pre-arranged to sing the date, was forced to cancel the engagement when he was called to London by his government. He left Monday (31) by Clipper for Lisbon, but expected to return in four weeks to fill the Campbell guest spot. His vehicle at that time will be the same, an adaptation by Howard Teichman of the S. N. Behrman play, 'Second Man.'

Cantor had previously been set for the April 18 program, but was moved up to this week when the Coward booking fell through. Comedian will play the lead in a radio version of the Owen Davis stage play, 'The Nervous Wreck,' also adapted by Teichman. Show for next week, April 11, will be Fred Allen in a revival of Norman Corwin's satirical fantasy, 'My Client Curley,' done originally and repeated later on 'Columbia Workshop.'

Coward, who flew in from the Coast nearly two weeks ago, had arrived there recently from Australia, where he has been on a British government mission. His Australian tour netted Coward nearly \$50,000 for British relief.

QUENT REYNOLDS SAILS IN CONVOY FOR ENGLAND

Quentin Reynolds is sailing some time this week from 'somewhere in Canada,' on a convoy back to his London correspondent assignment for Collier's. He's been back since Xmas and plans to return again to New York around the 1941 holidays. En route back, on the freighter, Reynolds will finish his third book for Random House, 'Don't Think It Hasn't Been Fun,' random memos. His 'A London Diary' will be issued by Random House April 9. 'The Wounded Don't Cry' is still a current best-seller.

Reynolds was to have flown over on a bomber, but that's a stunt that has already been done by other newsmen.

Incidentally, a U. S. citizen going over on a British bomber or convoy is technically violating a State Dept. tabu, although, for working newspapermen purposes, our Government doesn't put too great emphasis on it.

Star After One Picture

Hollywood, April 1. Veronica Lake, who made her screen debut in 'I Wanted Wings' soars to stardom in her next Paramount picture, 'Chickie Park.' Arthur Hornblow, Jr., is producer.

Wally Brown, young vaude performer, is being tested by Universal as a picture possibility. Eddie Sherman, handling the deal.

PACIFIC COAST ESPECIALLY OK

Theatres Boom—Much New Building for War Industries, Workers and Army Camp Trainees

COIN FREE

Los Angeles, April 1. Business is booming in film houses along the Pacific Coast where national defense construction has caused an unusual influx of skilled workmen at high wages. Theatres in San Diego, San Pedro, Oakland, Tacoma and Bremerton, Wash., are doing the best business they have known in years.

Theatre owners figure the boom will last for several years and are building or contemplating new film houses in the war construction areas. Fox-West Coast is preparing to spend at least \$500,000 on new buildings in California this year, and the (Continued on page 12)

Electrician's Invention May Revolutionize P.A. Systems in Theatres

Sam. Saltzman, stage electrician and inventor, has perfected a miniature radio sending device that may revolutionize amplification methods in theatres, large auditoriums and in the open air. Gadget, easily concealed upon the person of the announcer or performer, is tuned in on the public address system and anything said or sung comes through the loud speakers. Lapel microphone is sufficient not only for the sender but for one or two other participants close by, and permits the sender to move about freely. It is comparable to mobile radio broadcasting units.

Saltzman's plan is to offer his device on a rental basis for occasional events, but it is possible that theatres will eventually have the new sender on hand as part of the house equipment. Outfit is powered with several small dry batteries, also carried by the sender.

Saltzman devised television apparatus different from that experimented with heretofore. Stock in the company was bought by a number of people in show business, but television activities have been delayed by restrictions imposed by the Federal Communications Commission. Saltzman is now electrician at the 44th Street theatre, where 'Crazy With the Heat' is current.

MARTHA RAYE'S PLANS

Pix and Shows—No Jolson Tour, but Another Legit

Pittsburgh, April 1. Martha Raye closed a deal with WB via long distance while appearing at Stanley last week to go into 'Navy Blues' with Ann Sheridan, Jack Oakie and Jack Haley. That means her vaude tour, which was to have lasted six weeks, will be cut in half. Raye, as she's due on Coast to begin picture April 20. Comedienne is currently in Philadelphia and closes following week in Washington, Akron, Toledo, Youngstown and Chicago, having been cancelled because of new pic commitment.

After 'Blues,' Miss Raye moves over to U for Jules Levey's film version of 'Hold On to Your Hats' with Eddie Cantor. Star said that, despite reports, she did not 'not' next fall with Al Jolson in 'Hats' but would do either a new Rodgers and Hart musical on Broadway or a Vinton Freedley show with Bert Lahr.

Vaude Circles, Although Vexed With Skourases' Kayo of Live Shows, Help Put Over Greek Benefit's 33G B. O.

Seamen's Delight

Philadelphia, April 1. Inspection of the Italian ship Belvedere, which was seized by the government Sunday in the Delaware, where it was docked, gave an insight into what the fascist seamen thought was art. In the mess rooms and recreation rooms the Fascisti bigwigs had hung big pictures of It Duce and King Victor Emmanuel. But in the crew's own bunks were pictures of—Maggie Hart, the burlesque stripper.

Mrs. 'Threaten' Kenny Baker When He Refuses To Play Greek Benefit

Hartford, April 1. Kenny Baker was embroiled with the theatre men last week because of his reluctance to perform at a local benefit show for the Greek War Relief. Many times reiterated 'no' of singing star to their pleas to perform in the crowd's own bunks were pictures of—Maggie Hart, the burlesque stripper.

Kenny had been approached by a local committee to put in an appearance at a midnight benefit at Loew's Poli Saturday (29). He turned them down. They came back and he turned them down again. Managers couldn't see why he should refuse when celebrities throughout the nation were doing 'their bit.' Couldn't see, also, why Baker should be the lifeblood of the entire State theatre bill. Gil Lamb, Mills Brothers and Ina Ray Hutton's band put in an appearance.

As the tug of war become more intense, each became more dogmatic. Theatre managers, through a local friend, contacted Fred Allen. Latter immediately dispatched a wire to the singer asking him to sing if it were in any way possible. This didn't change his mind. Finally the tug-of-war became a battle of print. (Continued on page 47)

MINOR MYSTERY OVER CHAS. PATHE'S WELFARE

No word whatsoever has been received in this country from Charles Pathe, Pioneer film man, who was scheduled to arrive in New York from Lisbon more than two weeks ago. Pathe News, which he founded in 1910, and which releases in the newsworld, had planned various honors for the Frenchman, now 66 years old.

Pathe News had a cable about three weeks ago that the vet film-maker was going to fly to this country. He failed to arrive on the scheduled plane, however, and nothing has been heard from him since. Although it is thought that delays in transportation are probably holding him up, there was some hint also that Pathe might be in trouble with the Nazi authorities in France.

Pathe, for years has owned no interest in the outfit in this country bearing his name.

Chas. Ray Back as Oldster

Hollywood, April 1. Charles Ray, the homespun dad who wangled tears out of the silent pictures, makes his comeback 'Blossoms in the Dust' at Metro. Playing with him is one of his old directors, Jerry Storm. Ray plays the elderly role of a state senator in Texas.

Vaudeville circles are pointing to Spyros Skouras' current campaign for Greek War Relief Funds as a classic example that stage shows, per usual, are still the 'fast' and 'best' asset for theatre operators up against the proposition of raising funds. The Skourases, it's stated, were quick to drop vaude when they took over any theatres, but now Spyros Skouras is basing a good part of the drive for funds on benefit shows utilizing agents gratis.

Some in the trade contend that if it wasn't for the cause itself, Skouras would be up against it for cooperation from agents and talent. It's pointed out that Skouras, while enlisting performers for the free shows, has practically no playing time to offer as future compensation.

Yet it was the vaudeville showman who directed the Greek Festival for Freedom at the Music Hall, New York, early Saturday morning (29) that virtually underwrote the benefit's b.o. as well as the entertainment. When the advance sales for the \$10 top festival appeared far under expectations last week, Joseph R. Vogel, Loew's v.p. and district chairman of the Greek drive, decided that (Continued on page 47)

MARCH'S LEGIT TO PIX AND BACK TO N.Y. DEAL

Hollywood, April 1. Warners signed Fredric March for the lead in 'One Foot in Heaven.' March's decision is seen as a replaying the novel about a minister.

March is currently in the east with the Theatre Guild's tryout of Sophie Treadwell's 'Hope for a Harvest.' He'll stay with the play for a pre-Broadway tour this spring, come to Hollywood to make 'Heaven' this summer, and then return for the Broadway engagement of 'Harvest' in the fall.

VARIETY

Trade Mark Registered
FOUNDED BY SIMS SILVERMAN
Published Weekly by VARIETY, Inc.
818 Silverman, President
154 West 43rd Street, New York, N. Y.

SUBSCRIPTION
Annual \$10 Foreign \$11
Single Copies \$0.25
Vol. 142 No. 4

INDEX

Bills	40
Chatter	45
Exploitation	12
Film Reviews	16
House Reviews	41
Inside—Legit	42
Inside—Music	36
Inside—Orchestras	36
Inside—Pictures	20
International News	14
Literati	47
Legitimate	42
Music	36
Night Clubs	38
Night Club Reviews	38
Obituary	46
Orchestras	33
Pictures	21
Radio	21
Radio Markets	31
Radio Reviews	38
Vaudeville	38

AMERY RADIO DIRECTORY
(Published in N. Y. annually)
\$2 per copy
Daily Variety
(Published in Hollywood by
Daily Variety)
\$10 a year; \$12 foreign

Rep. Boren (Okla.) Reprises Blast Against Pix Biz; Divorcement Up Again

Washington, April 1.

New efforts to set a Congressional committee prowling into affairs of the film industry were stymied, at least temporarily, last week, but revived interest was shown in the subject of divorce legislation and there were threats of another drive to enact block-bookings measures.

The House Rules Committee, after hearing Representative Lyle Boren of Oklahoma file various bills at pictures and condemn the consent decree, put his resolution for a sweeping inquiry back on the shelf with the announcement that further hearings will be held at some unspecified future time. While some legislators seemed sympathetic toward his argument that both social and economic aspects of the business should be ventilated, there was generally no scant interest on the part of committee men.

Though he declared when the resolution was offered he is not biased, Boren reflected before the Rules Committee a deep conviction that the industry consists largely of gougers and individuals wanting to corrupt public morals. The tenor of his argument has been outsmarted and it is up to Congress to protect public welfare by examining trade practices, financial structure, and moral questions. The industry, he said, is coming on the pact with the D. of J., he charged, adding that nothing in the decree remedies evils resulting from price-fixing, dating, rebating, dividing the country into zones, or shoddy production.

"They always come in and offer to cooperate," he says, "if we will just let them do the job and have their own way," Boren warned. "Why are they so afraid to have their picture looked into if everything is all right. I believe Congress ought to find out what should be done to make the industry a safe part of our American system, economically and socially."

Propaganda Charges by Fish
Propaganda charges were fired at the industry by Representative Hamilton Fish, Jr., who declared the industry is trying to stir up war hysteria and suggest that the public should be broadened to permit special study of this situation. Representative Eugene E. Cox assailed the industry for corrupting "private and public morals." He charged that the industry is "in the hands of a group whose only interest is money, more money, and more money."

Demurrer was registered by Representative Earl C. McFadden, Republican member of the Rules group. With everybody trying to develop national unity and strengthen national defense, any such probe at this time might have serious consequences by upsetting the industry, he cautioned.

Consideration of divorce legislation in the near future is contemplated in the Senate, where a special subcommittee has been named to take up the separation bill left behind by former Senator Matthew M. Neely of West Virginia. Chairman of the panel named from ranks of the Judiciary Committee is Senator Harley Kilgore—one of the Neely Democratic faction and successor to former Senator Rush Holt of West Virginia.

The West Virginians allied with Neely, now occupying the Governor's chair, appear bent on harassing the industry and carrying on the Neely tradition, for Representative Andrew Edmiston of West Virginia recently ousted about the need for prohibiting block booking. Kilgore also has promised to do his utmost to force new Senate action on the twice-approved measure to overhaul the distribution machinery, although he is not on the Interstate Commerce Committee which has jurisdiction in this field.

Others named by Senator Frederick Van Nuys of Indiana, the Judiciary Committee chairman, to serve with Kilgore on the special subcommittee are Senators Tom Connally of Texas and James H. Hughes of Delaware, Democrats; Warren R. Austin of Vermont and William Langer of North Dakota, Republicans.

That Made It OK?

Strip-tease unique among strip-teasers—for the benefit of the Hays office—is performed by Mary Martin in Paramount's forthcoming "Kiss the Boys Goodbye."

Singer, now vacationing in New York, is telling friends of the difficulties caused because Hays rules forbade her to touch her clothing while she shed as she warbled "That's How I Got My Start." The Par production department therefore was forced to put two men on the wings of the set to pull visible strings unfastening special snaps on Miss Martin's clothes. Scene was shot in more than a dozen times before the two guys got synchronized and avoided one-half of the Martin habitually dropping before the other.

Par Points the Way To Revived Interest In Amusement Stocks

For the first time in months, the hitherto neglected amusement shares received full attention last week from the stock market as Paramount common became active leader on the New York Stock Exchange on several days. Last Friday (28) witnessed these Par shares heading the list in number of sales with 19,500 shares, changing hands, twice as many as the next most active stock. Paramount common climbed to a new high for the year at \$12.75.

Paramount shares, including also the first preferred and second preferred, have been attracting attention in Wall Street for several weeks because of the conviction, that the company soon would work out a deal whereby the first preferred would be called into the Par treasury.

Retirement of some second preferred also has been mentioned but not yet denied by the company. Action of the first preferred in hovering between \$99 and \$100 indicates that some retirement plan for the first preferred is in the process of consummation.

Calling in of these shares would materially enhance the value of the common, with the present activity in the common stock largely being based on the early completion of a deal on the first preferred. Besides producing a savings of several hundred thousand dollars annually on the first preference issue, retirement of the first preferred would leave only 60¢ per share annual payment on second preferred in the way of common shareholders. Paramount already has paid 20¢ per share on the common this year, with current rate of earnings said to justify additional distributions in the near future.

Dietrich-Morosco Split

Hollywood, April 1. Co-associate producer team of Ralph Dietrich and Walter Morosco, functioning for the last 18 months at 20th-Fox, is splitting up. On completion of two pictures currently in preparation they will produce separately.

Morosco's first solo assignment is "Accent on Love" and Dietrich's is "Duchess by Appointment."

Other News Pertaining to Pictures

Archibald due in N. Y. . . . Page 14
Hays' Latin-American side . . . Page 14
Russia's cinemas . . . Page 14
Eddie Cantor-Dinah Shore . . . Page 22
Television . . . Page 27
Radio reviews, Louella Parsons, Elsa Lanchester, Alec Templeton, "Barrel of Fun" . . . Page 30
ASCAP . . . Page 37
AGVA . . . Page 39
Equity and the reds again . . . Page 43

Shirley, Beery in 20th Yarn of Fishing Fleet

Hollywood, April 1. Wallace Beery and Shirley Temple draw the co-starring spots in "Lazy Bones," a tale of the tuna fishing fleet off the California coast, to be produced by Metro.

Richard Thorpe is assigned to direct the Milton Bren production.

Wm. Fox Pleads Guilty to Philly Bribery Charge

Philadelphia, April 1. William Fox, who ran a Brooklyn nickelodeon into a \$300,000,000 film empire, on Friday (28) pleaded guilty to an indictment charging him with giving a \$125,000 bribe to former U. S. Circuit Judge J. Warren Davis to rule in favor of the ex-picture magnate in five appealed cases involving bankruptcy proceedings in Fox's All-Continent Corp. Indicted with Fox were Judge Davis and Morgan S. Herman, Fox's former counsel.

Both entered pleas of not guilty and posted bonds of \$5,000. All are liable, upon conviction, to two-year prison terms and fines of \$10,000 each.

The indictment charged that Judge Davis agreed to sign his name to majority opinions in Fox cases before the Third U. S. Circuit Court of Appeals. At the time of the alleged conspiracy, "Buffington was senior member of the Appeals Court. He is now retired."

The conspiracy started, the Government charged, in 1935, when Fox had declared himself a bankrupt and creditors tried to take over his \$60,000,000 in assets held by Fox's wife and daughter in a trust known as the All-Continent Corp.

Five times in the hearing on the bankruptcy petition Federal District Judge J. Boyd A. Vail ruled against Fox and five times the Circuit Court, with Judge Davis sitting in each case, overruled the lower court.

Judge Guy Bard, presiding at the case, postponed sentencing until April 14. Although he is a confessed bankrupt, Fox peeled off five \$1,000,000 notes from a thick roll to pay his bail. Fox is expected to appear as a Government witness against Judge Davis and Kaufman.

The Attorney-General's office is continuing its investigation into the alleged conspiracy. Under scrutiny of the probes are Fox's wife, Eve, their daughter, Belle; David E. Kaufman, former Minister to Siam; and Murray Becker and Daniel Rosenblatt, New York lawyers.

\$3,750 TO L. J. LUDWIG IN AUTO CRASH SUIT

Minneapolis, April 1. L. J. Ludwig, formerly associated with John Friedl in the operation of Minnesota Amus. Co. (Paramount circuit) and now owner of two Jamestown, N. D., theatres, has been awarded a verdict of \$3,750 damages as result of injuries sustained in an automobile collision near here a year ago. In the same accident, Phillips of Paramount's home-office, and Otto Muller, Minnesota Amus. maintenance head, lost their lives. Ludwig and Muller's heirs sued the owners of the truck, which collided with the car in which they were riding, for \$40,000. A district court jury returned the \$3,750 verdict.

Kelly, on Coast, Sees 20-30 for UA In 1941-42; Ed Small 'Surprises' Co.

Stepping On the Gas

Hollywood, April 1. Use of film actors to glamorize instruction to filling station attendants is being utilized by General Petroleum along the Coast. Outfit has engaged 15 personable bit players and laid out a three-week route. Actors will assume roles of pump "monkeys" at sales meetings to show the regular attendants how to inject personality and showmanship into their sales work. Main idea is to put on the front for the femme trade, which goes for those little touches. Troupes are cycled twice a year and if the idea clicks it will be used nationwide.

Mary Pickford III, Silverstone Hastens To Coast on UA Plans

Illness of Mary Pickford, who was expected in New York from the Coast on Monday (32), is speeding plans of Murray Silverstone, United Artists chieftain, to go to Hollywood. Miss Pickford, one of the owners of the company, was due in for confabs with Silverstone on new producers, next season's product and new distribution bonus plan. Her illness has forced her to be hospitalized and her trip east has been postponed indefinitely.

Silverstone will go to the Coast in a week or so to join Arthur Kelly, v.p. in charge of sales, who left over the weekend. Kelly is lining up final details of UA's program for announcement at the company's five regional sales meets. First will be held in New York April 14-15.

Details of new bonus plan and new UA unit to train producers will be announced, shortly after he gets to the Coast, Silverstone said Monday (31).

Mae Murray's Son Now Legally Somebody Else's

Troy, N. Y., April 1. Court proceedings and legal matters are over for 14-year-old Koran David Mdvani, son of Mae Murray—screen star of the silent days, and Prince David Mdvani. (She is currently at Billy Rose's Diamond Horseshoe, N. Y.)

The change of legal proceedings in Rensselaer County surprised court here the boy became Daniel Michael Cunningham and the legally adopted son of Miss Bessie Cunningham of Averill Park. The proceedings were revealed when the place last December, and former Surrogate B. P. Kavanagh signed the adoption order on Dec. 31, the last day of his term of office.

The change of the boy's first and middle names from Koran David to Daniel Michael is in apparently naming the child after Dr. Daniel M. Cunningham of New York, brother of Miss Cunningham, who operated on the boy in New York more than five years ago.

Miss Murray brought her son to Dr. Cunningham to have a mastoid operation performed, and left him in the doctor's care. She allegedly made no effort to reclaim the boy until about two years ago, and then brought two fibrous corpus, proceedings before Justice Francis Bergen of Albany to get custody of the child, and was unsuccessful in both. After the last proceeding Justice Bergen awarded the custody of the boy to Miss Cunningham.

The father of the child, who resides in California, did not appear here, but gave his consent to the adoption.

NANCY COLEMAN'S TEST

Nancy Coleman, who recently closed in one of the featured leads in Philip Barry's "Liberty Bells," goes to Hollywood today (Wednesday) to be tested by Sam Wood for one of the leads in "King's Row," at Warners. She's due at the studio Monday (7). Sarah Rollins, of Columbia Artists' bureau, set the deal.

Miss Coleman played the lead last night (Tuesday) on "Grand Central Station," in an original radio drama by Sam Locke, brother of actress Katherine Locke.

Hollywood, April 1. Arthur W. Kelly, United Artists sales head, has arrived for a check-up of the company's 1941-42 product lineup. He leaves again in a day or two for New York, where he agrees to announce 20 pictures at the UA convention April 14 in New York, with the likelihood that the season's block may total close to 30.

Although the matter of selling pictures in blocks or individually is subject under discussion several years ago, no decision has yet been reached on the selling policy. Possibility is that merchandising will be the same as in previous years.

Murray Silverstone is due here early next week for confabs on picture quotas for various producers. Talks are also due here in Clarence Brown and John Stahl for heading their own units to release through UA. Although Brown has been proffered a new deal at Metro after 15 years in the lot, he has held off signing. Stahl is not at Columbia.

Small's Big Schedule

Although Edward Small during the past week announced that he will make eight films for release by United Artists during the 1941-42 season, UA chieftain Murray Silverstone, declared on Monday (31) did not believe Small will turn out that many. Silverstone, who had previously stated he would like no more than one or two films from Small UA producer, expressed surprise at Small's announcement of a virtually conveyor belt production schedule.

If Small goes ahead with his plan, he will turn out more films than any other UA producer has ever made in a year. It will be in direct contrast to the Silverstone policy of cutting down the number of films from each man so that more attention can be given by the producer to each individual picture.

During the current season, Small will have contributed three films to the UA sked, although all were promised for last season. There were no now ones. Three of the eight Small has announced for 1941-42 are also oldies. "Man Vs. Nature," "The Mask," and "In Rudolph Valentino's Day" have been announced for the past two years and "The Corsican Brothers" was slated in the 1940-41 program.

First of the eight pix into production will be "Man Vs. Nature," with Ilona Massey, George Brent and Basil Rathbone. "The Whelan" is directing from script by Lloyd Sheldon and Jack Dewitt. Others include "Bells," from the Richard Henry Dana story, "In Rudolph Valentino's Day" written by Howard Estabrook; "Corsican Brothers," with Estabrook as Dumas yarn; "Twin Beds," with story by Walter De Leon; "Heliotrope," for which Ernest Belfrage is preparing the script; "My Official Wife," which Ernest Valda and Stanley Logan are writing; and "Murderer's Holiday," which Lawrence Hazard is preparing for the screen from the novel by Donald Henderson Clark.

Garbo's Dual Role

Hollywood, April 1. Greta Garbo plays her first dual role in pictures in a comedy, still untitled, to be directed by George Cukor at Metro.

Gottfried Reinhardt is the producer. The script is being handled by Walter Reisch and Salka Viertel.

VALENTINO'S NEPHEW'S SUIT

Jean Guglielmi, or Jean Valentino, was denied a summary judgment against Arlinecinco Associates, Inc., and Emil C. Jensen in N. Y. supreme court last week when Justice Charles B. McLaughlin decided there were triable issues. Action seeks damages of \$21,900. Arlinecinco holds distribution rights to the films resuited. Jensen being the firm's prez.

Plaintiff, as the heir (nephew) of Rudolf Valentino, claims 50% of the net profits on the resuise of "The Sun Comes Out" and "The Eyes" according to a contract made by Valentino with Joseph M. Schenck in 1925. The defendants claim to have paid Guglielmi \$25,375 in full settlement of the contract. They acquired the contract from Schenck.

NEWS REELS' CROSS UP

Hays Reviews Film Year, Lashes TNEC Anti-Industry Blast; Annual Report

After stressing the outstanding industry problems, particularly the depleted foreign market and frozen currency, Will Hays lashed out at the Temporary National Economic Committee for its blast at the film business in his report submitted to the annual meeting of the Motion Picture Producers & Distributors Assn. on Monday (31). It was probably the most vigorous and sarcastically worded statement by Hays in years, quietly tearing apart several points made by the TNEC report.

Hays was elected head of the MPPDA for the 20th consecutive year by the association at the meeting. After office in October, 1939, Understood Hays insisted that any long-term agreement must be on these terms. This gives the MPPDA chief \$80,000 per year salary, prior to the general wage slashing in the Hays organization in 1939, he was receiving \$100,000. Cuts for other employees ranged from 5% to 20% at that time.

Wound Up His Report
Hays' thrust at the TNEC was nearly the conclusion of his report. He pointed out that there is no cure-all to take the place of planned and hard-earned progress in the film business. Hays cited the TNEC monograph (issued under the auspices of the TNEC) concerning picture trade practices and self-regulation via the production code, and after reviewing legislation, litigation and arbitration, finds them all wanting.

"The statement is so keen about the forest that it overlooks the trees—the essential factors by which the industry grew up, the art developed and theatres were vastly multiplied until the film became a universal form of entertainment," he said. "We cannot quarrel, however, with the conclusion reached in the monograph that no patent medicine remedies, no simple solutions, no infallible formula exist for any problems in this industry."

"On the contrary, to quote from this monograph, written without any hearing or submission on the part of producers, distributors and exhibitors, what the industry needs is more than anything else intelligent and sympathetic study."

"Screen is too prominent a medium for criticism, right or wrong, not to be constantly levelled at it. Wholesome criticism allows for constant self-examination and stimulates progress; baseless criticism leaves the opportunist to exploit the facts about the industry. There will never be a time when we can sit back and say 'Content'."

Entertainment Essential
"It is significant that even those who would substitute, both in content and in tone, for the entertainment of the list of necessities, however distorted and adulterated is the product they offer. Even tyranny shrinks from this last offense to the people," he continues.

Hays stressed that in the debate over the national emergency, the screen, as with the nation, was subjected to the strains of differing opinion. "Fortunately our record could speak for itself on any issue that arose. It spoke most emphatically against any charge that the screen was a breeder of hate. The record established that 16% of newsreel clips dealt with a variety of people and current events related to national defense, while only 2.4% of the short subjects and 5% of the features approved during 1940 had any relation, direct or indirect, to European politics of the European war."

Lauds Newsreels
Hays praised the newsreel coverage of the war, and its fine job under trying circumstances. He also lauded the trade press. He claimed that there was an increased use of films as teaching aids in schools, with the industry continuing to make available

Load Up on LeBaron

Hollywood, April 1. William LeBaron took over four more years for his 1941-42 production program at 20th-Fox. Two of them, 'Flight Surgeon' and 'Khyber Pass', are transfers from Kenneth Macgowan's schedule.

Other two are 'Improper Relations' and an untitled story by Jack Jungmeyer, Jr., and Maurice Rapt.

HAYS CAUTIONS ALL STUDIOS ON CODE

Problem of following the industry self-regulation codes on film production, and advertising them, received more attention than usual from Will Hays in his report to Motion Picture Producers & Distributors this week. He said it is not enough to follow the letter of the film business' own codes, but that vigilance must be exercised both in theatre and treatment... and that's a job for every individual studio as well as for the organized industry. The American public, very rightfully, will not stand for any violations."

Hays cited an analysis of critical opinion on pictures in 1940 that indicates only 30 films out of 523 feature pictures and 707 shorts were hit by serious objection on the basis of good taste, and even then equally sincere critics were not all agreed.

Number of pictures based upon crime or horror decreased in 1940 from the previous year. MPPDA Production Code Administration operation, according to Hays. Western and action pictures still held the lead among films mostly handled by PCA.

Miscellaneous themes actually led the list, representing 45.50% of 523 pictures. This was about a 3% increase over 1939. Although the western action films decreased from 27.4% to 22%, 115 were still handled by PCA. Crime and horror films dipped from 23.5% to 20.5%. Musicals showed an improvement, 27% to 28%. Films of this material later was brought into conformity with the Hays office Advertising Code, less than 1% finally being objectionable.

More features based on original screen stories were handled by PCA, percentage rising to 61.8% from 56.3% in 1939. Pictures produced from stage plays increased from 5.5% to 9.8%, with 51 such films made in 1940.

Keen competition to build domestic theatre attendance and offset foreign market losses produced many new types of advertising ideas with almost twice as many rejections of advertisements as in 1939. Rejected or revised ads amounted to 324 out of 1,125 submitted or 2.8%.

Use of this material later was brought into conformity with the Hays office Advertising Code, less than 1% finally being objectionable.

Hays pointed out that increased watchfulness was exercised by the first holder from the old regime to close a deal under B. G. De Sylva.

During the last year Jones produced 'The Road to Zanzibar' and handled the reins on the pictures directed by Preston Sturges.

Paul Jones' New Deal

Hollywood, April 1.

Paul Jones was signed to a new seven-year contract to produce high-budget pictures at Paramount, the first holder from the old regime to close a deal under B. G. De Sylva.

NET ALSO RUNS AHEAD OF 1940

Reduction in Costs of Coverage, Notably European, a Prime Factor in Increasing the Net Profit

UP RENTALS NOW?

Gross business is up for a majority of U. S. newsreels. Also net revenue is running higher than it did a year ago.

Some newsreel executives can't account for the recent spurt in total money garnered weekly, but most of them admit that the reduction in expenses, originally envisaged in covering the European war, naturally has aided the net take. Many newsreel editors believe the revived interest in news screen clips because of present world events, including the war and national defense, has produced a larger number of accounts for the newsreel companies.

Despite this encouraging sign, with a couple of newsreel companies reporting \$1,800 additional revenue weekly, the same low rental scale has been maintained in selling the newsreels. Few company executives believe that the general rental scale can be raised until distributors break away from present alignments and sell the newsreel separately and entirely on its merits.

In the face of mounting production costs, wage scales and other expenses going into the making of a newsreel twice per week, American newsreels continue to be the sales-bargaining football of exhibitors. Until they are lifted from this category, major distribution companies are none too optimistic about their future as money-makers.

Present indication is that if better rental terms are not obtainable for them in the 1941-42 selling season, when they are sold separately by most companies, they will be sought out in an effort to boost the rental fee per reel. There is talk of reviving the long-discussed plan for a two-reel newsreel, issued once per week or a one-issue setup, each one being about 1,000 feet in length instead of 700-800, as now. Idea is stated to be to reduce the print cost, which presently is a big item, even though lab work probably is at its lowest point in history.

Development of the special issue plan of newsreel coverage also will be tried this season by at least two newsreels. It was experimented with on a small scale last fall on football games, and will be employed again next fall on grid events and big national stories, with the exhib charged better than the newsreel fee.

All of these experiments are in line with the policy of several distributors looking to developing the value of their newsreel divisions. These companies believe they should be regarded as valuable properties, rather than as mere selling stars. The next fall for all distributors concerned with reels excepting Universal. It is a move to get the newsreels out of the present rut which sees them regarded first as a plaything of exhibitors and secondly, often rated as a goodwill builder for the parent distributing company.

As presently constituted, too many of the newsreels are loaded with publicity blurbs, concealed or otherwise. Publicity yarns are made on major company stars, stories or product as advance bally. These sort of clips also creep into reels through high-pressure of different groups. Exhibs are almost as bad. They constantly are in the market, putting the slug on the newsreels to get special advertising, but seldom are willing to pay an additional penny for this special service.

British Film Propaganda's Mistakes May Cue U. S. Not to Repeat Same

A Hand-Sitter

Washington, April 1. New way to keep the United States out of war and preserve neutrality toward the European belligerents was suggested to the Senate Monday (31).

Senator Robert R. Reynolds of North Carolina, violent isolationist, would like to have audiences prohibited from applauding when motion pictures are shown that deal any way with international controversies.

An inkling of what may be store for American exhibitors, in the matter of national defense propaganda pictures, if the same so-called errors in handling such films is made as in Great Britain; is contained in reports from London about exhibitors protesting against alleged competition from the British government's Ministry of Information picture activity. Two branches of the English Cinematograph Exhibitors Association voiced strong opposition to this activity after having previously passed a resolution to refrain from showing any more MOI films unless the competition with the exhibitors' business was halted.

British exhibitors did not mind showing so-called war propaganda and educational defense subjects on their regular shows, matter how dull as entertainment, but they have raised protests when similar Ministry of Information pictures were shown gratis, either 35-millimeter or 16-mm., in opposition to regular cinema performances. This was regarded as unfair competition, and as such should be stopped by the British government agency.

The British exhibitors did not object to propaganda films being shown in spots where there were no theatres, but they viewed the introduction of free propaganda film shows in towns where cinemas already existed as constituting a waste of public money. On the other hand a high official with the Ministry of Information held that it had the right to display propaganda films wherever it considered their showing in the public interest.

Exhibitors in U. S. are watching closely to see that defense propaganda films are not sent out in free arrangement shows in direct competition to regular theatre performances. They almost uniformly believe that proper propaganda pictures, already being shown on a modest scale in most theatres here, should go into regular theatres. And that the present emergency never should provide the excuse for the free film shows, as is being done in Great Britain.

PRODUCERS AT 20TH IN FOR PRUNING

Hollywood, April 1.

Shakeup among the high-ranking execs on the 20th-Fox lot is presaged by the high number of full producers and associate producers, working on a schedule of 44 features.

Recent signing of William LeBaron, Ernst Lubitsch and Mark Hellinger started speculation that the associate producer list may be cut down. These three, with Sol M. Wurtzel, are slated to handle the production reins on 25 pictures, leaving only 19 for 10 associates: Harry Joe Brown, Harold Clurman, Ralph Dietrich, Lou Edelman, Nunnally Johnson, Robert Kane, Lou Ostrow, Walter Morosco, William Perlberg and Milton Spelling.

SAM COCALIS ESTATE LIQUIDATING HOUSES

The theatres of Cocalis Amusement Enterprises, headed by the late Sam Cocalis, being slowly liquidated with a view to showing up the interests of the Cocalis estate entirely. Scattered houses in the New York and northern New Jersey area are being turned over to independent owners, following the first major deal with RKO transferring numerous Bronx houses to RKO and Skouras.

Thereafter, in the old Springs-Cocalis circuit virtually all independent theatres, following the first major deal with RKO transferring numerous Bronx houses to RKO and Skouras. Thereafter, in the old Springs-Cocalis circuit virtually all independent theatres, following the first major deal with RKO transferring numerous Bronx houses to RKO and Skouras.

Jas. Roosevelt Due Into N.Y. via D.C., Next Mex.

James Roosevelt, who came east from the Coast over the weekend in New Army bomber, went directly to Washington upon his arrival. He is expected in New York tomorrow (Thursday) or Friday for the opening of his first production, 'Hot O' Gold,' at the Rosy Field (4).

Producer, who is on short leave from the Marine Corps, will return to the Coast before heading for Mexico City, where his film will be premiered amidst a Motion Picture Festival built around it in cooperation with the Mexican government. Mex celebration will be from April 12-15.

Piazza Back at RKO

Hollywood, April 1. Ben Piazza returns to RKO in charge of new talent. He was formerly at the studio in that capacity and as casting supervisor.

U MAY RELEASE PAR'S BRITISH PIC IN U. S.

Deal was nearing consummation in N. Y. yesterday (Tuesday) whereby Universal would obtain U. S. distribution rights for 'Quiet Wedding,' British quota film, from Paramount. Negotiations have been in progress for about two weeks. Par is distributing the film in Great Britain, and holds options on the production for the rest of the world. Probably will distribute elsewhere in the world and market.

'Quiet Wedding' was produced by Paul Soskin in England for quota purposes, the producer sharing in financing, bulk of which was by Paramount. Production was halted on picture temporarily when Nazi bombs struck studio, killing two technicians on the lot.

Wood Signs Indie Prod. Deal With Par, RKO

Hollywood, April 1. Sam Wood signed two releasing deals with RKO and Paramount, each calling for the independent production of one picture annually for three years. He is also reported dicker with United Artists for a similar contract. First Paramount picture is 'Miss Susie Slagle,' to be made after he finishes his current job on 'King's Row' at Warners.

His new deal with U. A. is financing Wood's independent unit.

EXHIBITS STARTING TO FILE SEPARATE COMPLAINTS AGAINST DISTRIBUTORS

No Bunching 'Em—Theory of Scattering Consent Decree Beefs In on Premise of Diversifying the Squawks for a Better Percentage in Decisions

Instead of putting all their eggs in one basket, exhibitors are beginning to file separate complaints against distributors apparently in the hope that if they lose against one distributor they may win a case brought against another. Also, certain exhibitors are consolidating complaints under clearance and 'some run' on the ground that they are related, or that they may emerge in connection with complaints brought for some run, theatres are at the same time demanding a specific run which, according to the American Arbitration Association, will be arbitrated until the beginning of the new season's (1941-42) deliveries starting Sept. 1 next. However, this is to be contested by the Ken, Chicago, an independent, which will appeal to the Chicago tribunal. Attorney for the Chicago indie, demanding a specific run, will argue the arbitrator, if it should be designated now, that it should be designated now, and that such specification should become part of granting some run.

Interpretation of the consent decree and its intent as worked out by the Department of Justice is that while an exhibitor is entitled to some run, regardless of what the distributor decides, he may not complain as to what run is granted, whether it is unfair, as designated by the distributor after some run is granted, until Sept. 1 when it applies to 1941-42 product. As a result of this interpretation, the Soona, Mexico, Mo., and the Chicago indie, which is in this particular instance, the complaint demanding some run, was against Par, Warners, Metro, RKO and 20th-Fox.

Ken, Chi, Appealing
Although the Ken, Chicago, hopes to fight it out before the Appeals Board of the AAA against all of the Big Five, it is regarded as virtually certain that it will lose so far as a specific run is concerned because of the intent of the decree itself, and pointed out that where such cases may be filed locally, the arbitrator's hands are virtually tied unless the exhibitor is merely looking for some run at this time.

Under this particular phase of the decree it is explained that an exhibitor now getting no run at all should seek 'some run' and where that is granted by the arbitrator but the distributor allocates a run that is seemingly unfair to the exhibitor then has a right to declare for the run he thinks he is entitled to. This applies, however, only to indie exhibitors who own or operate no more than five houses.

The filing of separate complaints, so far only under some run and clearance, may mean considerable extra cost to both sides if the policy becomes widespread since separate filing costs, hearings and referees, a figure for exhibitors doing that as well as for distributors.

London's 2 Complaints
In Detroit, Julius London, indie, has brought two different cases demanding some run. In one complaint it's in the name of his Mid Five, while in the other it's in the name of his De Luxe, also against all of the five consenting distributors. Both houses have been shut out from runs from these distributors but the complaints are brought separately and it could happen where one arbitrator refuses to grant a run, the other might.

In New Orleans where Charles Wolner, operator of drive-ins, has filed no less than three different cases on some run, he brings single complaints against Paramount, Metro and Warners Bros.
During the past week two separate clearance complaints were filed at the Albany office of the AAA. They were brought by the American, Carlton, N. Y., one case being against RKO, the other against Warners. The same theatre in each instance

filed, claiming the Pontiac and Strand at Ogdensburg, N. Y., were obtaining unfair clearance over the Canton town.
While up to now the only squawks of exhibits has dealt with clearance and some run, on Friday (28) the Star, Lupton, Colorado, came forth with the first 'beef' concerning the withholding of prints. E. K. Menough, operator of the Lupton house, claims that prints of all five companies (WB, RKO, Par, Metro, 20th) are being withheld from him in favor of the Rex, Brighton, Colo.

PASCAL ON COAST TO EDIT DOWN 'BARBARA'

Hollywood, April 1.
Gabriel Pascal, sole producer of George Bernard Shaw's play, is in New York City editing 'Major Barbara' at General Service studio, preparatory to its release within three weeks.
Rough cut of the film has been shown in England, but further editing is required before it is ready for the American market.

Studio Contracts

Hollywood, April 1.
Vivian Mason inked player deal at 20th-Fox.
Eleanor Powell drew new contract at Metro.
RKO signed Paul Henreid, actor, and changed his name to Paul Herndon.
Metro handed Larry Nunn a minor's contract.
RKO closed player deal with Frances Neal.
Warners renewed Richard Macaulay's writing contract.
Superior Court approved minor Charlie Smith's contract with Paramount.

Warners picked up Ben Stoltzf's director option.
Paramount renewed Charles Brackett's writing pact.
Herman J. Mankiewicz signed to scripting deal by 20th-Fox.
David O. Selznick handed an acting ticket to John Allen King.
Richard Carroll drew one-year writing contract at Columbia.
Ken Englund signed to script three pictures for 20th-Fox.
Columbia closed a player deal with Leen O'Hearn.
Paramount lifted Bonnie Bannon's player option.
Universal handed Claire Dodd a player ticket.
Paramount lifted player options on Sterling Hays, Albert Dekker, and Francis Gifford.
Michael Ames inked player ticket at Warners.

Disney-Goldwyn Hookup May See An Unique Merchandizing Plan

Collaboration of Walt Disney and Sam Goldwyn on a life story of Hans Christian Andersen will have no bearing on other production or releasing plans of either of the filmmakers. Work on the Andersen film is not slated to start at either studio until fall and likelihood is that it will not be released until late in the spring of 1942.

Plan, it is understood, is for Goldwyn to make the life story of the famous writer of children's stories with Disney to do cartoons of the fairy tales he wrote. These would be inserted in the live action to illustrate the tales chronologically as Andersen knoes them out. Alternate plan is to sell exhibits a 'package' of films containing the Goldwyn feature and, in separate reels, Disney animations of the fairy tales to be played on the same bill.
Disney now has three features nearing completion stage. First is 'The Reluctant Dragon,' using a combination of cartoons and live ac-

Hedda Mothering Again

Hollywood, April 1.
Hedda Hopper, creator of the mother role in the Aldrich Family series, plays the same part again in the next Paramount picture, 'Henry for President'.
Jimmy Lydon takes over Jackie Cooper's part as Henry and Charley Smith replaces Eddie Bracken as Dizzy.

SCHINE MAY SWITCH HEADQUARTERS TO N. Y.

Reported the Schine Bros., operating around 150 theatres in upper New York State, Ohio, Kentucky and Maryland, is planning to move home offices from Gloversville, N. Y., to New York City with the coming of the consent decree.
Circuit, headed by Meyer and J. Louis Schine, is one of three that was sued by the U. S. government under the anti-trust laws as a follow-up to the consent decree against all of the major distributors.

UA-WB Stymie in Pitt Stalls 'Dictator' Date

Inability of United Artists and Warner Bros. circuit execs in Pittsburgh to get together on percentage terms for a moveover engagement of 'The Great Dictator' resulted in the booking bid cancelled just a few hours before the film was slated to open at the Warner theatre.
Picture had been playing the Penn and was slated to move to the Warner on Friday (28), but UA and WB failed to come to an agreement by late Thursday. Warner ads that day had already announced 'Dictator' and were yanked hurriedly out of the Friday am. dailies. House filled with a double-bill, 'You're the One' and 'Trial of Mary Dugan'.
Warner had played 'Dictator' five months ago at advanced admision. UA is now asking 50% for the pic, but had agreed to substantially less than that for the WB circuit deal, it is understood. WB, however, wanted still further concessions.

Col. Herron's Duties

Col. Frederick L. Herron, formerly manager of the Hays office foreign department, has been appointed head of the U. S. Army Motion Picture Service as his initial assignment in active service with the Adjutant-General's office in Washington. Herron was in N.Y. for a short time yesterday (Tuesday) checking with the local office which is in charge of Thomas H. Martell.
Herron will be in Washington most of the time but will make trips to various offices of the Picture Service in all parts of U. S. Service books all motion pictures for army camps.

New Selling Season Not Influencing Detroit Court to Rush Decision

Detroit, April 1.
Although counsel indicated that a swift decision in view of the new selling season was highly desirable in the anti-trust suit brought by Midwest Theatres, Inc., against the Co-operative Theatres of Michigan, Federal Judge Frank A. Picard indicated that he could not take this factor into consideration in reaching a decision in the case which has been running for months.
Final evidence was put in and the attorneys argued that a new selling season is starting and that the new type of selling under the block-of-five system requires a quick settlement of the conflict. However, court replied that matters involved were of major concern and could not be hastened. The plaintiffs were given until April 15 to file the brief of their contentions while the Co-ops were given until May 5 to file an answer.

Following that the final arguments will be heard before Judge Picard makes decision on the Midwest charges of unfair 'trade practices' in which its houses suffered.

Col. Mulling Roadshow For 'Penny Serenade'

Decision by Columbia on possibility of roadshow 'Penny Serenade' will be made in New York next week when various execs of the company get together for huddles. Pic has created considerable enthusiasm that the distributor, Nat and Nate Spingold went to the Coast over the weekend to see the rough print. He'll report back next Monday (7).
Meeting with Spingold to make the decision will be Jack Cohn and Rube Jucker, who returned from Florida this week, and Abe Montague, who is due back later in the week. 'Serenade' has been set for April 24 if not roadshow.

Montgomery On Loan For Columbia's 'Heaven'

Hollywood, April 1.
Metro loaned Robert Montgomery to Columbia for the top role in 'Heaven Can Wait,' slated to roll April 15.
Picture, based on a stage play by Harry Segall, is Everett Rinklin's first feature assignment since returning to the lot. Alexander Hall directs.

More Complaints

Buffalo, April 1.
First case before the Buffalo arbitration board got under way Monday (31) before Weldon D. Smith, local department store head, an arbitrator, named by the board. Richard DeTota, operating the Genesee theatre at Mt. Morris, requested that 20th, Warners, Universal and Monogram be directed to license him, WB, court's assistant the opposition Family theatre. Fox was represented by Percy Heiliger, of N. Y. office legal department.
Case discontinued against Warners by Hupokul of complainant. Universal and Monogram, though named, are also out because of no jurisdiction over them.
WB court's assistant 20th only with Martina Circuit operators of the opposition Family as intervenor. Evidence closed after all-day session. Briefs to be submitted in 15 days.

14 Boston Beef
Boston, April 1.
Local AAA office has received its second clearance of exhibitors opened two months ago. Julien Descauteau, operator of three Manchester, N. H., houses, seeks earlier releases of feature pic from Paramount, RKO, WB, court's assistant. Also mentioned in complaint is State Operating Co., owner of an operation house in Manchester.

1st Philly Case Up Friday
Philadelphia, April 1.
The first arbitration case filed in Philly office will be heard Friday (4) before Robert J. Callaghan, local arbitrator, named by the board. Case was filed by Florence theatre, Florence, N. J., against some of the major distributors. Intervenor in the case is Ben Amsterdam, head of the Atlantic Theatres, Inc., an indie circuit.

HEAVY TRADE IN RKO, PAR, U COMMON

Washington, April 1.
Heavy trading in RKO, Paramount and Universal Pictures stocks recorded last week in the Securities & Exchange Commission's January survey.

Biggest deal was purchase of 11,600 shares of RKO \$1 par common for the Atlas Corp. (Floyd Odium trust) in 15 separate transactions which brought the Atlas holdings to 744,496 shares. An additional 1,200 shares of 6% convertible preferred was registered for Atlas, bringing holdings in Atlas Corp.—listed as 'beneficial owner'—also was credited with ownership of 327,812 warrants for common, while the American Co. was shown holding 120 shares of \$1 par common stock in the picture company.

Interests of Preston Davis, Manhattan director of Universal, who picked up 20 shares of 6% cumulative five first preferred stock in the company during January, revealed that he held 50 shares of this stock and 100 shares of \$1 par common stock of the company at the end of last year. Related interests of Peyton Gibson were listed through securities owned by Universal Corp. which, in September, bought 2,000 shares of \$1 par common to bring the total to 200 shares and at the same time, showed holdings of 220 shares of 6% cumulative first preferred and 20,000 shares of 7% cumulative second preferred.

Purchase of 400 shares of Paramount Pkx, Inc., \$1 par common, upped Henry Ginsberg, Hollywood official, to 500 shares, with Edwin L. Wiesel, New York director, listed as having 100 shares of same at the end of the year. Wiesel also was recorded as having disposed of an interest in 3,200 shares of 6% convertible second preferred stock of the company, wiping out his holdings in that stock. E. Thomsen, New York official, as compensation.

EBELE MOVES TO PAR AS PRODUCTION HEAD

Hollywood, April 1.
New production manager at Paramount is Ed Ebele, who resigned as assistant production manager at 20th-Fox to assume the new job.
Simultaneously Charles Boren, in charge of industrial relations on the Par lot, was upped to the studio manager post recently vacated by T. K. Jones and R. B. Hilton was advanced from service manager to assistant studio manager.

'Heaven Too,' 14 Wks. At Mex Theatre, Sets Mark

Mexico City, April 1.
The longest run record for a film at one stand here has been established by 'All This, and Heaven Too' (WB), with 14 consecutive weeks at the Cine Iris, 1000000. The film played to tariffs that ranged from \$3 (Mex.) (60c U. S.) the first two weeks, \$2.50 (Mex.) (50c) the next two weeks and \$1.50 (30c) the rest of the run.

'Heaven' run was only preceded by 'Come With Me Wind' (M-G), with latter's six weeks at the Cine Alameda and three week at the Cine Iris, simultaneous with the Alameda exhibition.

Lenser Sues to Work

Los Angeles, April 1.
Damage suit for \$15,000 was filed by Olin Dray, still cameraman, against 15 motion picture studios and International Alliance of Theatrical Stage Employes. Plaintiff charges the IATSE with keeping him out of a job.
Complaint asserts Dray joined the union in 1923 and was in good standing when he went to work for Gaumont British in London in 1926. He was refused readmission to the union.

BACK-PAY STORM

Col. Details Intra-Studio Deals In Asking Dismissal of Its Suit

Filing a long (120 pages) general denial of all charges Columbia Pictures Corp. on Monday (31) applied in N. Y. federal court for dismissal of the Government antitrust suit against it on numerous grounds. The gist of Columbia's denial is that it is not a major film producer or distributor, and that the Government is harking up the wrong tree when it attacks it.

The answer starts off with a general denial of charges and then states that from 1929-39 Columbia distributed 273 features, 71 'A' productions, and 80 Westerns of its own, and eight 'A's, 54 features and 47 Westerns produced by others. The company claims that from 1927-39 there were a total of 9,169 features produced, with the majors making 3,581 and independents 5,588.

Columbia points out the rising cost of picture-making, by showing that from 1924-28 it averaged 22 features per season at a cost of \$729,370, while from 1928-39 it averaged 44 features at the cost of \$1,400,000. In the 1930-40 season the cost of its product was \$3,368,600.

Columbia's Difficulties
Columbia found it difficult to secure proper distribution for its pictures in the beginning, it is claimed, with major film producers established in the field, either refusing to distribute altogether or imposing such harsh terms as to make it impossible. The company then was forced to go to the banks in 1929 and borrow \$750,000 and start its own distribution exchanges.

These are Walt Disney, David Lewis, Walter Wanger, Emanuel Cohn, B. P. Schulberg, Hal Roach, Leo Lassar and David O. Selznick.

The cost of 'A' pictures today is \$485,000 against \$202,900 in 1932, while the cost of other features has risen from \$101,100 in 1932 to \$129,800 for Columbia today.

Distribution today is actually part of production and cannot be separated from it. It is a matter of gradually merged as a matter of necessity.

This has been due to the great advance in the business and the great amount of money spent in production which makes it necessary that producers have their own facilities for protecting their respective products.

One of the reasons the producer has a very small investment in the picture and has little to lose, or when the distributor contributes to the cost of the picture, that the producer is willing to entrust the distribution to others.

Stars Evenly Split
Columbia then lists its loans to majors and independents to show it split evenly in distributing its stars.

In 1933 Columbia lent 11 stars to majors against four to independents; in 1934 it was 13 to the majors against nine to independents; in 1935 it was 23 to the majors against 18 to independents; in 1936 it was 26 to the majors against 16 to independent; in 1937 it was 16 to the majors against 33 to independents; in 1938 it was eight to the majors against six to independents; in 1939 it was three to the majors against three to independents; in 1940 the majors received four and independents three; in 1941 the majors have borrowed one player in 1941 and independents none.

The same proportion holds true of Columbia's borrowing its stars from majors and independents. Columbia states that borrowing and lending is necessary for it to survive. In 1937 it paid out on rental \$45,000,000 on talent and that pictures have had to meet the terrific competition of radio, and step up production. Costs have risen and plays and originals are far more expensive than previously.

Columbia does not get a break from the majors either, it points out, showing that it paid RKO \$50,000 above Katharine Hepburn to borrow the actress for 'Holiday'. It has never pooled its players or stars and remains an independent. At the outset of the suit the other majors had 348 stars under contract

High Average
Hollywood, April 1. Edgar Kennedy was renewed for the 11th year in the 'Mr. Average Man' shorts series at RKO. His 67th 'Average' role starts this week.

PROPOSED N.Y. ALLIED UNIT BLASTS MPTOA

Buffalo, April 1. Proposed new Allied States independent exhibitors association held an organization luncheon at Hotel Statler here this week. Gathering was by invitation contained in letters to local exhibitors over the signature of an Auburn (N. Y.) theatre owner. Letter, which blasted the MPTOA, credited the new organization activity to Thornton Kelly, and listed Sydney Samuelson as principal speaker at the luncheon. Meeting was reported sparsely attended with no information available as to membership or plans.

MPTOA-Indies' Joint Meet
Los Angeles, April 1. Joint Convention of Pacific Coast Comorate of Independent Theatre Owners and the Motion Picture Theatre Owners of America is slated here June 8-10 for the first time in the history of the two organizations. Ed L. Kuykendall, president of MPTOA, and Robert H. Poole, secretary of PCITO, arranged the double conclave as a 'good will' gathering, with all branches of the film industry eligible to participate.

Before leaving for his home in Columbus, Miss. Kuykendall warned the industry that it faces serious problems, including the consent decree, which, he declared, is now a law and should be given the picture business attempts to upset it. A goodwill convention at this time, he asserted, is just what the business needs, in view of various legislative threats.

One of the threats, Kuykendall said, is a Congressional proposal for nationwide daylight savings. A number of protests against the proposed legislation have been registered in the past, but none as widespread as the one that has erupted from all sections of the country, he declared, would go a long way toward killing the bill.

Balloon (Not Bubble) Dance Suit Vs. Chaplin

Charles De Haven, dancer and writer, filed suit Monday (31) in N. Y. federal court against Charles Chaplin and United Artists Corp., seeking an injunction, accounting of profits and damages charging that 'The Great Dictator' infringes on a dance routine he created. The dance, written in 1920 in conjunction with Fred Nye, who has assigned his rights, is called 'Mulligan and Mulligan' from the West in Follies of 1976. De Haven and Nye were a standard act in the 20s.

The part claimed to be stolen is called 'Comedy Balloon Dance,' and it is alleged that Chaplin's routine with a balloon uses the poses, gestures and mimics of plaintiff's dance.

To Columbia's six. Columbia has been boycotted in distribution and always splits its product between majors and independent theatres. The company points out the suit has already been decided in the Interstate case in Texas, and concludes with a plea for a dismissal of the action.

THREAT TO STUDIO LABOR RELATIONS

Wage-Hour Hearings Touch Off Moot Retroactive Point—Coin Being Spent So AFL Must Deliver—Drive to Unionize Disney

SCRIBES BARGAIN

Hollywood, April 1. Threatened labor-producer clash over a \$30,000 back pay jackpot, plus an American Federation of Labor drive to unionize the Walt Disney studio, threatens to blast the peaceful studio relations that have existed for several months.

The stage for the \$30,000 battle was set during the Wage and Hour hearings here on certain disputed classifications. The hearings have been completed, and a report for Washington is now being prepared by Merle D. Vincent, chief of the hearings branch of the Wage and Hour Administration. But hundreds of the film workers have already started picketing at the luncheon pay, and the union business representatives are going to be on the spot unless they can deliver.

Plans for the Disney scrap are now being completed by Meyer Lewis, western director of the AFL, Aubrey Blair, AFL international representative; Herbert Sorrell, business representative of Moving Picture Painters Local 644, and George E. Bodie, attorney for the Screen Cartoonists Guild, which claims jurisdiction over 700 Disney employees. The Screen Publicists Guild, Society of Motion Picture Film Editors and other independent crafts are certain to be drawn into the fight, with a possibility that other studios will become involved.

\$30,000 Bill
The main fireworks, however, will be the union blitzkrieg to collect \$30,000 in retroactive pay since the (Continued on page 12)

Those Early-In-The-Morning Blues A New Trade Show Screening Worry

Forced to screen all products starting with 1941-42 releases, which go on delivery Sept. 1 next, the distributors are leaning toward the use of theatres in the various 31 exchange zones where pictures will have to be shown before they are offered for sale. At the same time, among other things, though it is being mulled, in the opinion of the exhibitors, the question of psychology in the matter of trade showings so that the films being privately run off will be shown to the best advantage.

As a consequence, the matter of morning screenings is being mulled. In the opinion of the exhibitors, the distributor quarters that if a picture is projected too early, not only will certain outlying exhibitors be compelled to get up so early that they're in no mood to see anything, but that in the case of some forms of screen fare, notably heavy dramas, it may be to their detriment to be shown before lunch. It is also contended that comedies may be screened at a disadvantage if immediately on top of breakfast, a fight with the misus or a bad hangover.

In any event, the distributors who are party to the decree are anxious to provide the most desirable means of seeing pictures and while some of the Big Five may change their minds, depending on the quality of their product, they are facing the situation now in the hopes of encouraging exhibitors to attend showings. This is particularly true of Metro which, according to a high executive, are using all accounts to see their film before buying.

Some quarters, however, veer to

Some See Consent Decree Curbing Houses Using Gimmicks or Duals By Penalizing Them on Clearance

Call Me Nick

Los Angeles, April 1. Most enthusiastic hit-passer for Greek War Relief collections at the RKO-Hillstreet theatre is Joe Armando, assistant manager. Armando is of Italian extraction.

6 WEEKS' SEVERANCE FOR WAR LOOKS OK

Hollywood, April 1. Screen Office Employees Guild demand for severance pay of at least six weeks' salary for members called for military service is expected to be approved at meeting tonight (Tuesday). Maximum amount would be \$600 payable in 12 weekly installments.

Studio are also being asked to continue group insurance at their expense, with service time to apply to seniority, and with reinstatement mandatory when military service is completed.

Colored Pix Talent's Shows for Negro Troops

Hollywood, April 1. Ben Carter, colored comic at 20th-Fox, is organizing a troupe to put on weekly entertainment for the 8,000 Negro soldiers at Fort Huachuca, in Arizona. First show goes on April 10.

Guests for the weekly programs include Clarence Muse, Eddie (Rochester) Anderson, Hattie McDaniel, Mantan Moreland, Eddie Best, Natuyl, Paul White and others, with Carter as emcee.

Guests for the weekly programs include Clarence Muse, Eddie (Rochester) Anderson, Hattie McDaniel, Mantan Moreland, Eddie Best, Natuyl, Paul White and others, with Carter as emcee.

the belief that while a goodly number of buyers will make their business to view pictures ahead of time, the exhibitors will use of under its first year of operation, that ultimately they will rely more than they have heretofore on advance information, film buying services and those trade papers reporting films accurately and fearlessly. In this connection it is believed in some circles that eventually the small exchange screening rooms in the 31 branch centers may be able to handle the situation. Most of them, however, are very small and the screening of pictures are shown are less in size than those of a theatre. That is one of the reasons at the moment that theatres are favored for pictureings under the groups-of-five but not anticipated that any company will attempt to run off as many as five films at one time.

Some exchanges could enlarge their screenings space but in the majority of instances a physical problem is involved since the rooms which have been mentioned have been almost exclusively for distributor sales forces. Many seat only a handful.

In New York one suggestion has been made to take over a theatre which could be used by all five distributors who would share in the cost, while in some exchange centers proposals have been made by outside interests for the building of screening parlors accommodating a sufficient number of persons for rental to distributors as desired.

Chicago, April 1. With the consent decree having brought the motion picture industry, especially the exhibition field, under some central governing body, there is a growing movement among exhibitors in this territory to utilize this governing body in some manner to bring about the elimination of giveaways, money nights and even double features.

While some exhibitors feel that this consent decree group will not take over any such powers, there is a steadily increasing number of exhibitors who believe, that as long as this governing group is endeavoring to iron out intra-industry wranglings as to clearance, protection, product availability and such, that in a similar manner, it could treat with giveaways, money stunts and other exhibition tricks inimical to exhibition. They believe that the door is now opened for a real effort along these lines, although when indie exhibitors attempted several years ago to do away with giveaways, even going to courts, they failed.

Basis on which these exhibitors feel that giveaways, money nights and duals can be eliminated is on the grounds that these stunts are unfair competition, and that theatres utilizing these 'rackets' to corral business should be penalized by the governing body by being forced to play pictures at a later date than those theatres which do not resort to gaffs and gimmicks.

In Mpls, Too

Minneapolis, April 1. There's agitation among independent exhibitors here to have theatre merchandise giveaways taken into consideration in fixing protection and clearance.

It's pointed out that some theatres with higher admission than the houses over which they enjoy a clearance advantage are giving away merchandise items on some nights that cost as much as 12c each. The argument is that, actually, such houses do not rate the admission classification given to them.

At least one exhibitor whose situation is alleged to suffer because another nearby one, now using a giveaway, enjoys clearance over it, asserts he'll throw down the gauntlet and demand a showdown in the matter.

MILLIGAN QUILTS BIZ; BROWN INTO DENVER

Resigning from Paramount as general manager of distribution Canada recently rather than transfer to Denver, a post offered him some weeks ago, Maurice A. Milligan probably will not make another connection in pictures. He has various outside interests which make him independent and for that reason, besides wanting to remain in Toronto, he declined the Denver spot.

As a result, during the past week, Neil F. Agnew appointed Manny Brown to take over the newly-created Denver district, embracing that office in the Omaha and Salt Lake City exchanges. Formerly branch manager over the Montreal territory, he is succeeded there by Tom Downhagen, salesman.

In New York last week, Brown returned to Canada for the weekend, leaving for Denver from there Monday (31).

Del Goodman, formerly in Indi with 20th-Fox, who succeeds Milligan as assistant manager, arrived in Toronto Monday (31), to take up his new duties.

L.A. Coasting; Ted Lewis Boosts 'Betrayed' to \$19,000, 'Bad Man' \$18,900, 'Nice' 18G, 'Doc' Holds

Los Angeles, April 1.
(Best Exploitation: 1st)
With one week and two exceptions first run, this week are playing to just ordinary big. Exceptions are 'Fantasia' at the Carthay Circle, now in ninth week of two-day run, and 'Nice Girl', the Deanna Durbin opus, at the RKO and Pantages. 'Bad Man' is doing out just fair at the State and Chinese while Paramount is holding 'The Lady Eve' for a third week, but has bolstered with the Beery film 'John Doe' is holding strong for its third week at the Warner theaters, and will get a fourth session. State theatre, profited through somewhat novel exploitation for 'The Bad Man'. Olvera Street association (Spanish-Mexican) co-operated and virtually turned over the quaint one-block-long thoroughfare to advertisements for the Beery film. A 25 ft. banner was extended across the street, cutouts of Beery were lavishly used and quite a pretentious display and exhibit arranged in one of the buildings.

Estimates for This Week
Carthay Circle (P-WC) (1,516; 82-101-85) - 'Fantasia' (2nd wk) (wk). Slipped to \$10,000, but with Easter approaching it will probably pick up. Eighth week, \$17,000, with July \$17,000.
Chinese (Grauman-F-WC) (2,034; 30-44-55-75) - 'Bad Man' (M-G) and 'Blonde Inspiration' (M-G). A little better than usual with fair \$17,000 in prospect. Last week, 'Ends Night' and 'Golden Hoofs' (20th), weak \$6,000.

Newsreels (P-W) (1,800; 44-55-65-75) - 'John Doe' (WB). Showing considerable strength on extra long run. Garnering a good \$8,800 this round and holds a first week. Second week ended with bill \$15,500.

Four Star (U-A-F-WC) (900; 30-44-55) - 'Hamilton Woman' (UA) (2d wk). Looks like \$6,700 on current stanza, after first full regular week got out lucrative \$11,000.

Hawaii (G&S) (1,100; 30-44-55) - 'Convoy' (P-WC) and 'Wives' (RKO) (1st wk). Showing considerable interest in the main feature and will likely garner around \$18,900. Last week, 'Blackout' (UA) and 'Ladies' (RKO) (2d wk) ended \$1,200.

Hollywood (P-W) (2,556; 44-55-65-75) - 'John Doe' (WB) (3d wk). Very good \$8,500, after second week piled up sweet \$11,700. Holds a fourth week.

Orpheum (P-Way) (2,200; 30-44-55) - 'Man Betrayed' (Rep) and 'Ted Lewis' (P-WC) (2d wk). Should hit okay \$19,000. Last week, 'Phantom Submarine' (Col) and 'L'il Abner' (RKO) with Bud Rogers heading stage show, okay \$10,000.

Pantages (P-W) (2,812; 30-44-55) - 'Nice Girl' (U) and 'Scattergood Baines' (RKO) (2d wk). Good \$8,500 and looks headed for near \$9,500 plus a h.o. Last week, 'Girl Guy' (RKO) and 'Mystery Queen' (Col), not so hot \$7,500.

Paramount (P-W) (3,595; 30-44-55-75) - 'John Doe' (WB) (3d wk). 'Up' (Par) plus stage show. About \$5,000 for five days. Bill yanked to \$10,000 nine-day week for 'Las Vegas Nights' and Duke Ellington starting today (1). Last week (2d), 'Eve' soloed to \$14,000.

RKO (P-W) (2,872; 30-44-55) - 'Nice Girl' (U) and 'Scattergood Baines' (RKO). Good \$8,500 and holds. Last week, 'Gone With the Wind' and 'Elly Queen' (Col), just topped \$8,000.

State (Loew-F-WC) (2,404; 30-44-55-75) - 'Bad Man' (M-G) and 'Blonde Inspiration' (M-G). Looks likely for \$18,900, but nothing to rave about. Last week, 'John Doe' (WB) and 'Golden Hoofs' (20th), weak \$6,000.

Topical Artists (U-A-F-WC) (2,100; 30-44-55-75) - 'Wind' (M-G) (6th wk). Will likely add around \$5,500 on final week. Second week of return date brought okay \$4,500.

Wilshire (F-WC) (2,296; 30-44-55) - 'Ends Night' (P-W) and 'Golden Hoofs' (20th). Poor \$4,000.

Work (Son Crista) (U) and 'Chump Oxford' (UA), \$3,400.

Broadway Grosses

Estimated Total Gross
This Week \$304,390
(Based on 14 theatres)
Total Same Week
Last Year \$351,500
(Based on 12 theatres)

'EVE' \$9,000, IS TORRID IN L'VILLE

Louisville, April 1.
Biz in the downtown show sector is generally satisfactory, with 'Lady Eve' at the Rialto showing the most go. strength. Swell reviews and strong word-of-mouth are helping tremendously to bring fine returns. 'Miss Bishop', at Loew's State, is making a mild showing.

While grosses are shaping up well along the main stem, a roller derby which got under way at the Jefferson City Armory last week with the town's hoodlums and service passes (15c), is giving downtown houses strong opposition.

Estimates for This Week

Broadway's Fourth Avenue (1,400; 15-30-40) - 'Hardy's Secretary' (M-G) and 'Lone Wolf' (Col) (2d wk). Still rolling along in third downtown week, with indications for good \$19,000. Last week, after move over from Loew's, excellent \$33,000.

Kentucky (Swift) (1,200; 15-25) - 'Seven Sinners' (U) and 'Lone Voyage Home' (UA). Dropping slightly below previous weeks, but still okay \$14,000.

Arizona (Col) and 'Honeycomb' (WB) (WB), satisfactory \$1,600.

Loew's State (Loew's) (3,200; 15-30-40) - 'Miss Bishop' (UA) and 'Killer's Crisis' (M-G). Rather short on draught, due to lack of strong reviews, and on opposite factors which are in evidence currently. Result probably medium \$6,500.

Dictator (UA) and 'Boston Black' (Col) (Col), \$9,000 on return at regular prices.

May Anderson (Libson) (1,000; 15-30-40) - 'John Doe' (WB) (2d wk). Still going strong at a potent pace, pointing to a good \$3,600 in probable window stanz. Last week, second, managed fine \$3,000.

Rialto (Fourth Avenue) (3,400; 15-30-40) - 'Lady Eve' (Par) and 'Sleeping West' (20th). Talk of town and stage show, \$11,000. Last week, \$10,000. Last week, 'Tobacco Road' (20th) and March of Time, fine \$8,500.

Strand (Fourth Avenue) (1,400; 15-30-40) - 'Girl and Goe' (RKO) and 'Scattergood Baines' (RKO). Couple of first-rate hits, potentially good, but a little better than average \$4,000. Last week, 'Vivacious Lady' (RKO), 'Melody Three' (RKO), fairish \$3,000.

'DICTATOR' FINE \$12,000, DENVER; 'EVE' 3D 10G

Denver, April 1.
'Great Dictator' is turning in the heaviest cash at the Denver, while 'Lady Eve', in its third week at the Denham and helped this time by 'Las Vegas Nights', is still doing the business.

Estimates for This Week

Aladdin (Fox) (1,400; 25-40) - 'Tobacco Road' (20th), after a week at the Denver. Good \$4,000. Last week, 'Sierra' (UA) and 'Blackout' (UA), after a week at the Denver, fair \$3,500.

Broadway (Fox) (1,040; 25-35-40) - 'Girl Guy' (RKO) and 'Ted Lewis' (M-G), after a week at the Orpheum. Acceptable \$3,000. Last week, 'Hardy's Secretary' (M-G) and 'Liberty' (M-G) (2d wk), after a week at the Orpheum, fair \$2,500.

Denham (Cockhill) (1,750; 25-35-40) - 'Eve' (Par) (3d wk) and 'Las Vegas Nights' (P-WC) (2d wk). Last week, 'Eve' (Par), solo; packed them in to tune of \$10,000.

Denver (Fox) (3,525; 25-35-40) - 'Dictator' (U) and 'Golden Hoofs' (20th). Last week, 'Tobacco Road' (20th) and 'Double Date' (U), ditto.

Elly Queen (Col) (2,600; 25-35-40) - 'Bad Man' (M-G) and 'Free and Easy' (M-G). Okay at \$3,000. Last

Balto No Dog Town

Baltimore, April 1.
A blitz on local pocketbooks last week with a record lineup of diversified entertainment, made history, reaching a record-breaking total of \$130,000 all around. Three-day annual season of Met. Opera (24-28) drew an estimated \$47,000 with standees at every performance. The record-breaking total of \$130,000 all around. Three-day annual season of Met. Opera (24-28) drew an estimated \$47,000 with standees at every performance.

Nabes, niteries, dances and attractions; pre-Broadway prems of Herman Shumlin's production of Lillian Hellman's 'Watch on the Rhine', which hangs \$15,875 to Ford's, and the Chicago company of 'Arsenic and Old Lace', at the indie Maryland which attracted \$13,761.53 to the house.

Flux and vaude in downtown area held up bravely with estimated total of \$33,000 figured for combined downtowners.

Nabes, niteries, dances and concerts reported holding their own in spite of the onslaught. It's Lent, too!

week, 'Girl Guy' (RKO) and 'Penalty' (M-G), fair \$9,000.
Paramount (P-W) (2,200; 25-40) - 'Man Lost' (U) and 'Dynamite' (U). Good \$5,000. Last week, 'Man Betrayed' (Rep) and 'Sign of W' (M-G), good \$5,500.

Rialto (Fox) (878; 25-40) - 'Sierra' (WB), after a week at each the Denver and Aladdin, and 'Streets of L.A.' (U). Good \$2,200. Last week, 'Strawberry Blonde' (WB), after a week at each the Denver and Aladdin, and 'Face Behind Mask' (Col), good \$2,300.

'HARDY' HOTSY 11G, INDEPLS.

Indiana's Private Secretary

is doing a landoffice business at Loew's this week, dually with 'Elly Queen' (Col) and 'Lone Wolf' (Col). Indiana thought it had a winner in 'Sea Wolf', played singly, and booked it for a nine-day stay; but 'Sea Wolf' is so far out in front that the others are still in the backstretch, with none of them coming within a heavy margin.

Indiana thought it had a winner in 'Sea Wolf', played singly, and booked it for a nine-day stay; but 'Sea Wolf' is so far out in front that the others are still in the backstretch, with none of them coming within a heavy margin.

Indiana thought it had a winner in 'Sea Wolf', played singly, and booked it for a nine-day stay; but 'Sea Wolf' is so far out in front that the others are still in the backstretch, with none of them coming within a heavy margin.

Indiana thought it had a winner in 'Sea Wolf', played singly, and booked it for a nine-day stay; but 'Sea Wolf' is so far out in front that the others are still in the backstretch, with none of them coming within a heavy margin.

Indiana thought it had a winner in 'Sea Wolf', played singly, and booked it for a nine-day stay; but 'Sea Wolf' is so far out in front that the others are still in the backstretch, with none of them coming within a heavy margin.

Indiana thought it had a winner in 'Sea Wolf', played singly, and booked it for a nine-day stay; but 'Sea Wolf' is so far out in front that the others are still in the backstretch, with none of them coming within a heavy margin.

Indiana thought it had a winner in 'Sea Wolf', played singly, and booked it for a nine-day stay; but 'Sea Wolf' is so far out in front that the others are still in the backstretch, with none of them coming within a heavy margin.

Indiana thought it had a winner in 'Sea Wolf', played singly, and booked it for a nine-day stay; but 'Sea Wolf' is so far out in front that the others are still in the backstretch, with none of them coming within a heavy margin.

Indiana thought it had a winner in 'Sea Wolf', played singly, and booked it for a nine-day stay; but 'Sea Wolf' is so far out in front that the others are still in the backstretch, with none of them coming within a heavy margin.

Indiana thought it had a winner in 'Sea Wolf', played singly, and booked it for a nine-day stay; but 'Sea Wolf' is so far out in front that the others are still in the backstretch, with none of them coming within a heavy margin.

Indiana thought it had a winner in 'Sea Wolf', played singly, and booked it for a nine-day stay; but 'Sea Wolf' is so far out in front that the others are still in the backstretch, with none of them coming within a heavy margin.

Indiana thought it had a winner in 'Sea Wolf', played singly, and booked it for a nine-day stay; but 'Sea Wolf' is so far out in front that the others are still in the backstretch, with none of them coming within a heavy margin.

Indiana thought it had a winner in 'Sea Wolf', played singly, and booked it for a nine-day stay; but 'Sea Wolf' is so far out in front that the others are still in the backstretch, with none of them coming within a heavy margin.

Indiana thought it had a winner in 'Sea Wolf', played singly, and booked it for a nine-day stay; but 'Sea Wolf' is so far out in front that the others are still in the backstretch, with none of them coming within a heavy margin.

Indiana thought it had a winner in 'Sea Wolf', played singly, and booked it for a nine-day stay; but 'Sea Wolf' is so far out in front that the others are still in the backstretch, with none of them coming within a heavy margin.

Indiana thought it had a winner in 'Sea Wolf', played singly, and booked it for a nine-day stay; but 'Sea Wolf' is so far out in front that the others are still in the backstretch, with none of them coming within a heavy margin.

Det. Winding Up Extra-Strong Lent; Durbin \$21,000, 'Strawberry' \$15,000

Key City Grosses

Estimated Total Gross
This Week \$1,837,100
(Based on 25 cities, 172 theatres, chiefly first runs, including N. Y.)
Total Same Week
Last Year \$1,583,500
(Based on 22 cities, 166 theatres)

'WOLF' \$12,000, REST GOOD, BUFF.

Buffalo, April 1.
'Buck Privates' in its third canto at the Lafayette is the big boxoffice noise of the town. Still running great, with the Abbott-Costello team still turning another wallowing marker to add to its already highly impressive preceding tallies. It is set to achieve the unique distinction of being the first film to attain a four-week run at the house in more than 10 years of its present operation.

Elsewhere takings continue on the potter's wheel with dual gradeministry at all first-run houses. 'Sea Wolf' is garnering a gratifying gross at the Buffalo while 'Second Chorus' at the Lakes looks stanch. Hipp's re-run of 'Hardy's Secretary' and 'Girl Guy, Goe' at the Century are nip and tuck in the middle brace.

Estimates for This Week

Buffalo (Shea) (3,500; 35-45) - 'Sea Wolf' (WB) and 'Golden Hoofs' (20th). Preserving pretty pace for around nice \$12,000. Last week, 'Hardy's Secretary' (M-G) and 'Murder Among Friends' (20th), after a week of punching power, nearly \$15,000.

Great Lakes (Shea) (3,000; 35-55) - 'Second Chorus' (Par) and 'Flight' (RKO) (WB). Strong \$10,000. Last week, 'Dictator' (UA) and 'Cherokee' (Par) (2d wk 2d wk), holed out nearly \$7,000, okay.

Hipp (Shea) (2,100; 30-45) - 'Hardy's Secretary' (M-G) and 'Murder Among Friends' (20th) (2d run). Repeat stanza (no moverover) headed for probable nice \$7,500. Last week, 'Eve' (Par) and 'You're the One' (Par) (2d wk), satisfactory session \$7,000.

Lafayette (Hayman) (3,300; 30-40) - 'Buck Privates' (U) (3d wk) and 'Nobody's Sweetheart' (U). Plenty of big. 'Buck Privates' is currently pointing for over \$9,000. Last week, 'Buck Privates' (U) (2d wk) and 'Buck Privates' (U), socko money at least more \$10,000.

20th Century (Dillon) (3,000; 30-45) - 'Girl Guy' (RKO) and 'Scattergood Baines' (RKO). Good enough \$7,500. Last week, 'Vivacious Lady' (RKO) (re-issue) and 'Fargo Kid' (RKO) (2d wk), short session snagged above \$6,000, not especially fancy.

Paramount (Hamrick-Evergreen) (2,600; 30-40-50) - 'Sea Wolf' (WB) (3d wk) and 'Golden Hoofs' (20th). Last week (40-50-65) 'John Doe' (WB) solo, day and date, \$10,000. Last week, \$8,000.

Patrons (Hamrick-Evergreen) (1,350; 20-50) - 'District Attorney' (U) and 'Knock' (WB) plus vaude. Fair \$4,800. Last week, 'Patrons' (U) and 'Dynamite' (U) plus vaude, \$4,500, fair.

Paramount (Hamrick-Evergreen) (3,039; 30-40-50) - 'Eve' (Par) and 'Melody for Three' (RKO). Slow \$4,000. Last week, 'Vivacious Lady' (RKO) and 'Road Show' (UA), ordinary or less at \$3,600.

Red (Loew's Sterling) (2,100; 21-35) - 'Second Chorus' (Par) and 'Escape Glory' (Col) (2d run). Garnering a fair \$2,000. Last week (30-40-50) 'Gone With the Wind' (RKO) and 'Stairs' (WB) (2d wk), okay \$2,800.

Winter Garden (Sterling) (800; 16-30) - 'Patrons' (U) and 'Noel Kelly' (M-G) (2d run). Slow \$1,800. Last week, 'Too Many Girls' (RKO) and 'Bagdad' (UA) (2d run), \$2,200, okay.

This town continues to run strong into the tail-end of Lent. Biz has been the best in decades for the usual sluggish period, and while the current week probably won't show much above average, that is due mostly to the ordinary product. It is still plenty good considering.

Fox probably will shoot out in front on the strong Deanna Durbin 'Dude with a Hot Head' plus 'Little Men'. The Michigan, after two big weeks on 'Dictator', which continues its downtown run at the Palms-State, will drop to an average, cross with 'Strawberry Blonde' and 'Case of Black Parrot'.

United Artists also has brought in some new stuff with 'Bad News' and 'Blonde Inspiration', moving out 'Gone With the Wind' after six big weeks. 'Tobacco Road', after three weeks, still continues sharp. It's bolstered this week with 'Vivacious Lady' (re-issue), and is improving its grosses over last week at the Adams.

'Fantasia', which has had its ups and downs, showing a little more strength in its seventh week, due to school group tie-ups.

Estimates for This Week
Adams (Balaban) (1,700; 30-45) - 'Tobacco Road' (20th) and 'Vivacious Lady' (RKO) (re-issue). Former continues to hold interest in Detroit. 'Tobacco Road' (20th) and 'Stewart-Rogers pic' is shooting up for choice \$8,500. Last week, 'Tobacco Road' with 'Double Date' got a \$7,000.

Fox (Fox-Michigan) (5,000; 30-40-55) - 'Nice Girl' (U) and 'Little Men' (RKO). 'Nice Girl' (U) and 'Little Men' (RKO) (2d wk), \$11,000. Last week, 'Girl News' (20th) and Raymond Scott orchestra, got good \$24,000.

Michigan (United Detroit) (4,000; 30-40-55) - 'Strawberry Blonde' (WB) and 'Black Parrot' (WB). Coming up with nice \$15,000. Last week, 'Strawberry Blonde' (WB) and 'Black Parrot' (WB), \$15,000.

Patrons (Hamrick-Evergreen) (2,000; 40-50-55) - 'Bad Man' (M-G) and 'Blonde Inspiration' (M-G). Okay \$9,000. Last week, 'Gone' (6th wk) would have strong run with \$8,000.

Wilson (2,000; weekly mats 75c and \$1.10; weekend mats and nights, \$1.10 and \$1.65; schoolkid admission half price) - 'Tobacco Road' (20th). Taking a little rise again on school tie-ups. Bound for \$7,400. Last week, listless \$7,200.

Mr. Nobody-Bowes' Ams
Nice \$2,500 in Lincoln

Lincoln, Neb., April 1.
Only setup for money on theatre row this week is the combo at the Sturtevant, Major Bowes' Ams and 'Great Dictator' (Nob) (2d wk).

'Girl Guy, Goe' is running fair-to-middling at the Varsity. 'Bad Dictator' (Nob) (2d wk) (7th wk) on the weekend, when the kids were free to take dime bites of it.

Colonial (Monroe-Noble-Federer) (750; 10-15) - 'Phantom Cowboy' (Rep) and 'Tear Gas Squad' (Col), split with Old Cheyenne (Rep) and 'One Crowded Night' (RKO). Medium \$800. Last week, 'Kid's Ride' (Rep) and 'Tear Gas Squad' (Col), split with 'Pop Pops' (RKO) and 'Pinto Kid' (Col), ditto.

Varsity (Noble) (1,500; 10-15-40) - 'H. Cooper' (Par), \$1,000. Last week, 'H. Cooper' (Par), \$1,000.

Beery (20th) - 'Bad Man' (M-G). Beery roster-stroke is kid fare and getting only that kind of acceptance. Monday, \$1,000. Last week, 'John Doe' (WB) at 55c top, fair \$4,400 in eight days.

Nebraska (J. H. Cooper-Par) (1,236; 10-20-25) - 'Mr. Chump' (U) and 'South Sea' (WB). Proceeding okay at \$1,000. Last week, 'Mr. Chump' (U) and 'Mad Doctor' (Par), had a shock show rating which in fact, was a gag patronage to get good \$1,800.

Stuart (J. H. Cooper-Par) (1,888; 10-20-25) - 'Great Dictator' (Nob) and 'Bowes' Ams' (Nob) (2d wk). Last week, 'Lady Eve' (Par). Good \$2,500. Last week, 'Nice Girl' (U), \$2,800, fine.

Varsity (Noble) (1,500; 10-20-25) - 'Scattergood Baines' (RKO) and 'Queen's Penthouse' (RKO). Fair \$1,000. Last week, 'Pride Bowles' (Mono) and 'Blonde Latin' (Col), six days, \$1,800, okay, then made room for 'Tobacco Road' (20th) and 'Moverover from Varsity, which got about \$700.

Varsity (Noble-Federer) (1,100; 10-25-40) - 'Girl Guy, Goe' (RKO). Doing pretty well, \$3,100. Last week, 'Great Dictator' (UA), got \$2,000 prior to being moved to Varsity.

Cleaning House

Detroit, April 1.
This town's suburbs continue to draw up drastic regulation of the theatre operation. Royal Oak is the latest to send through the hopper an ordinance which would:

1. Ban all night attraction.
2. Prohibit gambling, near gambling and anything of the nature of 'bank nights'.
3. Establish a curfew law practically ruling out youngsters from night attendance.
4. Prohibit undesirable or 'untrue' advertising.

'Maisie'-Vaude 18G, Horror Trio OK

**'TOBACCO' 24½G
IN 9 DAYS,
HUR**

**'HARDY,' \$8,500, BIG
IN SO-SO MEMPHIS**

—'Eve' (Par) and 'Tall, Dark' (20th) both continued from Par and Fenway. Should take \$3,500, tepid. Last week, 'Strawberry Blonde' (WB) and 'Monster Girl' (Par), both continued from Par and Fenway. \$4,000.

35G, 'Adam' Weak 68G, 'Wings' OK

(UA) (2d wk) finished pop-priced run with solid \$10,200.

Held over at these Loew engagements!

BOSTON	NEWARK
AKRON	JERSEY CITY
HARRISBURG	HARTFORD
LONDON	NEW HAVEN
NORFOLK	WORCESTER
RICHMOND	CLEVELAND
WILMINGTON	PITTSBURGH
PROVIDENCE	WASHINGTON
READING	LOUISVILLE

HELD OVER...

and how!

CHAPLIN'S DICTATOR— Every Record Smashed at POPULAR PRICES!

PHILADELPHIA, Stanton
Held over for fourth week...
totaling a Philadelphia first
run of ten consecutive weeks!

ALBANY, Warner's Strand
All records surpassed. All-
time weekday opening house
record topped!

ALLENTOWN, Colonial
First picture in an entire year
to be held over for second
week!

UTICA, Stanley
Every record smashed!

PATERSON, Fabian
Every record smashed!

WATERBURY, Poli
Run extended to additional
playing time!

EDMONTON, Rialto
Every record smashed.
Held over for third week.

DETROIT, Michigan
Broke every house record by
more than ten thousand dol-
lars. Picture moves over to
the Palm State for an indefi-
nite continuation of run!

TROY, Troy
First four days broke every
house record and picture
holds over indefinitely!

SCHENECTADY, Proctor's
Every record smashed!

HAZELTON, Capital
Every record smashed!

WILLIAMSPORT, Rialto
Every record smashed!

BINGHAMTON, Strand
Every record smashed!

BUFFALO, Great Lakes
Every record smashed.
Held over, of course!

KENOSHA, Kenosha
Every record smashed!

GLENS FALLS, Paramount
Every record smashed!
Held over!

PASSAIC, Montauk
Every record smashed!

RACINE, Rialto
Every record smashed!

Charlie Chaplin *in his new comedy* **The Great DICTATOR**

Produced, written and directed by CHARLIE CHAPLIN
with PAULETTE GODDARD
JACK OAKIE • HENRY DANIELL • REGINALD GARDINER
BILLY GILBERT • MAURICE MOSCOWICH
Released thru United Artists

THE EASTER ATTRACTION OVER LOEW'S ENTIRE METROPOLITAN CIRCUIT!

Goldenson Now Heads Par Theatres; Co. Ends Important 3-Day Powwow

Named head of the theatre department of Paramount during the past week by Barney Balaban, likelihood is that Leonard H. Goldenson will be given title of vice-president or general manager over that important branch of the company's activities at an early date. He may at the same time be made director of Par, placing him in the same position as occupied by V. Frank Freeman prior to latter's transfer to the Coast about three years ago to take charge of production.

Goldenson was officially designated in full charge of all Par operations at the three-day convention held at Hot Springs, Va., by Par h. o. executives of all branches, theatre partners and others, including Freeman, who came on from the Coast. Meetings were held Thursday through Saturday (27-29) to discuss general operating problems and the consent decrees particularly.

Formerly executive assistant to Freeman, Goldenson took over the lead reins on theatricals for Balaban when Freeman was shifted to the studio, with Sam Dembow, Jr., and Leon Netter also in key posts on operating-bookings matters. The status of Dembow, maintaining the northern tier of states and Leon Netter, with New England and the south, will remain the same as executive associates to Goldenson. Up to declaring Goldenson the boss of theatres, he has served in what may be designated without portfolio.

In Paramount originally as an attorney, Goldenson earned his spurs on the reorganization of the company's New England theatre interests, coming into the h. o. after that as Freeman's assistant. He has gained wide recognition within a few years as an operator.

Hot Springs Powwow

At the Hot Springs powwow, Freeman dwelt on defense so far as pictures are concerned, while Neil Agnew spoke of picture product as it appears from distributor's point of view. Bob Wilby is chief co-ordinator of defense activities for films among the Par partners, while Abe Blank, who went on to Washington after the meeting is also considered an important hand in this connection. Blank, now in New York, is going back to Des Moines tomorrow (Thurs.). Wilby is also here for a few days.

The consent decrees was discussed at the Hot Springs sessions by Austin C. Keough, general counsel for Par, who has prepared a special manual on that but no specific warnings or cautions were placed on the record nor were any particular theories advanced, it is said.

Balaban and Stanton Griffiths discussed the good-will being established by Paramount and the highly satisfactory condition of the company. Problems of theatre operation and exchange of ideas among partners from all parts of the country were gone over in a general manner, it was reported.

Hobbitzelle's Flagship Theatre's 20th Ann

Dallas, April 1. The majestic, historic of the devaluated Interstate and Texas Consolidated Circuits, on Sunday (March 30) began celebration of its 20th birthday.

The party, opened with Phil Spitz and his all-girl Hour of Charm orchestra, giving its national weekly broadcast from the majestic stage Sunday night at 9 o'clock.

Stunt and hot-carried display ads heralding the 20th birthday of the theatre that seats 2,700 on three levels. Special sections of Dallas newspapers carried stories of the majestic and Interstate staffs. There were special honors for Karl Hobbitzelle, president of Interstate.

WB's AD Sales Week

Warner Bros. set aside the week of April 6 as Ad Sales Week in line with the customary feature sales drive which ended April 5.

Slogan is "An Advertising Order with Every Show."

Dietz's Ballyhoo Job For U. S. Defense Bonds

Washington, April 1. Motion picture angles of the Treasury Department's new series of Defense Savings Bonds and Postal Savings Stamps will be handled by Howard Dietz, director of publicity for Metro-Goldwyn-Mayer, the Department announced Saturday (29). Dietz, whose office will be with the new Defense Savings Staff in the Treasury Department, will collaborate with the Motion Picture Committee Cooperating on National Defense. His main duties will be the making of educational films. Dietz, a native New Yorker and writer of 13 plays, joined the Goldwyn-Picture Corp. soon after his discharge from the Navy in 1918.

65-75 SCRIBES WILL MAKE 'LIE' JUNKIE

Three carloads of magazine and newspaper writers leaving from New York, and one special car from Boston, will make for trip to Littleton, N. H., Bette Davis' home town, for the birthday celebration and premiere of her latest Warner Bros. picture, "The Great Lie." In all, between 65 and 75 of the working press will make the weekend junkie, departing Friday (4) and returning Sunday night (6).

The N. Y. departure includes also writers from Philadelphia, Pittsburgh, etc., that being the furthest west with the lone exception of Ann Masters, of the Chicago Herald-Examiner, who requested she come along for a special story.

Defense Coin

Continued from page 7

Independents are ready to lay out an additional \$250,000.

Philby's Boomlet

Boom in film biz here on wave of defense spending spree is bringing out the undercover boys with the bankrolls who try to pick up options on least the happening in this connection. Blank, now in New York, is going back to Des Moines tomorrow (Thurs.). Wilby is also here for a few days.

It's a condition that crops up here whenever business perks up. The bankroll guys approach the owners of theatre properties, and raise the ante on the rent the owner is getting from the current tenant. In most cases it results in the guy occupying the house being forced to pay more rent to forestall losing it.

Mere War Boom Blag

Louisville, April 1. Indicative of the local boom in amusement spending, brought about by an influx of defense workers, is announcement of a drive-in theatre to accommodate 1,000 automobiles. Gustave Jahnhke, Milwaukee contractor who is building a similar drive-in in Kansas City and one in Chicago, has been notified to be in readiness to construct the one in Louisville on short notice.

Another theatre project near Fort Knox and Louisville, at Elizabethtown, Ky., is under way. Kentucky Amusement Co., which operates the Ritz, will build a house seating 1,000. Town is close to Fort Knox, which now has an army population of 30,000. J. M. Hobbitzelle, president of the company, will operate both houses.

Outdoor Theatre

Fort Sam Houston, Tex., April 1. The baseball park here, Matthews field, is being converted into an outdoor theatre. A stage is being made near home plate and special lights and a p. a. system are being installed.

Each week various civic, fraternal and other organizations will present entertainments for the soldiers and draftees.

Dry Miss, a Hot Spot

Hattiesburg, Miss., April 1. Region about this city promises to develop into a bootlegger's paradise with the constantly increasing flow of the hospital into Camp Shelby nearby. Reason is that Mississippi is bone dry.

Probably be more than 60,000 men in the camp by the end of this year.

The Brush

Philadelphia, April 1. Nominated for an Oscar for press agent gall: Al Zimbalist, exploiter for the Stanley-Warner circuit.

Zimbalist: sent a letter to Prime Minister Churchill asking him to endorse the picture "Little Men," which opened at the Rialto on the west end.

Last Friday Zimbalist received a reply from Churchill's secretary. It read:

"The prime Minister has considered your suggestion, but he has asked me to explain that, owing to extreme pressure of other work he regrets it will not be possible for him to do as you suggest."

Pennsy Giving Roach's 'B'way Limited' Wide Exploitation in Tieup

One of the most extensive and expensive advertising exploitation publicity campaign ever recorded in the film industry is being set for Hal Roach's "Broadway Limited," with the Pennsylvania Railroad footing virtually the entire bill. The picture takes its title from the name of the Pennsylvania's streamlined New York-Chicago express and shots on and of the train are used extensively.

Al Pfeiffer, head of the agency being in charge, which handles the railroad's advertising, estimated on Monday (31) that the campaign will reach 30,000,000 paid circulation. Full pages will be used in every major magazine, and the country's all radio and magazine sections of dailies, and every fan mag.

In addition, he said, every railroad car on the line will be placarded, and will carry folders of the menu on diners will carry a mention of the film; every bus owned by the company will be placarded front and rear; every railroad man in the country will get a personal letter, every station will be placarded and new timetables to be issued with the start of daylight saving time will carry a line about the picture.

"Picture 'Broadway Limited' is being distributed by United Artists for May release.

HAYWORTH NEW DANCE PARTNER FOR ASTAIRE

Hollywood, April 1. Rita Hayworth, originally assigned to the lead in "Colymbia's 'Our Life,' has been shifted to 'He's My Uncle' on the same lot, where she will co-star and dance with Fred Astaire.

Musical advertising with draftees, is Sam Bischoff production, to be directed by Sidney Lanfield.

N. Y. Unit of SPG Wants Bargaining OK by NLRB

Immediate collective bargaining conference has been requested by the New York unit of the Screen Publicists Guild for the five categories of homeoffice press department employees conceded as appropriate means of doing the work. At that point he will install Al Taylor as branch manager. He was formerly a salesman in San Francisco.

Taylor succeeds A. Mendelham, a lawyer of the exchange, there for five years who has been a local shorts sales representative for Par for the Kansas City district. Charles Durr, salesman in Denver, also has joined the shorts forces, working out of that point.

Who has covered some of his 19 exchange points previously, will also look in on Denver before returning east.

St. Cloud's 17th Link

St. Cloud Amusement Corp., of Washington, N. H., has obtained term lease on Highbridge theatre, Highbridge, N. J., the 17th theatre this circuit has added to its operations in this part of the country. The house was made with George W. Leonard, old operator, with Berk & Krumbold.

Time Bomb Injures 5

Meridian, Miss., April 1. An explosion in the Royal Theatre Thursday (27), which police said was caused by a time bomb, injured five persons, four of whom were sent to the hospital. The explosion occurred near the front of the theatre. Patrons rushed for the exits but order was soon restored.

Police are investigating.

Call to Army Brings WB Shifts In Pitt., Other Theatre Changes

Pittsburgh, April 1. With number of men leaving for army, flock of changes have just been made in WB managerial setup here. Al Dick, Alcott exec, has been named Edward Salomon as asst. at Warner; Victor Goldberg goes from Ambridge to Cambria in Johnstown; Al Skigen's asst. now at State, Al Skigen, succeeding Walter Thomas, promoted to asst. at State; Al Skigen's asst. now at State, Al Skigen, succeeding Walter Thomas, promoted to asst. at State; Al Skigen's asst. now at State, Al Skigen, succeeding Walter Thomas, promoted to asst. at State.

John A. Freinstein, formerly in booking department, now in charge of checking at M-G exchange, F. D. (Dinty) Moore, WB office manager, moved his family to Pittsburgh from Orsonville. Formerly, Line Film Row employee, has been alling at his home for nine months.

Ken Hoel will continue as advertising head of Harris Amusement Co. during extended absence of his superior, George Tyson, who is on a tour of the west for several months ahead of "Icecapades." Hoel sticks on job through summer inasmuch as Tyson, when "Icecapades" tour west, will leave immediately after for Atlantic City to direct annual Showmen's Jubilee for fifth consecutive year. Jim Lusk, who is with Pittsburgh Playhouse, is Hoel's assistant.

New Coast Theatres

Los Angeles, April 1. Harry Rackin and associates started construction on the new Laurel theatre, 750-gate, slated for opening late in May. George Shor and William Mass are associated with Rackin in the new venture.

April 15 is slated as opening date of the new Coast theatre, 650-seater, in Santa Barbara. House is being erected by Coast Theatres, Inc., in association with Louis Kaplan and R. R. Graham.

Wholesale shift of circuit employees followed the resignation of Dick Dickson as district manager of Fox-West Coast Theatres in the Southern California Area No. 4. Stan Myers moved into the job. Dickson, who had succeeded Myers as F.W.C. city manager for Glendale, and others moved up all along the line. Dickson is to go with Harry Sherman, producer of Hopalong Cassidy pictures for Paramount.

W. (Jack) Brower, general manager of Soundies Distributing Corp., opening new branch exchange in Chicago, with Charles A. Byrnes in charge.

Bill Elson's Closed Town

Minneapolis, April 1. Bill Elson who has the 1,800-seat Palace, loop subsequent-run house here, has been hit hard by the Clouet, Minn. the Leab and Clouet, from Sheldon Grengs. He will operate them along with the Palace, and has the only two houses in the town.

George Smith's Midwest O.O. George Smith, recently promoted to western division sales management for Paramount at the home office, left Monday (31) for the midwest, with Omaha, Neb., as his stop. At that point he will install Al Taylor as branch manager. He was formerly a salesman in San Francisco.

Taylor succeeds A. Mendelham, a lawyer of the exchange, there for five years who has been a local shorts sales representative for Par for the Kansas City district. Charles Durr, salesman in Denver, also has joined the shorts forces, working out of that point.

Who has covered some of his 19 exchange points previously, will also look in on Denver before returning east.

St. Cloud's 17th Link

St. Cloud Amusement Corp., of Washington, N. H., has obtained term lease on Highbridge theatre, Highbridge, N. J., the 17th theatre this circuit has added to its operations in this part of the country. The house was made with George W. Leonard, old operator, with Berk & Krumbold.

Lewis' Two Houses Now

Seattle, April 1. Milton Lewis, who came here recently from Chi as assistant manager for Palomar, promoted to manager of the new house in Seattle, the Granada and Fortia, Darrell Schmalzer moved from manager at Winter Garden to assistant spot at Palomar, where Jerry Ross continues as manager. Wm. Keat-

ling back as manager at Roosevelt, and W. Rose returns to top spot at the Al Sterling (John Dan) houses.

William Shartlin, WB exchange manager here, back in circulation after three weeks in local hospital, due to poisoning.

Bill Blank's House

Terre Haute, Ind., April 1. Bill Blank, son of Nat Blank, manager of the Orpheum here, named after three managers of the Wallace at Peru, Ind.

Blatus for 55th Street, N. Y. Lack of strong French product plus the Lenten-season lull, has prompted the 55th Street cinema, New York, to shutter temporarily.

Back Pay Storm

Continued from page 7

Wage and Hour Act became effective. The drive is already getting under way here, but the scene may shift to the east, when the International Alliance of Theatrical Stage Employees and other big unions sit down to talk wages and conditions.

No mention of retroactive pay was made during the Wage and Hour drive. But the Wage and Hour division has no authority to order retroactive pay unless there are violations after the classifications have been made. And these retroactive pay will not be completed until Vincent completes his recommendations and forwards them to Col. Philip Fleming.

One attaché the Labor department stated any move for back pay would have to be initiated by individuals or unions through sections in the Federal Court. It has been hinted that the union officials, including those in the Studio Basic Agreement, may take a short cut by including the retroactive pay situation in their new contract demands. They have been hinting that the retroactive pay would be put into force. Officials said under consideration by George E. Browne's IATSE outfit, which sent Joseph A. Padway, general counsel for AFL, here from Washington to represent the studio local in the Wage and Hour hearings. The producers were represented by Fred E. Pelton, who made an excellent showing despite lack of knowledge displayed by his witnesses.

Shorten Week and Coin, Claim

The Walt Disney Studio went on a five-day week, effective Saturday (29), and workers claimed to pay time extra players 10% to 15% was put into force. Officials said the reason for the switch is that two-thirds of the employees fall on the 40-hour provision of the Wage and Hour law. Retroactive pay for the other third have been working up the other third have been making up 44 hours. They claim this resulted in confusion, hindrance and overtime because of the time extra staggered in the four hours of those exempt from the Wage-Hour Law. Union leaders took a different view. They claimed the move was to cut earnings in anticipation of the wage drive, so that it forced to sign up the bargaining on wages would start from a lower level.

Committees representing the Screen Writers Guild are now negotiating with the new wage brackets the Artists Managers Guild. The screeners are demanding a real contract to replace the current skeleton agreement which expires April 1. They are demanding a real contract, all agents, and to demand appointment of a negotiator to secure bids on all story material before it is sold.

On Screen Actors Guild also is negotiating with the Producers on improved wages for extras, day players and free lance actors. These conferences may be completed this week and new wage brackets announced for the atmosphere players.

The Central Casting Corp. still is being picketed by a squad of "old time extra players" headed by Ed Dahlen. They claim the old timers are being discriminated against in the distribution of extra jobs and are demanding that Howard R. Philbrick be ousted as general manager. Philbrick was given the appointment after a dictograph scandal in Sacramento resulted in his resignation as director of motor vehicles. Dahlen has been in the branch for some time for aid, and states that he will continue to picket until the producers capitulate.

THEY'RE ALL HOLDING 'THE SEA WOLF!

**Practically Every Situation Sets
Extended Time in the First
Roaring Week of Release!**

EDW. G. ROBINSON



IDA LUPINO



JOHN GARFIELD

'THE SEA WOLF'

by **JACK LONDON**

with **ALEXANDER KNOX • GENE LOCKHART • BARRY FITZGER**

Screen Play by Robert Rossen • Music by Erich Wolfgang Korngold

Directed by

MICHAEL CURTIZ



**"WARNERS CAN TAKE A
BOW--'THE SEA WOLF'
IS HOLLYWOOD AT ITS
BEST."**

N. Y. Daily Mirror

W. J. Hutchinson, 20th-Fox foreign sales chief, is leaving New York this week by plane for Mexico City and biz confabs with **Gustav Mohme**, company's manager in Mexico.

Press Your Advertising Luck!

★ Don't let a good thing die... crowd on the steam while the goings good. Remember...one ringer never won a championship yet. It takes constant ringing of the pin...continued plugging for the "ace."

★ Capitalize on the big pictures... press your advertising luck with continuous advertising.

★ Settle on a standard minimum but keep the glamour shining.

★ And we've got everything you need to give your house that "good-show-here-tonight" look...Trailers...Lobby Displays...General Accessories for any picture...

★ Press your advertising luck with the 3 Best Seat Sellers in the industry.



NATIONAL *Screen* SERVICE • NATIONAL *Screen* ACCESSORIES
ADVERTISING ACCESSORIES, INC.

murder in Uniform at Pro-Releasing Corp.

PRAISED TO THE SKIES!

"Should ride the box office crest!"
— Film Daily

"The thrill of a lifetime!"
— World-Telegram

"Highest rating! A breath-stopper!"
— Daily News

"A crackerjack. Grand entertainment!"
— Sun

"A masterpiece. Miss Lake something terrific and terrestrial!" — Mirror

"Lives up to the most extravagant claims. Poised for fabulous grosses!" — Hollywood Reporter

"Potential revenue ceilings comparably unlimited!" — Boxoffice

"A showmanship natural of the highest order. Entertainment value of smash proportions!"
— M. P. Daily

Paramount's

"I WANTED WINGS"

RAY

WILLIAM

WAYNE

BRIAN

MILLAND • HOLDEN • MORRIS • DONLEVY

CONSTANCE MOORE • VERONICA LAKE • HARRY DAVENPORT

Directed by Mitchell Leisen • Screen Play by Richard Malbaum, Lieut. Beirne Lay Jr. and Sig Herzog • Based on a Story by Eleanor Griffin and Frank Wead • From the Book "I Wanted Wings" by Beirne Lay Jr.

Hays, Fowler, Golden, Berlin, Chaplin, Others Testify for Schenck-Moskowitz

The defense of Joseph M. Schenck and Joseph H. Moskowitz, chairman of the board and eastern representative of 20th Century-Fox Film Corp., to Government charges of income tax evasion, reached the portion of a mild blitzkrieg during the past week, as witness after witness came to the pair's defense in N.Y. federal court. Yesterday (Tuesday), Carol F. Hall, accountant, was withdrawn from the stand, and in rapid succession Will H. Hays, Gene Fowler, and Ben Higgins took the stand to assume the spearhead of the rebuttal.

Hays declared that he had known Schenck for 19 years, ever since he had become president of the Motion Picture Producers Distributors of America, Inc. He declared Schenck had cooperated with him at all times in aiding the MPDPA in establishing standards in the moral, educational and artistic advancement of the industry. Schenck's reputation for honesty, integrity and squaredealing is good, he added. Under cross-examination by Mathias F. Correa, U.S. prosecutor, Hays declared that Schenck's reputation was fixed in the industry and would not be shaken even if the inuendoes of the Government regarding Schenck's association with gambler Will Boff were true. In response to a question by presiding Judge Grover Moskowitz, Hays replied that his own faith in Schenck's integrity would not be shaken even if the charges were true.

Gene Fowler on Stand

Fowler, who described himself as an ex-newspaperman and presently a writer, then took the stand to testify about Moskowitz. The witness stated he knew Moskowitz for 15 years, and had arranged a testimonial dinner for him on the Coast five years ago, and that he had known him in the industry and among his acquaintances was "the best." There was no cross-examination. Then defense counsel Harold H. Corbin placed Higgins, Continental manager of 20th-Fox on the stand. Higgins testified about Schenck's trips to Europe in 1936 and 1937. It was disclosed by Higgins that Schenck was decorated with the Legion of Honor by Paul Bonnet, then the French foreign minister. An application by the Government to strike the testimony of Higgins was denied by the court, but may be renewed at a later date.

Hall returns to the stand today (Wednesday), and James H. Dugan, former Postmaster General, is expected to testify tomorrow (Thursday). The defense is expected to take 10 days to a fortnight to close its case.

Monday's Big Guns

The Schenck-Moskowitz big guns roared into action Monday (13) when defense counsel Corbin applied for a dismissal of the charges against the film executives, and asked for a court ruling to strike out parts of the indictment. In rapid succession Charles Chaplin, Irving Berlin, Phil Spector, Chief Justice of the California supreme court, and John Golden took the stand to testify as character witnesses for both.

Chaplin, first witness for the defense, declared that he had known Schenck since 1914. He had been in this country as an actor and producer since that time. Chaplin described the formation of United Artists Corp., declaring that Douglas Fairbanks, Mary Pickford, William S. Hart, D. W. Griffith and he had formed the company because he had been unable to secure contracts with existing companies. Chaplin stated that his intimate business relations with Schenck began at this time (1924) and carried through 1935 when Schenck resigned the chairmanship of the UFA.

'Held Us Together'

'Schenck was the man who held us together,' declared Chaplin, 'he was the appeaser—for ours were a very delicate situation, since we were all stars interested in our own pictures, and with our own names on the playdates on holidays and weekends meant the most money and we all

were clamoring for those dates. Schenck settled all arguments and we in turn relied entirely on his generosity, kindness and judgment. On many occasions he gave up his own advantages and was anxious to appease one of us. He also brought in other stars into our organization to help out. Some of these were Al Jolson, Norma Talmadge, Rudolph Valentino, Gloria Swanson.'

Chaplin was then asked about the nature of his acquaintance with Schenck. The witness leaned forward and earnestly and eagerly replied, 'It is a great friendship. That is why I am here. Everybody is Joe Schenck's friend. Not only in the industry where you continually find exhibitors, distributors, stars, directors and producers at his home, but business men as well; bankers, attorneys.' Lastly he was asked, 'What is Schenck's reputation for honesty and integrity in the industry and in California generally, if you know?' Again Chaplin leaned forward in his seat. 'I know it thoroughly,' he replied clearly and vigorously. 'It is good.'

There was no cross-examination. Next witness to take the stand was Irving Berlin, who stated he was 52, and had been a songwriter for 33 years. He declared he was on the 20th on occasion, receiving a salary and a percentage of the gross. Berlin stated he first met Joe Moskowitz some 20 years ago when he was in the music business. He was putting on the Music Box revue. Moskowitz advanced him money to help him put it over. Berlin declared that Moskowitz is considered highly N.Y. and is a very honest man. He declared he never heard anyone say a word against him. 'His reputation for honesty, integrity and fair dealing is excellent.'

No Cross Exam

Again there was no cross-examination by prosecutor Mathias Correa. Next on the stand, Chief Justice Phil S. Gibson of the California supreme court, highest tribunal in that state. Gibson prior to becoming chief justice, was an associate justice, and before that, director of finance of California, and also an attorney. He declared he met Schenck in 1923 in a business and social way in California when Schenck was chairman of the Infantile Paralysis Campaign in California and subsequently met him in connection with other social and charity work. He declared that Schenck's reputation for honesty and integrity in California was the highest.

Corbin then asked some cross-examining. He asked if the witness had heard that Schenck had made false statements to Government officials of his finances and on the Willie Boff transaction, and if that witness had influenced his statement regarding Schenck's honesty and integrity. Justice Gibson declared that he had read something about it in the papers since his arrival here but that it had no effect on his opinion about Schenck. He concluded by declaring that he had come to N.Y. voluntarily to testify for Schenck.

Last of the day's character witnesses was John Golden, legit producer, who stated he has been producing plays for 40 years and is now 52. He declared he knew Joe Moskowitz for a dozen years and first met him and Charles (Charles Moskowitz) when the two 'boys' frequented 'Joe's Nipper' home. He declared that he and Nicholas Schenck, Golden drew laughter from the tense courtroom when he declared that despite the fact that Moskowitz knew him well and he called him Joe, the 20th-Fox system never had to do with him. He addressed him as 'Mr. Golden' and 'Respects My Antiquity'.

'He is a younger man and respects my antiquity,' explained the witness. Golden declared Moskowitz was a 'good boy' and 'a big and competent business man.' He stated that everybody in the industry knows Joe Moskowitz and everybody likes him. Told by Judge Moskowitz to limit his declaration as to whether Moskowitz's reputation was good or bad to those words, Golden declared 'very good,' emphasizing the adjective.

An attempt was made by defense counsel to call four U.S. internal revenue men to testify on how the Treasury Department makes up its estimates on returns, including a couple who had already testified for

Harry Seamon's \$50,000 Suit Over 'Tin Pan' Pic

An application by Harry Seamon, 78-year-old surviving member of the old burlesque producing firm of Hurling & Seamon, for a temporary injunction against 20th Century-Fox in 'Tin Pan Alley,' revealed a \$50,000 action by Seamon against 20th-Fox yesterday (Tuesday) in N.Y. supreme court. Temporary injunction plea will be argued today (Wed.). Plaintiff claims 20th used his name without permission in the picture. His firm, which was in business for 50 years, produced over 500 shows, he avers. An action by Seamon against the film company in the N.Y. magistrates' court for breach of the civil rights law was dismissed recently.

N.Y.C. TO TAX JUKEBOXES

Commissioner Paul Moss of the New York City Licensing and Department of Taxation, last week a campaign to license jukebox-films, admitted on Friday (28) that he does not know what a license should cost for the film. He said he was not sure as to how much the tax will be, Moss said there was no statute covering the fee and he hadn't decided on any.

Asked how he will determine the charge, he replied that he would go into a huddle with himself and come up with an answer—of necessity arbitrary. Inasmuch as there have been no applications yet for licenses and few if any machines other than for display purposes are operating, Moss said he anticipates no quick haul.

'Although fee isn't mentioned, there is a New York statute covering licensing of the jukeboxes, Moss claims. It applies to motion pictures in the streets primarily, but is so worded as to bring the coin machines within its purview.'

MONO 75% UP ON NEW SEASON OUTPUT

Hollywood, April 1.

Monogram starts production on three pictures this week, bringing its total product for 1940-41 up to 75%, which is completed in 75% in preparation, but not yet ready to shoot, are seven features and five westerns.

This week's starters are 'Redhead,' 'The Pioneers' and 'King of the Zombies.'

Technicolor Patent Suit

Percy Douglas Brewster, inventor, filed a patent infringement suit against Technicolor, Inc., and the Technicolor Motion Picture Corp., yesterday (Tuesday) in N.Y. Federal court. Plaintiff claims the infringement of a patent called 'Method and Apparatus for Color Cinematography' by the defendants, which are accused of having manufactured and sold apparatus using the patent.

Brewster's patent was secured Nov. 16, 1920. Damages of \$100,000 are asked.

The Government, but the court refused to accept their testimony, following a Treasury Dept. ruling that its agents cannot testify in court about the permission of the Secretary of the Treasury. The witnesses were excused, and will be recalled after permission has been obtained. The agents were Leonard F. Mulligan, Leo Colin, Perry F. Jacobs and Charles F. Yarnall.

At the outset of Monday's (31) session, the Government formally rested its case. Corbin then made seven motions to dismiss parts of the complaint and the indictment in entirety. The court denied all the pleas.

The only other witness during the week was Lawrence W. Gibney, internal revenue agent, whose testimony proved a bust for the Government since, in testing on various deductions, the witness consistently had to admit that all the figures on the 1935-37 income tax returns he was reading that had been 'adjusted' by the Government had been dictated by prosecutor Correa.

This Tobacco Yarn May Not Be Kind To Studios, Hence Pix Cos. Are Wary

'Babes' in Toronto

Continued from page 1

a nephew of the impulsive deceased, is trying to break the will. Barkworth doubts his uncle's 'testamentary capacity' and believes that the will in any case is 'void for uncertainty' because of the number of 'Babe' claims. Barkworth also says that the will is 'imprudent and unreasonable and contrary to law.'

Fall Own Transportation

Meanwhile, the girls have paid their own transportation costs to Toronto. One came here from Los Angeles with her parents and another is up from N.Y. with similar moral support. Meanwhile, the battery of legal counsel for the bevy of 'Babes' are almost as eager as the girls themselves.

Among the 'Babes' who are claimants are Dorothy (Babe) Willett of Los Angeles, Olive (Babe) Newman of New York, now professionally known as Olive White; Babe Collins Smith of Ithaca, N.Y.; Marie (Babe) Carr Diehl, of Detroit; Mrs. Irene (Babe) Salter of Milton, Florida; Ethel (Babe) Brant, now Vassar, also from Detroit, Ontario, the only Canadian claimant. Others who used only 'Babe' in their applications for court hearings are Babe Hamilton, dancing teacher in Mackinac, Mich.; Babe Walsh, New York; Babe Han of Fort Wayne; Babe Wright of New York, Babe White of Cincinnati.

According to the will the prodigal plumber made on November 3, 1925, he left the bulk of his holdings to a show at a vaudeville theatre in Fort Wayne on or about April 18, 1918, and was 'captivated by Miss Babe,' then about five years of age, to whom he desired to leave his estate. If 'Miss Babe' wasn't found within three years after his death, the estate was to go to Sherbourne United Church, Toronto, of which Wright's late mother was a member. The Canada Trust Co. was named executor. Meanwhile, the trust company, the church, and all the 'Babes' will concertedly oppose the nephew's attempt to break the will.

Circus Strike?

Continued from page 1

musicians, teamsters and sundry other unions necessary to the playing of the Ringling show. The show, Should the Ringling Circus fail to reach an agreement with AGVA, a strike vote will then be taken by the Council.

The R. B. & B. show is due to reach the Mott Haven (Bronx) yards for unloading Thursday (3), and AGVA intends to sit down with the circus officials before then, if possible. It is mainly before the Garden opening.

On the new deal with the big top also depends AGVA's contracts with carnivals. Last year AGVA had 28 of the latter signed up, but all of them have since refused to resign unless the Ringling Circus first inks a pact.

New Wrinkles

Red, white and blue sawdust for the Ringling show will be the keynote when it opens Monday (7). The press department says so, specifically, and adds that such an effect will be the keynote of the show. However, among the new effects will be illuminated ring curbs which was expected to help the sight effectiveness of the equestrian turns.

The big top started rolling out of Stuyvesant, Manhattan, and is due in town Thursday (3). Show was dated to open next Wednesday (9) but was put ahead two days when learned no further hockey games will be played at the Garden this season. Some of the new lithos carried the original date and had to be stripped. Earth cannot be laid until after Friday's (4) fight between Sam Langford and Max Baer, as the show will be rushed to debut on time.

It will be the first time the Ringling show will have had all of Holy Week at the Garden in several seasons. The show is on for 27½ days, three more than last season, terminating May 4. Outfit then goes to Boston for five days, date there having been sliced in half. Baltimore will be on for 10 days, the first stand under canvas this year.

Fear of repercussions from the major tobacco companies and the heirs to the country's great tobacco fortunes are delaying purchase of a new rights to a new novel, in which a number of studios, particularly Metro, are evincing large-scale interest. Book, which isn't completed yet, is 'Drivin' Woman,' by Elizabeth Chevalier. It's slated for fall publication.

All major studios have seen in outline, is reported to be on an aspect of American history not hitherto touched upon in films. It tells the story of a purposeful woman who fights the great tobacco trust in the interest of tobacco-growing farmers. Although camouflaged and fictionalized, real persons and firms are reportedly detectable and it is this fact which is causing studios to have their attorneys closely guarded the yarn before they make commitments.

Sam Briskin, Columbia producer, is understood seeking film rights to 'I Live on Air,' book of anecdotes on radio's special events departments by Abe Schechter. Briskin is said to be seeking, in addition, rights to 'Go Ahead Garrison,' fictionalized book for boys written by Schechter about a year ago, and Schechter's services as a writer and producer of the screenplay. Schechter is head of news and special events department of NBC, RKO and several other studios are also interested in 'I Live on Air.'

Another volume creating a flurry among story editors and likely of sale to films is Phil Stong's 'The Princess.' Novel will be published in May, unless sold to a magazine first, which will push book off until fall. Paramount appears most interested.

TEXAS IN NEW BLDG. SPURT

Brownsville, Tex., April 1.

A theatre expansion and improvement program for the lower Rio Grande Valley is in progress by the Texas Consolidated Theatres, Inc. Circuit the past week purchased a lot in McAllen for a new house. According to J. L. (Shine) Mason, manager of the three Texas Consolidated houses in McAllen, it will cost \$1,500.

In Harlingen, plans call for a new house and remodeling present house there, according to district manager George Watson.

In Brownsville, a site was purchased for new building which will house a picture theatre and stores.

New Fort Worth House

Fort Worth, April 1. North Fort Worth is to have its third picture house, to be built immediately, under plan by H. E. Fildham, who operates the Ideal in the same neighborhood. Will cost \$775.

Examine Majors' Attys. In U.S. Vs. Schine Suit

As part of its anti-trust action against the Schine Chain of Theatres and the major film companies, the Department of Justice will examine five attorneys of the producer-exhibitor defendants on April 7 in N.Y. Federal court. Those to be examined are Leopold Friedman, of Loews; William Mallard, of RKO; Austin Keough, of Paramount; Felix A. Jenkins, of 20th Century-Fox; and Edward K. Hessberg, of Warner Bros.

Notice of the examination was filed in federal court Friday (28) by Seymour Simon, special assistant to the attorney general, who is prosecuting the case. This suit is expected to go to bat before the Government tries its action against Columbia, United Artists and Universal in the N.Y. courts.



And here's the great news to help you enjoy this happy season. A theatre man just back from Hollywood gives eye-witness, projection room reports on 6 great M-G-M productions for coming weeks!

"MEN OF BOYS TOWN"

Spencer Tracy and Mickey Rooney are headed for record grosses in this sequel that tops the original "Boys Town". It's got more heart-throbs, more thrills than the first one. Money in the bank!

"ZIEGFELD GIRL"

The biggest screenful this industry ever saw. Beyond belief till you see it with your own eyes. James Stewart, Judy Garland, Hedy Lamarr, Lana Turner and many others. For the big dough!

"LOVE CRAZY"

Bill Powell and Myrna Loy in the kind of show you ask for in your prayers! The funniest in their entire career. When you can get hysterical in a cold projection room, you know it's in the bag!

"A WOMAN'S FACE"

A prediction made after a projection-room screening of Joan Crawford, Melvyn Douglas and a big cast in "A Woman's Face." "IT WILL BE ONE OF THE YEAR'S TEN BEST!" You'll hear a lot about it from now on. A thrilling masterpiece of the screen is on the way to fame and fortune!

"BILLY, THE KID"

An eyeful! And in Technicolor! An epic western that moves like lightning. Hats off to Robert Taylor for another big-time performance. Not since "Northwest Passage" has such a fortune been poured into an outdoor production. A Big One in every way!

"BLOSSOMS IN THE DUST"

Powerful human document filmed in Technicolor, starring Greer Garson and Walter Pidgeon. Its power comes from the fact that it's a true story of a woman's fight to give a name to unwanted children. A woman's picture that will pack 'em in!

Atlanta's Variety Club Frankly Wants to Dominate A. C. Convensch

Atlanta, April 1. Atlanta's Variety Club is planning to again have the largest delegation at annual convention of National Variety Clubs of America to be held in Atlantic City May 15-17.

Harry "Balance," 20th-Fox exec, and chairman of Tent No. 21's "On to Atlantic City" committee, has announced that local tent will pay travel expenses of every resident and non-resident member of club who wishes to attend convention. Balance also declared that club may go further—he is working on plan to raise enough that will permit club to also foot hotel bills of members who make trip.

Special compartment cars have already been engaged to take Atlanta's delegation to Atlantic City, and a club car and diner for exclusive use of local barkers has also been promised.

Another movement is on foot to have members of Atlanta tent at convention goaded as Southern colonels, complete with goatees. This matter, however, remains in abeyance until local tent's next meeting, April 7, when it will be discussed and ironed out, principally the angle as to whether the goatees will be homegrown or prop whiskers will be permissible.

Philly's Variety Plans
Philadelphia, April 1. Variety Club's executive heads met here Sunday (30), at a breakfast in the Benjamin Franklin hotel to lay plans for the national convence at Atlantic City May 15-17.

Jack Berens is chairman of this year's event.

Crasher Wounds Usher
Youngstown, O., April 1. A 14-year-old boy was taken to county jail after he allegedly inflicted two knife wounds over the eyes of George Chop, 20, usher at the Palace. Chop was trying to eject the youth and two companions who entered the theatre through a side door recently.

The youth is believed to be the same one who attacked Peter Bathy, assistant manager, under similar circumstances several weeks ago.

Asst. Manager Held Up, \$200 Taken in Youngstown

Youngstown, O., April 1. Two shabbily-dressed men held up and robbed Henry Clipperby, assistant manager of the Paramount, of \$200 in cash March 24 after forcing him to open the safe in the second story office of the theatre. Clipperby told police he was working on theatre accounts when the robbers entered his office, stuck what felt like a gun on his back, and was hit on the jaw by the other. One of the bandits grabbed a money bag containing \$200 from the safe, after Clipperby opened the outside door. He told the bandits he didn't have a key to the inner door of the safe and the bandits fled.

The theatre management said that the bandits were "just lucky," as ordinarily only \$25 or \$30 was in the office safe. Police recalled that the theatre had been held up in much the same fashion about five years ago.

\$50,000 Story Suit Against Warner Bros.

Suit by Irving Gaumont, author, against Warner Bros. Pictures, Inc. was revealed Thursday (27) in N.Y. supreme court when the film company applied for a transfer to the federal court, claiming diversity of citizenship and claims plagiarism and asks \$50,000 damages.

Plaintiff wrote a story called "You've Got to Swing It," prior to Feb. 27, 1940, and claims the Warner film, "My Love Came Back," is an unauthorized adaptation of his story. An injunction and accounting of profits are also asked.

START TOLLING, TIL
Hollywood, April 1. "Tillie the Toller" starts tolling tomorrow (Wed.) at Columbia with Sidney Skalkov directing Kay Harris in the title role.

Picture is the first of a new series based on the adventures of the gal in the newspaper strip.

Woolworth Bargain

Boston, April 1. All this and Bank Night too! For 10c (matinee) or 20c (evening), the following chunk of entertainment can be purchased at the Inman Square theatre in Cambridge, Mass.:
2 features.
1 stage show (five to seven minutes).
2 newscasts.
1 cartoon.
1 two-reel comedy.
1 educational reel.
1 serial (for Saturday kiddie shows).

Management also occasionally uses Bank Night as a lure. The stage bill varies less than twice a week. Theatre does no advertising except the billing in front of the house.

Fined \$100 Each Under Bingo Law

Buffalo, April 1. Seven men convicted last week of violating State lottery law, in operation of the Bingo Club at Jamestown, N. Y., were fined \$100 each Monday (31) in city court here.

Additional jail sentences of three defendants for having been caught in two different raids on the establishment, were suspended.

HARRY BLACKS DIVORCED

Lake George, N. Y., April 1. A final divorce has been entered in Warren County clerk's office here in favor of Mrs. Helen G. Black, of Glens Falls, against Harry Black, of Staten Island, manager of the E. J. Black theatres there. At one time he managed the Rialto, Glens Falls, later managing the Palace, Albany, before going to S. I.

Attorney William B. Skane, of Glens Falls, appeared for Mrs. Black.

Cuffo 'Kane' Gloms

Continued from page 2.
dates and the press division sliding into gear to pile still further publicity on the reams already effortlessly garnered.

Authoritative reports are that 'Kane' will meet on Broadway at the Rivoli in three to four weeks. 'Kane' will meet on Broadway at the Rivoli in three to four weeks, currently in the house. Managing director John Wright on Monday (3) refused to confirm or deny that the Rivoli will play the film. RKO Palace, however, has been mentioned as openings at either or both houses simultaneously appear possible.

Welles himself created a large part of the optimism surrounding release possibilities of the pic, to which William Randolph Hearst is said to object because of similarity to his own life. Welles twice declared that 'Kane' will be released within three weeks, although he has always been more optimistic than any of his colleagues about plans of RKO prexy George J. Schaefer to release it.

Producer made his first prediction about the release on a nation-wide radio show, the "Silver Theatre," Sunday (30) evening after some obviously setup baiting by m.c. Conrad Nagel. He repeated his statement on his arrival at LaGuardia Airport, N. Y., from the Coast Monday (31). Weight was given to these assertions by the fact that Welles had with Schaefer in Hollywood on Friday (28), again on Monday and for a third time yesterday (Tuesday).

RKO prex came east on Saturday (29) for board meeting slated for Monday, but which was postponed until Friday. Schaefer, as usual, since the hitch on 'Kane,' held himself completely unavailable to the press and all but top RKO executives. Pressure he expects to use to pry the pic loose from the board of directors' ban, it is understood, is the determination to sue RKO in the event the shelving persists.

What may also influence the board is the large profits the picture is almost certain to make. Results of a Gallup poll ordered by Schaefer show 'Kane' to have made the greatest publicity penetration since 'Come With the Wind'.

Inside Stuff—Pictures

Renewed spurts in Universal's 8% preferred shares in the past week produced a new flood of reports in Wall Street that the company was getting ready to announce a plan for retiring the bulk of these shares. Company denied any such plan was ready; also that it had not obtained its new loan of about \$2,500,000 from a Boston bank; U shares had climbed back to around its new high for the year at \$188.

If Universal decides to bring a substantial number of additional shares of this preferred into the company's treasury, additional money might be needed to bring the proposed loan above \$3,000,000. However, there is slight indication that this is currently contemplated.

Scattered reports from Belgrade indicate that the threat of war soon will bring restrictions against the remittance of distributor profits from Yugoslavia to U. S. With Hungary also expected to clamp down any day under Axis influence, American distributors figure they will lose an additional 1% of normal revenue from the Balkan countries. Yugoslavia business was figured at less than 1/4% of the total foreign revenue for U. S. distributors.

Oddly enough, major companies only recently received remittances from that country. Other remittances are reported en route to U. S.

Possibly the most encouraging portion of 20th-Fox annual financial report for 1940 was that showing that inventories had been reduced by approximately \$3,000,000 over the same time in the preceding year. Report showed these carried at \$11,238,000, as compared with \$8,244,000, the year before. The proportion of the corporation losses facing with regard to the foreign market was exemplified by the reserve writeoffs, being listed as \$4,801,574 as compared with \$1,261,574 in 1939.

Of the 1940 write off, the company noted that the reserve for foreign assets had increased \$2,800,000 during the year.

Film workers' prime pastime both in New York and on the Coast during the past few days has been guessing the originals of the characters in "What Makes Sammy Run?", new Hollywood novel by Budd Schulberg, son of producer B. P. Schulberg and agent Ad Schulberg. Although the characters are said by the author to be based not on one person, but to be a composite of most of the film and show business, it is specifically embraces two big notables. Author is 26 years old, four years out of Dartmouth, and an occasional screen scripper.

Deal by Mayfair Productions (Jules Levey) to film the Al Jolson musical show, "Hold On Your Hats," for Universal lease, is being opposed by a competing offer from the E. J. (Vip) Harburg, who is said to be attempting to divert the sale to Metro. Meanwhile, Mayfair is appealing to the Playwrights Guild to persuade Harburg to go through with the original sale agreement, signed Feb. 28. Production plans call for an August start with Eddie Cantor and Martha Raye in the top roles.

While the number of screen personalities trekking to Latin America is expected to average at least two per major U. S. film company, foreign department executives are urging extreme care in picking players to make the trips. Officials realize that the selection of a single star who does not react favorably to a strange land, or fails to conduct himself properly, will undo all previous good will with the others. One or two unfavorable experiences have made the exerts particularly wary.

Suit by David A. Stoneman, Boston attorney, against Stephen A. Lynch, former Paramount director, was discontinued in N. Y. supreme court Monday (31). Action sought \$250,000. Stoneman had asked money for legal services rendered in Lynch on behalf of Lynch in Par during that company's reorganization in N. Y. federal court from 1933-35.

Sudden expansion of war industries in San Diego, Cal., has caused a real estate boom in the vicinity of Rancho Santa Fe, where Bing Crosby, a Rembrandt, and the Douglas Fairbanks estate own thousands of acres, bought years ago for a few crow's Land lies north of San Diego, where there is a general shortage of housing.

5 REGIONAL UA SALES POWWOWS IN APRIL

Desirous of getting out to sell earlier than in former years, as with other national distributors, UA executives are trying to set a march on the Big Five, United Artists will hold five district regional sales meetings in April. The 1941-42 product will be outlined, sales policy discussed, etc. Arthur W. Kelly, v.p. over sales, will preside and all exchanges both U. S. and Canada, will be represented.

First meeting will be held in New York April 14-15 for the N. Y., Boston, New Haven, Philadelphia and Washington branches. All of the Southern exchanges will be represented at the New Orleans meeting April 17-18, while personnel of the Buffalo, Cincinnati, Indianapolis, Pittsburgh, Cleveland, and Chicago will meet in Cleveland April 22-23.

On April 24-25 session will be in Chicago for the local, Detroit, Kansas City, St. Louis, Milwaukee, Minneapolis, St. Paul, St. Gary, Montreal, St. John, Vancouver, and Winnipeg sales people. Last regional will be in San Francisco April 28-29 for the five Pacific Slope branches.

Morgan's Shorts Plans

Instead of waiting until the summer when the company will begin rebranding features under the consent decree, Paramount will go to work on the 1941-42 short subjects immediately. Oscar Morgan, in charge of shorts sales, who left yesterday (Tues.) on a swing across the country, stated prior to departure that this marks the beginning of the selling season for the product over which he has jurisdiction, including also the Par newsreel.

For '41-42 Par will have three new shorts, including the Superman cartoons in Technicolor. Quiz Kids reel and six Hedda Hopper's Hollywood.

Hays' Review

Continued from page 3.
able non-current shorts for selections by educators.

Listing the countries which had been lost to distributors during the previous 12 months, Hays also emphasized that exchange restrictions and actual frozen money problems were added to the woes of distributors. The 1941-42 product will be outlined, sales policy discussed, etc. Arthur W. Kelly, v.p. over sales, will preside and all exchanges both U. S. and Canada, will be represented.

The operation of the Consent Decree, was the first major step in setting to revolutionary changes being placed in effect this year, concerns everyone in the business. Hays implied in his summary of this new trade agreement.

Carl E. Milliken was reelected secretary while George Borthwick, assistant treasurer, was moved up to become treasurer at the meeting. Latter also was named to the directorate, along with Col. Frederick L. Heron, presently on active army duty. Heron's work as head of the foreign department is being handled by Milliken.

Activity of the film business in developing closer business solidarity among the republics of the western hemisphere prompted Hays to quote from President Roosevelt's Academy Awards dinner speech in his annual report on the state of the film industry this week. He rated Roosevelt's high praise a challenge to further planning and achievement.

Hays said that increased distribution of American-made films produced with due regard to sensibilities and traditions of Latin-American friends, will provide a more complete picture of the North American scene than can be given by any few films.

New York Theatres

State
Starts Thurs. Apr. 3
James STEWART
Hedy LAMARR
"GIVE US LOVE WITH ME"
In Town
Lulu ARMSTRONG
and Orchestra
Billie HOLIDAY

PARAMOUNT
HELOVER
In Person
Chas. Barnet
And His Ork.
Dinah Shore
Midnight Merry Shows

Capitol
Starts Thurs. Apr. 3
WALLACE BEERY
"THE BAD MAN"
WITH LIONEL BARRYMORE

MUSIC HALL
"THAT HAMILTON WOMAN"
Spectacular Stage Productions

RKO PALACE
ERROL FLYNN
BRENDA MARSHALL
"FOOTSTEPS In The DARK"
—AND—
"SCATTERGOOD BAINES"

3RD WEEK
Edw. G. ROBINSON
Ida LUPINO
John GARFIELD
In A New Warner Bros. Hit
"The SEA WOLF"
FEATURING CHARLIE SPIVAK
AND HIS ORCHE.
SUNDAY AND 7TH STRAND

WALT DISNEY'S FANTASIA
STONOWSKI conducting
the miracle music of RCA FANTASIA
BROADWAY 49 St. & 50 St.

THE FRANK CAPRA Prod.
Starring GARY COOPER
BARBARA STANWICK
in "MEET JOHN DOE"

ASTOR
A Thrilling Saga of America's Flying Youth
"I WANTED WINGS"
Theatre
Broadway at 43rd St.
All Seats Reserved
Twice Daily—2:45 and 7:45 P.M.

GRINDE'S OZARKER
Hollywood, April 1. Nick Grinde becomes a hillbilly director in "epublie's" "Thunder Over the Coasts" with the Weaver Bros. and Elvira as the top mountaineers. Producer is Armand Schaefer.

CONTRACTS BY EXHAUSTION

A GOOD BEGINNING

Most promising aspect of the George Foster Peabody radio awards which were announced Saturday (29) is that the Advisory Board is already launched upon the task of improving the modus operandi, clarifying the criteria and putting the spotlight of analysis, criticism and common sense upon the purposes of the awards.

The merit implicit in any award is what people think of it. Not just the winners, but the non-winners and the world at large. Moral integrity, which means freedom from angles or favoritism, is a first need of any serious-minded award. But a second need, equally important, is that realism and intelligence guide the preliminaries as well as the final acts of judgment. It is a splendid sign that the Peabody advisory board realizes this and is not rubberstamp-minded, but instead frankly anxious to do better. Only thus can the Peabody award be all it should be.

It is unfortunately true that in the business world at large, and in radio perhaps more than the average, awards, plaques, cups and framed scrolls have been rather lavishly, not to say good naturedly, tossed about. This produces a double responsibility upon any award which sincerely wishes to be highly regarded as above deals, pressure, suggestion or hypnosis by charm.

Just at this particular point in radio history there are stations more eager to win awards than earn them or deserve them. Against this danger the Peabody committee must always be on guard. Mere sales promotion slickness in the presentation must not dazzle or confuse or mislead.

On the whole the first annual Peabody awards meet point one—plausibility. Obviously this is the first, quick glance test of the worth and sense and success of any awards. The reputation of most of the station winners is already well established. The less wellknown winners have, perhaps, even more occasion to be gratified by this national attention and pat on back. Reversely, the discovery and recognition of commendable public interest operation in far places is a prod to the backward, a reminder to all.

As an advocate and spokesman of showmanship in public interest, this publication cannot refrain from deploring the dullish ceremonies of the actual awards as heard over the air Saturday night. That program was not calculated to hold an audience or to inflame the public imagination. Public interest should be and must be interesting.

BRITISH, DUTCH SPONSORS GO U.S.A.

Brown & Williamson, a big radio advertiser, will probably be taken over by an American syndicate through one of those British government deals within the next two weeks, but there are indications that such transfers will take place for Lever Bros. and Shell Oil, also radio advertisers, until some solution is reached—the question of Dutch ownership in the two American companies, David Melville, director of the British-American Tobacco Co., which owns B & W, is now in this country with the purpose of helping determine the worth of the latter interests and facilitate a sale.

Before the Lever and Shell properties can, according to Wall Street reports, be disposed of, it must be determined whether the British or Dutch interests hold the control and, if the British ownership dominates, how the Dutch investors are to figure the deal, so that the transfers will not result in future legal complications. Since the Queen Wilhelmina government is now established in England and the latter Government has a vital stake in the outcome of the war, it is believed that little difficulty will be experienced settling the ownership questions.

B & W has made its big strides only within the past 15 years. One brand it had when it started and its account to B.B.D. & O. at that time were a couple, root-your-owns with distribution confined to the south. Now its rates as the country's No. 4

BRICE DISQUE SET FOR 'GANG BUSTERS' RETURN

'Gang Busters' winds up its present 26-week contract with the program next Friday (4), and quits the air until next fall. Program already has been re-signed with the same sponsor, Sloan's Liniment, to resume next Oct. 1. Understood that new pact was inked for substantially higher figure.

Brice Disque again will script and produce show for Phillips Lord, Inc.

Extra Five Weeks For 'Jack Armstrong' Serial

Chicago, April 1. General Mills last week okayed an extension of the 'Jack Armstrong' show, 'The Wheelers', which will keep the show on for an additional five-week stretch, beginning April 28. Will be on 12 NBC-Red stations in the eastern daylight saving time zone.

Set through the Knox Reeves agency.

Aspinwall Quits WFAA

Dallas, April 1. Hugh Aspinwall, radio veteran and creator of the 'character' Chick Martin, has resigned his position as director of farm programs for WFAA-KGKO, Dallas-Fort Worth, to become program manager of KGXB-KWTO, Springfield, Mo.

Aspinwall will continue to make the Chick Martin transcribed programs for Ralston Purina Co. of St. Louis.

tobacco manufacturer and distributes such brands as Raleigh, Kool, Wings, Avalon, Viceroy and Sir Walter. Raleigh.

THAT'S HOW AIR TALENT SIGNS

Advertising Agencies Send in Relays of Fresh Executives as the Weary Personal Managers Stagger Along

CLAUSE BY CLAUSE

Nothing, according to talent agents, is so wearing in the business as the mental and physical beating they have to go through when they are engaged in drawing up a long-term contract with a couple major agencies. Which side gets the better terms of the deal depends totally on the degree of endurance, and which can think up more angles to confuse and confound the other party. Some of these contracts, through which in essence one person agrees to work for another at so much per broadcast, runs as many as 36 pages.

One negotiator talks of having to talk during the course of one of these legalistic marathons to 12 agency men, four executives from the client's organization and six lawyers. No sooner was one point, after hours of wrangling, settled, than the agency tossed in another, with the procedure of breaking down one or the other's power of resistance starting all over again. To get out of one of these mental hellboxes a performer or writer will often make concessions which on later reflection will either cause him to wonder what made him such an easy mark or result in a sense of bitter frustration which doesn't, in many cases, bespeak well for the debut of broadcast relations between himself and the agency.

For the agent, performer or writer these contract-making bouts have a particular air of bafflement. It is rare for the agency exec with whom the negotiations or contract terms were started to be present when the haggling is in full swing. He has either had to go out of town and become tied up elsewhere. His place in the proceedings has been taken by some one else, fresh and energetic, who has some pet angles or points of his that he thinks ought to go into the contract. The next day this second agency exec may be missing and there is some one else from the staff with ideas and angles that haven't been mentioned before.

And so it goes on sometimes as long as three weeks, and the terms, clauses and conditions mount until the outside party wonders whether he is signing up to do a show or whether he's on the point of taking over one of the networks.

Albert Byington in U.S.; Prominent in Brazil's Radio, Music, Films

Albert Byington, Jr., American owner of four dominant radio stations in Brazil, arrived in Washington yesterday (Tuesday) from Rio de Janeiro, from whence he clipped last Saturday. He was met in D. C. by his representative Wally Downey, also American, who preceded him back to the States. Byington is interested in Brazilian film production, as well as radio-music applications.

Meantime Downey plans remaining in America indefinitely and has incorporated himself as a talent manager.

JERRY BELCHER'S NEW WORK

Amrillo, Texas, April 1. Jerry Belcher, co-ordinator of the 'Vox' Pop program at Houston and who at one time presented 'Interested Neighbors' over NBC, has joined the staff of KGNC. In the Sales and Promotion department.

AFRA Scale for Transcription About Ready After Many Huddles

Mostest to Bestest

As a novelty payoff scheme, Eddie Cantor suggested and Max Baer and Lou Nova accepted the idea that the winner of the bout between them Friday (4) will get the long end of \$10,000 for joint appearance of both next Wednesday on the Cantor air show for Ipana.

Boxer getting the decision gets 75% of the \$10,000 radio fee. Loser takes \$250.

BENTON-BOWLES GETS PART OF P. & G.

Benton & Bowles has been assigned the Ivory Snow brand by Procter & Gamble. Appropriation involved is around \$1,000,000 and the loss is the Compton agency's. The programs that move over are not yet decided. Reason for the change is the company's policy of not giving competing brands to any one agency.

Designation of B & B as a new member of the P & G agency list makes the first agency realignment for the soap manufacturer in several years. Benton & Bowles until the first of this year had the Palmolive and Colgate brands.

P & G's other agencies are Kastor, Blackett-Sample-Hummert, and Pedlar & Ryan.

Norman Prescott Flies From Oregon to N.Y. Audition at Biow

Norman Prescott, who at one time did a mind-reading act in vaudeville, New to New York from Portland, Ore., Friday (28) to audition for the Biow agency on a new program which that outfit is keeping tightly under wraps. Prescott flew back to the Pacific coast the same day. The agency paid his fare both ways.

Prescott is managing the 'Teepees' show for the Arena Managers' Association and he had to get back by Saturday to pay off the troupe.

Y.&R. EXPECTS HAYES BACK IN AUTUMN

Lever Bros. will retire from its Sunday 8-8:30 p.m. spot on CBS for the entire summer after it winds up the 'Heier' Hayes series (Lipton's Tea) in June. Young & Rubicam, agency on the Lipton account, states that she will be renewed for the fall, even though the contrary has been indicated by Lever merchandising sources.

'The Aldrich Family' (General Foods), which is directed by the same agency, will be given a five or six weeks vacation during the summer.

Free & Peters Rep For New WISH, Indianapolis

Chicago, April 1. Free & Peters, station sales rep outfit, has the national reping assignment for WISH, new one in Indianapolis, slated to spray early in June as a basic outlet for the NBC Blue. Will operate 5,000 watts daytime and 1,000 watts nights on 1310 kc.

Contract was awarded F & P by C. B. McConnell, president of the station operation company.

Proposed code for electrical transcriptions, tentatively accepted by the American Federation of Radio Artists membership and the transcription producers' committee, now being redrafted into legal phraseology by attorneys for the two groups. Pact is dated April 15 and expires Nov. 1, 1943. It's general sales specify that nothing in its terms change or amend the existing live codes, that AFRA is to stay an open union and will not impose unreasonable entrance fees. AFRA is recognized as exclusive bargaining agent for performers and is to represent a majority in the field, that all artists must obey AFRA's rules and regulations, that signatories to the pact will not move or transfer their business for the purpose of evasion, or permit others to use their transcriptions except under terms of the code. Pact also specifies that AFRA will not give better terms to one transcription maker in preference to another one.

There are separate rate schedules for Class A ('custom built') and Class B ('open end') transcriptions. Former include material and the latter have a space omitted for subsequent insertion of the commercials. Class A rates for actors and singers are (according to the length of program) \$2 for one-minute transcriptions, \$3 for two-minute, \$5 for five-minute, \$12 for 15-minute, \$20 for 30-minute, \$28 for 60-minute. If program runs over 60 minutes, excess time will be figured in 15-minute units. Rehearsals at \$6 per hour for first hour (one hour required for each transcription) and \$10 for each subsequent 15-minute.

Class B rates for actors and announcers are the same for one, two and five-minute programs, \$10 for 15-minute programs, \$12 for 30-minute and \$17.50 for 60-minute. Class B rehearsals are \$3 per hour. Class A and B rates for singers are the same. Groups of nine or more vocalists get from \$11 for 15-minute shows to \$14 for 60-minute shows, per person, with rehearsals at \$4 per hour. Groups of five to eight voices get (per person) from \$18 for 15-minute shows to \$22.50 for 60-minute shows, with rehearsal at \$4 per hour. Groups of two to four voices get (per singer) from \$12 for 15-minute show to \$28 per 60-minute show, with \$5 per hour rehearsals. Solo singers get \$10 for a five-minute program, \$25 for a 15-minute show, \$31 for 30-minute and \$37.50 for 45-minute and \$43.75 for 60-minute, with rehearsal at \$6 per hour.

Rates for signature and theme songs (to be used not more than three times or on more than one program) \$150 for soloists, \$125 per person for duos and trios and \$100 per person for groups of four or more. Dramatized commercial call for \$2 per actor for 15-minute programs, \$18 for 30-minute and \$20 for 60-minute.

Jimmy McClain Succeeds Valentine as Dr. I. Q.

Chicago, April 1. Jimmy McClain this week takes over the Dr. I. Q. job for Mars, replacing Lew Valentine, who had the assignment since its start.

McClain has been with the Grant agency, which handles the Mars account, and was radio director for the Dallas office before coming up to CHI and into the local office. Before joining the agency he had been announcing with several Texas stations.

Eddie Holden as Agency

Hollywood, April 1. Eddie Holden has put away his 'Walrus' character for the time being for a whirl at the agency biz. First account is a co-op sponsorship of variety show with ruest stars originating at Sals Bevilhills Sky Room. Holden produced the half hour piece over KMPC.

CANTOR-SHORE ARBITRATION LEADS TO AFRA LIMITING HER COMMISSION

Double Payments (To GAC and NBC) Draws Frown—Cantor, Freed of Compulsion and Winner at Arbitration, Makes Singer Outright Cash Gift

Dinah Shore, whose contract with Eddie Cantor for his Bristol-Myers program was the subject of arbitration proceedings last week, remains with the show. Panel of three arbitrators not only upheld Cantor's claim that he had notified the singer of his renewal of his option, but the American Federation of Radio Artists has since stepped into the picture to end Miss Shore's double commission payments to General Amusement Corp. and NBC Artists' Guild. Relations between the comedian and the singer are once more on a friendly basis. They have exchanged various complimentary wires and telephone messages. Cantor has told friends of holding no resentment against the other. Miss Shore will appear on the Cantor program tonight (Wednesday), after being absent last week because of an attack of laryngitis which also forced her out of the Paramount, N. Y., stage show nearly three full days.

New option period on the singer's contract with Cantor began today and concludes when the Bristol-Myers series winds up for the season with the June 25 broadcast. Cantor says that when and if Bristol-Myers resumes with the series in the fall, he will immediately pick up his contract with Miss Shore for the entire remaining 39 weeks it has to run. He also reiterates that he is no longer under any compulsion in the matter, he will give her outright 'gift' of a substantial amount of money, with the idea that she would thus have to pay no commission on the extra coin. In addition, he intends using her in a picture he plans making this summer on the Coast.

Double Commission
Matter of Miss Shore's double commissions came to AFRA's attention when her contract dispute with Cantor was aired. Union's agency regulations are that regardless of how many agents share in any performer's commissions, the total payments may not be more than 10%. As Miss Shore was paying 10% each to GAC and NBC, the union has ordered Cantor to pay her 90% of her \$200-a-week salary and to turn the remaining 10% over to the AFRA. Miss Shore has also been notified of the order and instructed not to pay any additional coin to either agent. In addition, GAC and NBC are to pay back to Miss Shore commissions in excess of the 10% total which they have collected from her since the AFRA agency code became effective, Nov. 15 last.

GAC-NBC Will Split
Disposition of future 10% commissions will await settlement as to how the coin should be split between GAC and NBC. If the two agents are unable to agree on a sharing arrangement, AFRA will arbitrate that question before an American Arbitration Assn. panel. In the meantime, the money will be held in escrow by AFRA.

Miss Shore's contract with Chase & Sanborn, to fulfill which she sought to be released from the Cantor deal but which was outlawed by the arbitration award, called for her to get \$750 a week for the first 13 weeks, \$1,000 a week for the second, \$1,500 for the third and \$2,000 a week for the fourth 13-week period. Deal was set by GAC and J. Walter Thompson, agency on the coffee account.

The arbitrators for the hearing were John Moses, agent, selected by Cantor; A. Edward Moskowitz, attorney, selected by GAC, and Henry Munroe Campbell, the impartial selector of the American Arbitration Assn. and approved by the parties to the dispute. Moses, a talent and literary agent, is only slightly acquainted with Cantor and had no previous dealings with him. Moskowitz is attorney for Bobby Byrne and several other bands handled by GAC. Campbell, a director of the AAA and chairman of its Detroit arbitration committee, practices in Detroit and Washington. One of his cases being of an international character. He was completely unfamiliar with show business matters and was therefore regarded as an ideal choice for the third member of the panel.

Crux of the dispute was whether Cantor had notified Miss Shore (or

GAC) of renewal of his option with her by the required March 12 date. Cantor claimed his secretary had given the written notification to the singer March 11, the day before the deadline and the day the program came east. Miss Shore denied receiving it. Cantor subsequently explained his failure to obtain a signed receipt from the singer by saying that his secretary had forgotten to do so in the confusion of rushing to leave the Coast. He repeatedly expressed the opinion that Miss Shore's motives in the entire controversy were sincere, but that she was being badly advised. Miss Shore said Monday night (31) that she was eager to be back on the Bristol-Myers program and that Cantor had been exceedingly helpful and kind to her throughout their relationship.

COMPETITIVE INGENUES

Samme Hill, 17, Tops More Experienced Radio Gals

'Home of the Brave,' daytime serial at 2:45 p.m. on CBS for Calumet-Swansdown (General Foods), switches April 21 to the 5:00-5:15 spot on NBC red (WEAF). Product and agency (Young & Rubicam) remain the same. Show written by Pauline and Frederick Gilsdorf and directed by Henry Hull, Jr. Latter also handles '9:40 Shoppers' Club' over WOR, New York, for Macy's department store.

Samme Hill, 17-year-old Memphis girl who had never before played a sizeable part on a network show, started this week in a new leading role in 'Home of the Brave.' She won the part in a competitive audition against about 70 regular ingenues of network radio circles. Only previous network appearances have been in small parts on 'School of the Air' and 'Aunt Jenny's Stories.' She has appeared in summer stock, but never on Broadway.

Ezra Stone and Lyn Murray, guesting on Alan Courtney's recorded program over WOV, New York, last Thursday (27) night, gave him a severe ribbing and the listeners a few raised eyebrows. Supposed to be interviewed briefly between records, the two guests took over the mike and kept Courtney from getting a word in.

Fair started by telling the listeners that Courtney always broadcasts in a bathing suit, and with that as a starter, they gave a long and hair-raising description of the record-player's ghastly appearance and his irrational characteristics. Finally strolled out of the studio without ever tipping off that it was a gag, and leaving Courtney to try and straighten it out with his listeners.

Stunt was unrehearsed, but Stone and Murray suddenly decided to dish out the rib after Courtney had several times asked them what they thought of recordings he had just played over the air. Since they couldn't hear the records in the studio, they first maintained a complete silence whenever he asked them a question, giving the listeners the impression that Courtney's statement about having them there was only a gag.

Absorbine's 10 Week

Takeover of 'True' Quiz

Absorbine, Jr., takes over the 'True or False' quiz July 7 for 10 weeks.

J. B. Williams will resume on the program and in the Tuesday-NBC-Blue spot at the end of that period.

Longview, Texas.—Edward Tait announcing at KFRO, replacing Earl Guey, called into U. S. service.

Shoe Stores'

Hoke Duchess For Air Trial

Elaborate campaign to promote shoe stores has been set for nine radio stations, with other stations to be added if initial alignment works out as anticipated, by Emil Mogul Co., recently named to handle advertising for National Shoe Stores. Original lineup takes in four New York-New Jersey stations, some in upstate N. Y. and others in New Jersey and Massachusetts. Campaign is attracting interest because it may open up a new avenue of revenue for radio broadcasters, since the promotion of shoe stores has not been a large field heretofore on the air.

Shoe store promotion is built around 'Duchess de Fluster,' an eccentric dowager, best known for her humorous yarns and social misadventures.

In New York City, the account is using WNEW, Martin Block's 'Make Believe Ballroom,' three 15-minute programs weekly; WAAT, Paul Brenner's 'Requestfully Yours,' three 15-minute programs weekly, plus spot announcements; WHN, Charles McCarthy's three 15-minute programs weekly plus three 15-minute news periods; WOV, 18 Italian transcribed spot announcements weekly.

Other stations include WKNY, Kingston, N. Y.; WKIP, Poughkeepsie, N. Y.; WTRY, Troy, N. Y.; WTNJ, Trenton, N. J.; and WBKX, Pittsfield, Mass., all using spot announcements.

Spot announcements will be 60-second discs using the Duchess de Fluster character and a brief 'straight sell.'

CANCELS 'SECOND WIFE' ON CBS' PACIFIC

General Foods has cancelled the serial, 'Second Wife' on CBS' west coast network. It's been on a five times a week schedule.

Food packer explained that the move was not, as reported, the precursor to a general contraction on spot advertising but was rather mixed up with company plans for shifting money to other shows and products.

Jim Moran (Prof. Buggs)

Moves to Washington

Jim Moran, a publicity man for Fred Waring and, under the name of 'Prof. Briggs,' a comedy broadcaster over WHOM, Jersey City, has taken a publicity job with Paramount Pictures and will headquarter in Washington. His assignment will be special publicity and his territory will include Baltimore, Richmond, Philadelphia and Pittsburgh.

He hopes also to do some kind of a weekly comedy series on one of the Washington stations.

Colgate-NBC Huddling

Colgate-Palmolive-Foot is working with NBC on a major alteration of daytime and evening programs.

The account currently has on CBS four daily quarter hours and two evening half hours.

The Cliche Expert Testifies on Radio Promotion

By JOSEPH CREAMER

Promotion Director, WOR, New York

(Mr. Biddle is another outstanding example of WIZ's dominating coverage.)

Q. Mr. Biddle, you sound like a radio promotion man.

A. I am, sir.

Q. In that case, perhaps you could give us an idea of some of the clichés you people use in selling stations and networks to agency timebuyers and advertisers.

A. I'd be glad to, and if you don't mind my making a suggestion, I can see that you're not much of a cliché expert yourself, sir.

Q. Of what?

A. No. If you were, you'd have asked me to 'pass along the latest information available.'

Q. That's very kind of you, Mr. Biddle. Now, then, as a cliché expert, what does an audience survey do?

A. It reveals.

Q. What does it reveal?

A. Conclusive evidence.

Q. Of what?

A. Station superiority, network popularity and listener preference.

Q. Nothing else, Mr. Biddle?

A. Oh, yes. A survey also uncovers amazing new findings.

Q. What are audience surveys usually called?

A. Unbiased evidence.

Q. And...?

A. The latest and most accurate study of station audience.

Q. Tell me, Mr. Biddle, why is it that two stations in the same territory sometimes have—as you might express it—the greatest audience available?

A. Why, that's very simple, sir. They use different survey methods.

Q. I see. This is very helpful.

A. It is the same cooperation we offer all our sponsors, Mr. Glazer.

Q. Well, to continue. If you have a 15-minute opening for sale, what do you call it?

A. A peak listening period.

Q. With a program...?

A. That has the makings of another 'Information, please.'

Q. Conducted by...?

A. Radio's outstanding personality.

Q. Who has...?

A. Increased the sales of such big-name sponsors as—

show I name them, sir.

Q. Not right now, Mr. Biddle. Time is short. To continue, then...is audience mail important?

A. Yes, very. It is offered as a further indication of the station's growth.

Q. Does audience mail ever drop out?

A. ALWAYS EXCEEDS LAST YEAR

A. No. It always exceeds last year's amazing response.

Q. What does audience mail mean to sponsors?

A. Continuing and increasing listener loyalty.

Q. What are a station's or network's sponsors?

A. Radio's greatest spenders.

Q. Come, come, Mr. Biddle. Surely you don't limit your description to only that?

A. Well, occasionally we call them—America's shrewdest timebuyers; those with the biggest jobs to do; people who are blazing new trails to greater profits.

Q. I imagine the last one is used very often.

A. No, not a great deal, sir. Such phrases usually come from the typewriters of radio promotion men who are writing a novel or play on the side. They've got imagination.

Q. What is a station's coverage?

A. Effective.

Q. How effective?

A. Increasingly effective.

Q. What happens to an artist's mail?

A. It hits an all-time high.

Q. What's usually the status of a participating program?

A. Sponsors are waiting in line for an available opening.

Q. Good. What are time sales usually doing?

A. Soaring to new heights.

Q. Why?

A. Oh, Mr. Glazer, surely you know the answer to this one. Why, even...?

Q. It is a question of getting it on the record, if you don't mind. Now, the answer, please!

A. Well, because of the station's competitive advantage.

Q. What kind of competitive advantage?

A. An unprecedented competitive advantage.

Q. What does an announcement do?

A. Pulls its head off.

Q. How do listeners act when they go to see a program?

A. They jam the studio.

Q. And...?

A. We turn them away in droves.

Q. Besides listening to a network or station, what else do people do?

A. They respond beyond all expectations.

HIGHLY SATISFIED SPONSORS

Q. What are sponsors?

A. They are usually happy, highly-satisfied, rolling in coin, eager to demonstrate, astounded by results, vivid testimonials of radio's effectiveness.

Q. What does a station do most often?

A. It hits the bullseye.

Q. Why?

A. Because of its superior coverage.

Q. What does a station usually offer?

A. Greater possibilities to increase your selling effectiveness.

Q. What happens when a sponsor goes on a network or station for the first time?

A. He gets immediate results.

Q. Never results within 10 days, three weeks, or a month?

A. Oh, no, sir. That would be out of the question. A cliché expert using such a term would expose himself to immediate ridicule.

Q. What does a sponsor experience when he first uses radio?

A. He is amazed at the listeners' response to his offer.

Q. What do his listeners do?

A. They follow his program faithfully.

Q. What does a station or network do after its readers?

A. Further information on request to those interested.

Q. What is a radio buy—time or talent—usually called?

A. The smartest buy per dollar.

Q. Where does a sponsor usually receive network or station coverage?

A. Where it counts.

Q. Right?

A. Because of the amazing response provoked by the station or network's wealth of low-cost, high-audience programs.

THE NEWEST PHRASE

Q. What's the smooth answer radio promotion men are making for their own question, 'If you can afford it...?'

A. 'You can't afford to be without it! Thought you'd trip me up on that one, didn't you, Mr. Glazer?'

Q. Not exactly, Mr. Biddle. Just checking on how up-to-date you are. It's a new cliché, you know.

A. Yes. I predict a bright future for it.

Q. Where is a station on the radio dial?

A. Where most people dial most.

Q. That will be all, Mr. Biddle. We are all deeply indebted, I assure you.

A. And mention it, Mr. Glazer. Our complete file of authentic radio facts are always at your disposal.

NBC'S 'MONOPOLY' GESTURE

Congressmen Divide on Party Lines Concerning 'Censorship' Menace; Deny Mellet Rap of Fulton Lewis

Washington, April 1. Permanent status for President Roosevelt's Office of Government Propaganda, successor to the old National Emergency Council, which produced motion pictures and sponsored various radio programs, was fought by House Republicans last week on the ground the agency is liable to censor or otherwise curb "free radio." Much of the argument involved alleged threats by Lowell Mellet, former Scripps-Howard editor, now heading the O.G.R., to have Fulton Lewis, Jr., political commentator for Mutual, heaved off the pedestal for Mutual, heaved off the pedestal for Mutual, heaved off the pedestal for Mutual.

The Democrats—who put across the bill, authorizing appropriations up to \$1,500,000 per year for the agency—merely laughed at the Republican charges that censorship and organized propaganda were inherent in the legislation, while Rep. John J. Cochran of Missouri, a loyal Administration legman, repeated Mellet's denial that Lewis ever was threatened.

Critical remarks about Federal radio programs were made by Rep. Charles Halleck of Indiana, while Rep. George H. Bender of Ohio, author of a minority report assailing the bill, voiced concern that cooperation between the O.G.R. and the FCC would impose a stringent gag on broadcasters. More alarm about possible New Deal restriction of radio was reflected by Ham Fish of New York and John M. Vorys of Ohio.

The simplicity with which the Federal Government can 'control' what is said over the air is well-known, Halleck commented, adding that past government programs sponsored by the N.E.C. and the O.G.R. were unquestionable propaganda and 'brazenly political.'

Re: Fulton Lewis

Later in the debate more specific accusations were bandied. Vorys declared that Mellet 'coaxed' Lewis and referred to 'an admitted instance where Lowell Mellet threatened some commentator whose broadcast he did not like with extinction in his job.' Cochran, de-

fending Mellet, retorted that Lewis was the only individual who did not commend President Roosevelt on the occasion when the Chief Executive denounced individuals for throwing vegetables at Wendell Willkie during the 1940 campaign. The New Dealer remarked it is an 'error' to say Mellet would threaten anybody, adding the O.G.R. director denied ever making statements attributed to the Mutual speller.

Strongest attack on the bill was made by Bender. 'We can imagine the effect of this kind of legislation and the prestige it would give to our new propaganda bureau upon radio,' the Ohio Republican said. 'Under our laws, the FCC licenses broadcasters. Every year, a broadcasting company must receive a re-issue of its license, but it must first show that its past operation has been in the public interest. No radio broadcasting operator, knowing full well that his license is subject to termination, is going to invite that kind of penalty by not opening his microphones to official news which has been signed, sealed, and delivered by the recognized authority.'

Red Barber on Pathe

Red Barber, WOR-Mutual sports announcer, starts this week as commentator and consultant for sports newscasts and shorts for Pathe. When possible he will act as expert in the field, otherwise remaining in New York to do the screen commentary and be technical advisor. Clem McCarthy will continue to handle horse race films, however. He will work with Joe Walsh, shorts editor.

Barber's principal assignment at WOR, New York, is describing the baseball games of the Brooklyn Dodgers.

Weed Repping KGGM

KGGM, Albuquerque, N. M., has appointed Weed & Co., of N. Y., as its national sales representative. Station is affiliated with CBS.

OPENS STUDIOS TO WAX BIZ RIVALS

Associated Music Publishers
Had Complained at FCC
Hearings of Shutout—
New Policy Sets Nominal
Scale for Outsider's Re-
cording of NBC Programs

ACCEPTS CRITICISM

NBC's first concession growing out of the data adduced by the Federal Communications Commission's monopoly hearing is the opening of its studio lines to outside transcription companies. Latter may now, with the payment of stipulated fees, record the programs of NBC network clients. Lifting of the bars applies to any NBC network originating point.

During the course of the FCC hearings last year Associated Music Publishers, Inc., and other recorders protested against the NBC policy of restricting the cutting of NBC network shows to NBC's own subsidiary. Outside companies now may not only take the actual broadcast off the line at a per broadcast basis but they may arrange to record an unlimited number of either broadcasts or rehearsals for period of 13 consecutive weeks at \$50 per week per originating point. The one time charges range from \$2.50 for a 15-minute program to \$5.50 for an hour's show, with recording rehearsals running from \$3.50 to \$6.50.

ATLANTA ON EASTERN TIME

Atlanta, April 1. Four local radio mills, WSB, WGST, WATL, and WAGA, found themselves caught in a double dilemma last week when the Georgia General Assembly passed bill putting the state on Eastern time. (This burg) on Eastern time, vice Central, just a few short days before frequency change went into effect. Passage of bill affected whole western part of state.

Joker in measure was that it became effective the minute Gov. Gene Talmadge put his signature to bill. Everybody thought chief executive would exercise his prerogative and delay signing bill so business and citizenry could make plans to adjust themselves to change. 'Talmadge, however, crossed everybody up and signed measure as soon as it hit his desk. One minute state was on CST and next minute every clock in area affected (theoretically) was an hour ahead.

Considerable confusion resulted. Radio boys went into a quick huddle and decided to retain status quo on their schedules until April 27, when seasonal daylight saving time change occurs.

J. Leonard Reisch, general manager of WSB, explained that it would be physically impossible to change schedules that run 19½ hours per day without opportunity to make necessary schedule adjustments. 'With the frequency change and daylight saving time change coming up April 27, the listeners would be utterly confused if we tried to change right now,' said Reisch. 'With no opportunity to prepare, it is impossible for us to switch suddenly to Eastern time. It involves a great deal more than just pushing up the clock an hour.'

Don Joeli, manager of WAGA. John Fulton, program director for WGST, and Jim Comer, manager at WATL, voiced similar sentiments.

Edward Weeks to Map 'Objectives' For Future Peabody Radio Awards; Last Minute Additions Made

The Poor Treasury

Washington, April 1. The United States Treasury has funds for radio advertising of its new national defense stamps and bonds. But 300 radio stations will be deadhead free announcements.

Ex-broadcaster Vince Callahan is handling the radio drive for the fund-less funds-collectors.

'BIG TOWN' TO HAVE A HIATUS FILL-IN

Only Ruthrauff & Ryan show that will definitely have a replacement during the summer is 'Big Town' (Rinso). This one goes off July 2 for 13 weeks, but the fill-in program has yet to be selected. Agency won't know until late May which of its other shows will remain on during the summer and which will have 13-week fillers.

Peabody Medal for WLW Carrying CBS Program

Cincinnati, April 1. WLW, an NBC affiliate, carried a CBS program Sunday (30) for the first time. Stanza was a recording of the 30-minute broadcast carried by CBS on the George Foster Peabody Radio Awards presentation dinner Saturday (28) night from the Commodore hotel, New York.

In carrying the program the Crosley 50,000-watt broadcast publicized its receipt of a plaque for rendering 'outstanding meritorious public service.' Acceptance of the award was made by James D. Shouse.

Powell Crosley, Jr., also attended the presentation ceremony.

Edward Weeks, of Boston, editor of the Atlantic Monthly magazine, was delegated on Saturday last (29) to draw up a 'series of objectives' to guide the future annual radio awards of the University of Georgia to be made under the George Foster Peabody bequest. This action was taken at a noonday meeting at the Commodore hotel, N. Y., of the Advisory Board, during which the question of modus operandi was thrashed out. This year's (the first) medal winners and honorary mentions were analyzed and two added winners—Elmer Davis, as an individual news commentator, and America's Town Meeting of the Air—as a forum—were voted. These latter awards were put through within six hours of the ceremonial banquet and broadcast Saturday night from the Commodore.

Peabody awards should be the Advisory Board thought, confined to not more than four annual medals and four honorable mentions. It was also suggested that artificial distinctions in categories should be avoided and that the award of individual and programs, as such, might well be added. A more active function for the Advisory Board was envisaged in future years.

Advisory Board was apparently inclined to feel that methods for sifting essentials from non-essentials in the presentations made by radio stations was one of the difficulties of judgment. 'Town Hall' award was given in the name of WJZ, New York. The medal-winners for the first year were CBS (network) WLW, Cincinnati (clear channel) WJLA, Cleveland (regional) and KFRU, Columbia, Mo. (local).

Campfire Girl Joe

Cincinnati, April 1. Campfire Girls of America last week elected Joseph Hisey, director of WLW-WSAI public service programs, an honorary member. He's flustered.

NBC Vexed at Mike Jacobs' Walkout

Admits Network Has No Contract—Always Relied on Verbal Pledges

Intimations have been made in the controversy between NBC, on one side, and Mike Jacobs, fight promoter, the Mutual Network and Gillette Razor, on the other, over the broadcast rights to events controlled by Jacobs that the Government might be brought into the situation through the monopoly angle. NBC insists that it is going to take the issue to the courts, if necessary. The finger-pointing at monopoly involves the allegation that Jacobs through his contracts with Joe Louis and other prize champions is able to maintain absolute control over all the important prizefights in this country. It makes the first time that an angle of this sort has been raised in broadcasting.

NBC last week wrote to Mutual and Gillette claiming that it had a verbal contract with Jacobs, as head of the 20th Century Sporting Club, and asked each to suggest a solution for the complication. Mutual counsel answered that it stood pat on the contract which Gillette had with Jacobs and which Mutual had with the razor manufacturer. It was not a party to any compromise deal and that if NBC wanted to go to court Mutual was ready to defend the action. NBC had pointed out that it entered into the verbal contract with Jacobs Feb. 11 of this year but admitted that it had over-

looked obtaining a written contract since it had been accustomed to doing business with Jacobs on a word-of-mouth basis.

The fights promoted by Jacobs have been on the NBC-Blue for the past three years and the Mutual-Gillette affiliation with the bouts takes effect June 1.

Other Razor Upset

Mutual has some repercussions within its own client ranks as the result of the sale to Gillette. American Razor, which bankrolls a series with Wythe Williams on Mutual, got burned up because Mutual hadn't got anything to do about the availability of the fight broadcasts. It was reported that American Razor's peevishness was so deep that for a while it gave thought to dropping the Williams series at the end of the current 13-week cycle. Federal Agency, which handles the account, admitted yesterday (Tuesday) that the account had been somewhat upset about the incident but denied that it contemplated doing a reprisal.

Cost of the fight broadcasts for the initial year will be close to \$500,000. The rights figure \$175,000, the time for 30 hookups will entail another \$250,000 and incidental charges will easily absorb the balance.

Columbia Pays \$2.91 a Share

Its Phonograph Subsidiary Climbed Into Black During 1940

Net profit of Columbia Broadcasting System in 1940 was \$5,096,633, equal to \$2.91 per share, or approximately \$200,000 more than the net earnings of \$4,896,000 (\$2.80 per share) estimated in the company's preliminary report made last Feb. 5. The certified earnings statement sent stockholders this week make the net profit amount to the same amount per share (\$2.91) as in 1939, when the corporation showed \$5,001,528 net.

The improvement in net profits is accounted for by the reduction in provision for federal taxes and attendant minor adjustment resulting from recalculation of excess profits taxes for the year in accordance with the amendment to the Second Revenue Act of 1940 made effective on March 7, this year. Both gross income of \$59,912,063 and profit before providing for federal income and excess profits taxes, \$7,431,633, increased by 20% over the 1939 figures, which were \$42,845,393 and \$6,128,885, respectively. Provision for federal taxes rose about \$1,300,000 or 115% over 1939, going from \$1,127,157 in that year to \$2,425,000 in 1940.

Records Profitable

Columbia Recording Corp., which reported a loss in 1939, showed a small profit from operations which are contained in consolidated figures for both years. CBS paid \$3,432,554

in cash dividends during 1940 or \$2 per share, the \$1,574,079 in undistributed profits being added to surplus. Columbia Broadcasting showed earned surplus of \$10,502,414 at the end of the year, Dec. 28, 1940, as compared with \$8,728,015 at the close of 1939.

CBS statement to stockholders said that Broadcast Music, Inc., began operations in 1940 in order to make available to the broadcasting industry and others a suitable source of music other than that controlled by ASCAP. It pointed out that the capital stock is held solely by owners and operators of broadcasting stations in U. S., with the investment of CBS listed as representing approximately 8% of the total number of shares, which were acquired for \$32,285, being included as a sundry investment in the balance sheet. Report showed CBS to be contingently liable on Dec. 28 to Edward B. Marks Music Corp. for \$400,000 under a guaranty of a portion of certain serial payments to be made by BMI during the years 1942 to '45 inclusive. These payments arise out of the acquisition by BMI of performance rights to music held by Marks. Of the total sum so guaranteed by Columbia, broadcasting stations affiliated with the album network in such have assumed proportionate responsibility for \$140,000.

POLITICAL FIGHT ON 'MONOPOLY' REFORMS WITH DAILIES ON AIR SIDE MAY ARSE

Washington Sees Open Struggle Likely Although Industry Hears President Roosevelt May Not Be Fully Aware of Sense of Campaign

Washington, April 1. Slam-bang, many-sided, political fight with radio and the press-jointing forces in an all-out effort to preserve their freedom is indicated as a consequence of Federal Communications Commission "radio plan" to assume sweeping control over the detail, structure and operations of the broadcasting industry and to prohibit newspaper ownership of transmitters. Issue is crystallizing as the result of recent developments on the anti-monopoly front.

Political connections of both newspaper publishers and broadcasters will be at a premium if the FCC goes ahead in accordance with its determination to force drastic reforms outlawing multiple ownership and other elements of status quo.

The situation is not only more acute now than ever before but more complicated, with the outcome hard to predict beyond the certainty that a bitter-end fight now looks unavoidable. Apparently the self-preservation instincts of radio and the press will result in submergence of inter-industry jealousies, but the issues are drawn in such a way that many politicians will have hard time making up their minds on which side they stand.

Legal Guarantees No Longer Are Reliable

The attitude of most Washington observers is that the time has passed when either radio or the press can place any real faith in the legal guaranties that Federal authorities "can't do that to us." With the FCC regarded as far along the road to unrestricted control over broadcasting, defenders of free enterprise will have to carry their case to the people and embark on a tough job of rebuilding support in Congress. By and large, radio seems to have the edge, although it will have to count on the publishers a great deal because of the principle that broadcasters cannot employ their own facilities for any personal interest or to take sides in any controversy.

Threat to ban newspapers from the radio field has crystallized the situation and looks likely to accomplish what broadcasters have been vainly seeking for months—support of the press in their fight against FCC encroachments on their independence. Joining of forces will put a good number of Congressmen over a barrel. Individual self-interest considerations must be overlooked, as in the case of Senators or Representatives who were elected over the opposition of potent newspapers in their states or districts but who enjoyed the friendship of station-owners back home.

Newspapers Not Entirely Cordial to Full Union

Among the newspaper owners of radio stations, the fact that the alliance should not go too far. The press-ownership issue, in

their estimation, should not be mixed up with radio monopoly; the publishers ought not go whole hog in defending the practices of the networks, for instance. But on the whole it now looks as if the National Association of Broadcasters, having decided to take up the cudgels in the industry's conflict with the FCC, can form some sort of an alliance with the American Newspaper Publishers Association.

There still is considerable bewilderment about the true significance of the FCC order for a study of the question whether newspaper ownership harmonizes with public interest. Particular speculation involves the attitude of Commissioner George Henry Payne, a former editor and nominal Republican who in the last two or three years has been an enthusiastic New Deal follower and reformer. Payne's joining up with Chairman James L. Fly and Commissioner Fred I. Thompson to bring about adoption of the investigation order does not fit completely with his former statements and indications of his feeling about the validity of any outright ban against a particular class of applicants.

Just how far anybody at the White House influenced the adoption of the order is a subject of dispute. One story—denied emphatically—is that Stephen T. Early, the President's press secretary, turned the heat on both Payne and Thompson—who had refused to go along on the proposition when Fly first brought it up. From all indications, they were led to believe that the White House wanted the investigation—which was ordered right on the heels of a visit to the President by Fly. Against this, reports persist that the President asked Fly to slow down the monopoly report, for fear of antagonizing radio at a time when the Administration is in vital need of everybody's cooperation in winning public support for the national defense program and foreign policies.

It's All Pretty Murky; Action May Come April 1

The future of the monopoly report is another topic of lively conjecture. Anybody uncertain that the Commission is said to have set April 15 as the newest deadline for turning out the final set of findings based on the long hearings, there are signs that pressure has eased. No meeting was held last week, for instance, to discuss the contents of the draft submitted by the law department. The version authored by new legal advisors is described as vastly different from the document turned in by the special committee composed of the late Col. Thad H. Brown and Commissioners Thompson and Walker, being far more stern in tone and drastic in effect.

Adding to the apprehension and confusion is the disclosure that the newspaper ownership investigation order was a third "edited" after its adoption by a 3 to 2 vote or incor-

rectly described when presented by its sponsors. Certain members of the Commission understood the proposal was double-barreled and the ownership would result in multiple ownership as well as newspaper ownership. When it came out, it referred only to the newspaper question. There also was some belief that the inquiry would deal with the matter of whether the Communications Act gives the Commission authority to lay down hard-and-fast rules either forbidding newspapers to have radio interests or limiting the number of outlets any individual or corporation may control; instead, the study goes to the desirability, from standpoint of public welfare, of allowing or outlawing newspaper ownership.

There is considerable suspicion that President Roosevelt is not wholly aware of what is going on inside the FCC, although broadcasters have made efforts to acquaint him with conditions. Some persons who have discussed policy matters at the White House are entirely unable to reconcile the views he reflected with actions taken or principles established by the Commission as presented in conformity with the President's wishes.

W.J. KRETSINGER SUES ON DAMEREL CHILD

Elizabeth, N. J., April 1. William Jean Kretsinger, former radio singer and now in the broadcasting business in Alaska, has filed suit in the local Chancery court to obtain the custody of a five-year-old son from Mrs. Myrtle Vail Lambert, of the team of "Myrt and Marg." Kretsinger charges that late Donna Damerel, the original Myrt of the act and now Mrs. Vail Lambert, had a party with her mother, Mrs. Lambert, to an alleged conspiracy and fraud, which, resulted in the former getting a divorce from him in 1939. Miss Damerel, who was married for the third time, died last February in childbirth.

Kretsinger bases his claim of fraud on the alleged conspiracy to get the divorce proceedings so testified that she lived in New Jersey, whereas her actual residence was New York, that he deserted his wife and son in July, 1937, whereas he did not leave until the following February and that was to earn his living in California, and that he never made an effort to contribute to the support of the boy, which Kretsinger states is not true.

The Pure O'Neills

Philadelphia, April 1. Procter & Gamble's special lineup for its NBC red daytime serial, "The O'Neills," heard locally over KYW, resulted in a curious mixup last week when a couple of plug-ins were mis-timed by a few split seconds. With the transmitter being switched back and forth between the regular network wire and the local mike, what came across the air was a hodge-podge of dramatic introduction and commercial blurb. "They're pure the O'Neills," the listeners heard, just as though anyone ever suspected anything else.

Exact explanation of the faux pas was rather involved, but in general, it resulted from the fact that P. & G. uses a local transmitter commercial for the program over KYW. So when the mis-timed plug-ins occurred, there were local commercials, network commercials and dramatic lead-ins all jumbled up. Some of the boys in the studio were in hysterics.

WBIR Using MBS Delay

Knoxville, Tenn., April 1. Five of Mutual's dramatic shows are being recorded daily by WBIR, new station here, for airing at more advantageous times of day. Outlets also signed 20-city cooperative spots for a "Your Home and Mine" program, featuring stories on the "Romance of Furniture." WBIR has signed a license agreement with KCFB, the only Knoxville station to do so since the N.A.B. break.

Many Shortages Developing

Hollywood, April 1.

Scarcity of aluminum, necessary in the making of cellulose acetate platters, has Pacific Coast transcription outfits and network work shops worried lest the supply be cut off altogether due to the consuming demand of factories filling defense orders. Importance of the metal is pointed up by the fact that most major stations use around 300 acetates a month. Each disc weighs normally three-fourths of a pound, mostly aluminum.

Stations are feeling the pinch of other necessary products, such as duraluminum, brass, copper and sheet metal. Shortage of quartz crystals also was noted when station switchboards to their new frequencies. Getting delivery on any of these commodities also is a problem as priority numbers are issued so as not to interfere with the smooth flow to the defense centers.

As Between Two Equally Competent Bids, Newspaper One Is Denied

PETER GRANT'S DEFERMENT

WLW Newscaster Seen As Sootier of Public—His Air Talks

Cincinnati, April 1. First radio man here to receive temporary occupational deferment for selective service is Peter Grant, chief announcer and newscaster for WLW and WSAI. His draft board granted the stay for six months, maximum single deferment period, on the regulation which applies to men in occupations contributing to the national health, safety, and interest.

Grant's deferment received more than ordinary attention from the dailies, including statements from his draft board. Nelson Cohen, secretary of the board, said it was a perfectly routine matter. We deferred him the same as we have many other men of many occupations.

Alfred Segal, human interest columnist on the Post, favors Grant's deferment and has made several comments on it. He classes Grant's newscasts as valuable comforters of the public mind, carrying a ring that "certainly needs the world hasn't yet come to its end."

Grant, whose real name is Melvin Meredith Maglin, is 34 and single. He joined WLW in 1933, coming from KMOX in his native St. Louis.

CBS' Deferment Problem

Detroit, April 1. CBS' sales promotion director in New York, Victor Ratner, is in a bit of a quandary as the result of the deferment granted by the local draft board to Tom Fry, the network's Detroit promotional man. When Fry's military service came up in January he submitted his name to the board and the latter anticipated Fry's induction by hiring Ernest Anderson and sending him out to Detroit. Ratner figured that Anderson could make good use of the interval under Fry's tutelage.

When Fry appeared before the draft board last week it was decided to put off induction indefinitely because he had in the meantime gotten married. Fry made all preparations to go to camp and his bride had agreed to take up residence in a room near the camp. The board ruled that by his marriage Fry had made himself ineligible for immediate duty.

Anderson was formerly assistant promotion manager of True Story.

Edward McHugh, NBC's Gospel Singer, skedded to become U. S. citizen next month in Bridgeport, Conn. He's a native of Scotland.

Move to Shorten the Gab Count

Fred Weber Wants Only a Musical Show Ahead of Friday Blow-by-Blow

First move made by the Mutual Network to get away from its present plethora of talk was an order issued by Fred Weber, general manager, last week to salesmen that nothing but a musical program will be acceptable for the spot preceding the Friday night light broadcast. As Mutual's Friday night schedule now stands "I Want a Divorce" runs from 8:30 to 10 o'clock and the preceding half hour is also taken up by talk.

So that the time after 10 o'clock is clear for the fight broadcasts.

Washington, April 1.

Newspaper connections were given again this week as prospective reasons for denial of one of two competing applications for the right to build a daytime plant in Jacksonville, Ill., although the duet about to be blackballed boasted nearly five times the financial backing of the other man. Partnership upon which the regulators smiled.

"Proposed findings" were based on the Commission's desire for more competition. While each group is equally qualified, the Commission said it feels "all circumstances and facts considered" the public welfare will be advanced more by bringing in a rival for the journalistic monopoly on the town. The nod was given a trio comprising Robert Stephenson, an instructor at Illinois State School for the Blind; Milton Edge, chain grocery manager; and Edgar J. Korsmeyer, power company credit manager.

The recital of facts showed the Stephenson-Edge-Korsmeyer outfit has net worth of \$63,000 and propose to sink \$8,500 in the plant. On the other hand, a partnership consisting of Heim L. Walters, widow owning 48 1/2% of the stock in the Jacksonville Journal Courier Co., and Walter Bellatti, her attorney, can put \$300,000 on the line and plan to put in a transmitter costing \$14,600. Both planned about the same kind of service, promising to take adequate care of public service requirements.

In suggesting the Stephenson-Edge-Korsmeyer plan should be favored, the regulators remarked that construction of their station will provide a medium for the dissemination of news and information to the people, and that the independent of and afforded degree of competition to other such media in that area.

Goodkind, Joice, Morgan Show Coins An Award

Chicago, April 1. Goodkind, Joice & Morgan agency here came up the winner of the award by the Chicago Federated Advertising Club for the "best local program" with its entry of the Music Lovers Program on WFLC, for Service Drug Store. This is a full hour of recorded classical and semi-classical music each night, with comments by Martin Jacobsen.

G.J.&M. agency also was up in the listing with another program, Celebrity Circle, an interview show which has brought to the mike at WBBM the biggest names in all lines of endeavor.

Socialist Discs Modified to Meet Qualms

Some Stations Thought Norman Thomas' Talks Were Uncomfortably Extreme

Sponsored disc series with Norman Thomas, head of the American Socialist Party, ran in a temporary snafu last week when several stations objected to some of the statements contained in the continuity for last Sunday's (30) program. It was Fisher, of the W. Y. Call, who handled the case for Thomas, readily agreed to eliminate the objectionable parts and the transcriptions were cleared as scheduled. The Sunday series is carried over 33 stations.

Under the arrangement prevailing between Fisher and the scheduled

stations Thomas' speech must be submitted a week in advance. Thomas does his cutting on the Wednesday before the airing date. Last Sunday's was the third of the series. The time is paid for by local branches of the party.

When the offer of the series first came up quite a number of stations relayed the proposition to the National Association of Broadcasters with the request that the association advise them whether the proposed series came within the purview of the article on sponsored talks on controversial subjects in the N.A.B. code.

First Award of THE PEABODY MEDAL

presented to the
COLUMBIA BROADCASTING SYSTEM
For Outstanding Meritorious Public Service



"...for regarding its schedule as a curriculum for adults and children... for covering adequately the significant news of the year... for promoting Pan-American unity and understanding through its *School of the Air*... for aiding education with special school-room services and such programs as *Invitation to Learning*, *The Human Adventure*, *Report to the Nation*, *The People's Platform* and *Columbia's Country Journal*... for giving religion a major place in its public service activities... and for its manifold and continuous interest in serious music and other cultural subjects."

Naturally we're proud that CBS is the first network to be honored by the University of Georgia with the George Foster Peabody Award—radio's own "Pulitzer Prize"—for "outstanding meritorious public service." We are especially happy that this award comes to CBS for its complete program structure—a harmoniously integrated unit designed in the interests of the American people.

Columbia Broadcasting System

3-2 VOTE BREAKS CLEAR CHANNEL POLICY IN KOA-WHDDH CASE; CRAVEN'S OBJECTION

Washington Foresees Precedent as Ominous for WCCO, Minneapolis (CBS), in Similar Relationship to City-Owned WNYC, New York

Washington, April 1. Disregarding all protests and criticism of its philosophy the Federal Communications Commission, has confirmed its original position and has granted WHDDH, Boston, full time on 850 kilocycles of which KOA, Denver, has been the dominant station. This is the issue of a breakdown of the clear channel principle in a 3-A situation which aroused the big stations of America into an acute sense of imminent danger last December. FCC voted 3-2 in the matter, with two of its members abstaining.

The text of the majority and dissenting opinions was held up, as Commissioners T. A. M. Craven and Norman S. Case—who refused to go along—demanded time to strengthen the proposed protest, which they handed out not long ago in a futile attempt to restrain their colleagues from revising rules in advance proceedings where all interested parties could not be heard.

Breakdown of one of the 25 bands listed as 'clear' under the Havana Treaty was effected by an actual minority of the regulatory agency. Only Commissioners Paul A. Walker, Fred T. Thompson, and George Henry Payne were in favor of the idea since Chairman James L. Fly and Commissioner Ray C. Wakefield, the newcomer, did not vote.

The proposal carried out last week drew severe condemnation from the networks and the clear-channel operators, with NBC particularly upset by prospective limitation on the KOA service area. After being denied the right to present evidence, both NBC and the clear-channelists finally were dragged in for oral argument with 'amicus curiae' status and registered fierce opposition to the method by which the Commission proposed to rewrite its own regulations.

One Consolation

Violent splits between the two Commission factions came into public

gaze when the proposed decision was issued. Argument in justification of the reclassification was that the amount of damage to KOA by interference would be far less than the benefits to WHDDH listeners in the New England area. But Case and Craven directly challenged this, emphasizing that Boston already has a multitude of outlets while a large part of the radio desert is dependent almost entirely on KOA for any kind of service and noting that persons in the secondary area should have a choice of signals because of fading, interference, etc.

Whether the fight can be carried further is dubious. Since the clear-channelists and NBC were not respondents in the initial proceeding, they are handicapped in attempting to seek a review by the District of Columbia Court of Appeals. Lawyers are scratching their heads in trying to find some method of bringing the dispute before the judiciary, but have their fingers crossed.

In some quarters, the action is not deemed as serious now as it would have been if taken considerably before the North American Regional Agreement went into effect. From a strictly legal point of view, the U. S. has complete freedom to classify its channels any way it wants. If the ribbon had been broken down before the pact went into operation, other nations would have been justified in squinting there; now the stripe is reserved for sole U. S. use, although the Commission has taken it out of the group set aside for nighttime occupancy by only one transmitter.

Granting of the WHDDH plea forebodes rough-going for WCCO, Minneapolis, in its attempt to keep WNYC, New York, from getting the right to operate nights. With Mayor LaGuardia threatening to get Congress to do something unless the Commission loses up with operating privileges on the 830 kc stripe and the precedent established in taking away KOA's after-dark monopoly, odds are very much against the Columbia outlet now.

Sporting Blood

Augusta, Ga., April 1. WGAC's contribution to the man-on-the-street gag is John Watkins who invites passersby to stomp him with questions, riddles, etc. Watkins doubles as program director.

Show is sponsored thrice weekly by Valley Coaches, Inc., operator of buses.

Andrew Ring, 12 Years An FCC Engineer Wiz, Now in Private Practice

Washington, April 1. After nearly 12 years on the job, Andrew D. Ring, assistant chief engineer of the Federal Communications Commission, quit the Government payroll Saturday (29) to go into private consulting practice in partnership with Ralph Parks, one of his assistants for several years.

Ring's retirement coincided with effectiveness of the North American Regional Agreement, on which he has been almost exclusively engaged for months working out details of the reallocation of U. S. stations.

He has been on the verge of quitting for a long period, but was induced to see through the worrisome business of shifting two-thirds of the domestic transmitters to their new berths.

Originally joining the old Federal Radio Commission with rating of senior engineer in July, 1929, Ring has been conspicuous in every major technical problem relating to broadcasting during the last decade.

Three individuals have been mentioned as possible successors, with George P. Adair, who has served as Ring's first assistant and been in Government service since the early 30's, considered most likely. Other names most frequently heard are Philip Sling and George Sterling.

William F. Shea, of The Hartford Times, is substituting for Cedric Foster on news-comment broadcasts from WHTT (the paper's station) over Mutual, during Foster's vacation in Bermuda.

From The Production Centres

IN NEW YORK CITY

G. W. Johnstone, radio director of the Democratic National Committee, planned from New York last week to join the Presidential party cruising in southern waters. . . John Gibbs to Chicago last weekend. . . Lyn Murray, a Columbia contract artist, gets billing in the NBC weekly program sheets for his temporary musical direction of the 'Aldrich Family' show.

Thomas D. Connolly, director of program promotion for CBS, participated in a forum sponsored by the New England Glass Assn. last week in Boston. . . Marcus & Co., jewelers, sponsoring Liza Sergio's Wednesday program WQXR. . . Emanuel Vardi, violist of the NBC Symphony and believed to be the only violist to give a solo recital in several generations, did solo last night (Tuesday) on Frank Black's 'American Music Series' and on WNYC's 'Music at Twilight' series Monday evening. (31). . . Rubinfon, currently on a concert tour, has blueprinted three new program ideas, which his agent-brother Phil Rubinfon is submitting for sponsorship.

Henry Jaffe, AFRA attorney, to Chicago on business last weekend. . . Nelson Case quarantined with German measles. . . Ted Pearson, subbing for him on the 'Kate Hopkins' show. . . Vic and Sade being repeated on WOR via off-the-line recording, instead of former live repeat on WJZ-NBC. . . first show on WEAF-NBC. . . Dr. Henry Lee Smith was ill last week, so WOR-Mutual had to cancel his 'Where Are You From?' program.

Film schedule for all Loew houses in metropolitan New York being aired nightly on WHN. . . Johannes Steel has third spot on WOR-Saturday nights. . . Compton agency placing radio spot, newspaper, trade paper, and billboard campaign for Krueger beer. . . Invitation to Learning on CBS moving up next from 10:15 to 9:30 p.m. Tuesdays. . . Bob Hawk's tour with 'Take it or Leave it' to hit Kansas City, Los Angeles, San Francisco, Portland, and Seattle. (Gretchen, Edna, and Marion) Indianapolis, Louisville and Chicago on successive weeks. . . Theodore Granik to Coast for vacation, with Ernest Lindley, Washington newspaper man, subbing for two weeks on 'American Forum of the Air'.

Eugene King replacing Tom Slater on WOR announcing staff. . . Slater has been upped to become co-ordinator of sports and special events. . . Coca-Cola show goes to 45 minutes this week. . . Red Barber back from Havana. . . Al Post returns to the 'Red Barber' program (CBS) tonight. . . Dick Pack, of WOR publicity staff, has just had three scripts accepted by William Kozenko's 'Anthology of Radio Plays'. . . Campbell's soup has renewed options on 'Amos n' Andy', Fletcher Wiley, Lanny Ross and 'Martha Webster', all on CBS. . . Campbell Playhouse will probably continue Friday nights through summer, but with semi-name policy.

Wynna Murray returns to the 'Free Allie' program (CBS) tonight (Wednesday), replacing the Four Martins. She will be on an indefinite arrangement. . . J. J. Walter Thompson agency still scouting around for a girl singer to join the Chase & Sanborn Coffee show. . . Peggy Stone, of International Radio Sales, on a cruise to Panama by a United Fruit boat, accompanied by her sister. Will be gone three weeks.

Herb Petter, of WHN, in Washington last week chumming around at FCC. . . that was his WHN house orchestra doing concerts on platform in Times Square last week for Greek Relief can-shakers. . . Bob Patt, on WHN, may be a June bride of the draft board. . . Goodman Ace and Jane back from Florida. . . In addition to their new home at Manhasset, L. I., Polly and Ed East have an even newer farm in Dutchess county. . .

WOR's FM station, WINY, began regular operation yesterday (Tuesday). . . 'Play Broadcast' moves from Monday to Friday nights on WOR-Mutual. . . Hinda Barnett, violinist, and Adolf Baller, pianist, start series of Sunday night recitals over WQXR next week (6). . . Meeting of FM broadcasters will be held today (Wednesday) at the Roosevelt hotel, N. Y. . . 'Freedom Under Fire', true stories of struggles by Nazi-dominated people of Europe, will be aired Friday nights by WEVD, starting this week (4) with Dr. Raoul Aglion, former member of the French legation in Cairo, and Donald MacAfee, former A.E.F. vet who fought with the French against the Nazis in 1940. . . WNYC offering complete recorded performances of operas Saturdays at 1:45 p.m.

May Sherman, formerly at WNEW as secretary, has joined Feiner, Furman & Roberts general ad agency on Broadway. . . she's been in radio publicity and band booking work recently. . . Spencer Bentley on Muriel Angelus' song-dramatic program last Saturday night over NBC.

IN HOLLYWOOD . . .

Ross Metzger checking over the list of available (and it's plenty long) for a Ruthless & Ryan Chicago variety show. . . Richfield Reporters John Wald and Don Forbes, and their editor, Wayne Miller, on another Coast tour for their oil sponsors. Buddy Twiss handles their newcast for the four Arizona stations. . . Marie Caudel leaving NBC's guest relations staff for a berth with the war department in Washington. . . Kate Smith sub for Hedda Hopper on her April 2 Sunbelt broadcast so columnist-commentator can go to Washington for the National Women's Press Club banquet. . . L. T. Crossley switched to the William Eddy staff here from New York. . . NBC started Marguerite Harrison on a sustaining series. She's the onetime AP foreign correspondent and will dish out the femme slant on world affairs. . . Don Wilson feted by the NBC gang on starting his 18th year in radio. . . Chet LaRoche and Hubbell Robinson here show-shopping for the summer. . . Tom Revere around for takeoff of the Hudson Coast show. . . Don Prindle checked off the AI Peace writing job. . . NBC's Sidney Strotz and Don Gilman guested at Metro by B. L. Mayer and other film biggies as a gesture of the cordiality existing between pictures and the radio industry. . . Don Wilson out as Barker on the Maxwell show, with John Conte adding 'stint to his emceeing and vocalizing'. . . Fulton Lewis, Jr., around for lectures and making new friends with every handshake.

IN CHICAGO

Barry Sisters, on the Wayne King orchestra commercial, doubling to a personal in the Oriental starting April 4. . . Milton Charles has assignment as organist for the 'Hymns of All Churches' and 'Betty Crocker' shows which start a ride over Columbia from Chi WBBM studios. . . Jack Elliott has written a new novelty daytime radio serial revolving around the King's-Jesters, musical outfit. . . Nina Serena, who sang on the Quaker Oats, 'Your Dream Has Come True' program, slated for a sustaining ride on Columbia.

Barbara Dvorak added to cast of 'Scattergood Baines'. . . Virginia Clark off radio for a short vacash following recent death of her father. . . WLS staging annual show for War Veterans at North Chicago hospital with George Menard, Prairie Ramblers, Mary Ann, Rusty-Gill, Grace Wilson and John Brown as talent. . . Arthur Page, WLS farm program chief, off on a round of golf-making in Ohio. . . State U., Kansas (KU), high school and Ohio (OH), high school commencement. . . Emma Van Abney Lane, Laning, probably the nation's oldest radio performer, marked her 85th birthday last week with a special broadcast of her 'Aunt Em' show on WLS. . . John Cannon added to the WBBM speller staff. . . New 'Road of Life' performers are Burton Wright, Elia Broca and Marvin Mueller.

"for Meritorious Service to Agriculture"

THE George Foster Peabody Awards Committee has cited WLS, Chicago, for its "meritorious service to agriculture." We are proud of this citation from the Henry W. Grady School of Journalism, University of Georgia. WLS has always recognized its obligation to the rural areas of Mid-West America . . . and our deepest concern is to maintain this program of constructive service to agriculture.



THE PRAIRIE FARMER STATION
Burridge D. Buder, President (Chicago) Glenn Snyder, Manager

American Television Remains Stalled Between Annoyed FCC and NBC-CBS

Washington, April 1. American television is still stalled between an annoyed and somewhat embarrassed Federal Communications Commission on the one side and on the other side a burned and free-spirited RCA-NBC (black and white television) to which was added a fortnight ago the not-yet-ready attitude of CBS (color television). Meantime the recent Washington rearing on the whole television issue has aggravated hurt feelings on the FCC and has brought up possibility that the Allen DuMont laboratories, an outsider, with Paramount film tie-up, may become the palace favorite of the FCC on television.

Possibility that the FCC may find catharsis from its pique at RCA-NBC by recognizing the rival television standard proposed by DuMont has already caused lively speculation in trade circles. The Commission also may try to get back at RCA and its subsidiary, NBC, by ordering full service pronto, which would also embarrass other outlets which demur at being compelled to put on 30 hours of expensive sky picture programs weekly.

The its-own-problem attitude of RCA-NBC apparently intimated an element on the Commission. This aroused serious expectations that the DuMont synchronization pulse may be recognized, instead of the more widely-employed RCA technique.

DuMont Klates
At any rate, the DuMont people, who have been playing up to the James L. Fly faction on the FCC, seem elated over the sudden turn of events. And at the same time, DuMont and other experimenters waiting to have the reins slackened are resentful at both NBC and CBS for throwing cold water on the idea of commercialization at this time.

The television outlook is more blurred than ever. Some Commission people, feeling that the FCC has pushed Frequency Modulation altogether too rapidly, think that the restraints on television ought to be removed but with the minimum operating requirement of five hours daily eased. Others still are toying with the idea of only limited money-making. Chairman Fly's position—now that responsibility for advancement or retarding television has been more or less on his shoulders—is obscure, although there is little doubt he is burning.

While industry people still are chuckling—even those who are a little angry—over the way RCA-NBC maneuvered Fly on the spot, there is unmistakable bitterness, and almost no attempt to disguise it, in certain circles which still rankle about David Sarnoff's complaint last year that the Commission had prevented television from going forward, creating hundreds of thousands of new jobs. There's a real desire by some individuals, to 'show-him he can't do that to us.' No matter if it hurts many by-standers.

See PW Stationer
Meantime slowness in grinding out the construction papers for Frequency Modulation stations, more than 40 of which have been authorized already, has brought industry accusations that the Federal Com-

munications Commission deliberately stalling. Although the regulators have been approving applications for weeks, only a handful of actual construction permits have been issued.

The lag is allbated at the FCC on two grounds. First excuse what the official forms, needed to obtain all the data which must be recorded in different Commission departments, had not been prepared. Latest reason is said to be jams over frequencies, which make it necessary for certain applicants—who already have received a nod-to file supplemental requests amending their original papers and specifying different ribbons on which they will function.

After rushing ahead with a policy that allows full commercialization, the Commission started beating the drum with frequent press statements to the effect that so many new FM plants had been 'authorized.' Check reveals, however, that the 'authorizations' are still largely academic. In addition, all of the 'grants' to newspapers have been suspended as an aftermath of the decision to study the question whether press ownership of radio facilities accords with public interest.

Considerable rumpus has been raised, both inside and outside the Commission. Meanwhile, prospective operators anxious to get started are besieging the regulatory agency for some ideas how soon they can go to work erecting their plants.

Balaban & Katz's 2d Station
Second experimental television station and portable mobile for Balaban & Katz, Chicago film exhibitors, was okayed last week by the FCC. After receiving permission to operate W9XBK on 60,000-68,000 kc., and a portable mobile on 204,000 to 216,000, Chi show business experts were granted a permit for 384,000-396,000 kc with 10 watts and A-5 emission. Also given authority to construct a new relay station to be used in connection with W9XBK, on an experimental basis only.

Will Bradley Orchestra And Columnist Sullivan For Silver's Summer

Will Bradley's orchestra has been assigned the musical spot with columnist Ed Sullivan on the summer replacement for 'Silver' Theatre of the Air'. Sullivan and Bradley and guest singers will occupy the 6-8.30 p.m. slot Sunday evenings on CBS starting April 27. Replacement is to remain for 25 weeks, 'International Silver' sponsors.

Change from the presentation of dramatic programs to a hot month substitute takes place much earlier than usual. As a rule such changes are not made until June or July.

A. B. Chamberlain, CBS chief engineer, addressed Institute of Radio Engineers at Harvard University on Columbia's short wave facilities.

WITH 40000 SOLDIERS AT FORT JACKSON

5000 Watts Day
1000 Watts Night
NBC RED 560 KC.
FREE & PETERS, Inc.
National Representatives

REINSCHE'S NEW TITLE

Three James M. Cox Stations Under His Jurisdiction

Atlanta, April 1. J. Leonard Reinsche, general manager of WSB here, will also have the title of general director of all three James M. Cox stations. He's been with organization seven years.

James LeGate will continue to manage WHIO, Dayton, and Alex Robb to do same for WIOD, Miami. Reinsche will headquarter in Atlanta, but travel between the towns. Outlier, Jr., will manage WSB.

WYLLIS COOPER TO GRANT, CHI

Wyllis Cooper, until recently author of the NBC sustainer 'You're in the Army Now', has joined the Grant agency, Chicago, as radio exec. He was called from New York on a temporary doctoring job for the agency's 'You're in the Army' program for Mars candy, but was subsequently offered and accepted the executive assignment.

Before doing NBC's 'Army' series, Cooper wrote some of the 'Campbell Playhouse' programs and the same account's 'Short, Short Story' series.

'LONE JOURNEY' SUBS FOR 'KITTY KEENE'

Procter & Gamble is dropping 'Kitty Keene', now on the NBC-red at 11.30 a. m., and replacing it with 'The Lone Journey'. Later is now spotted at 5.15 on the same link. P&G gives up the 5.15 to 6 p.m. daily stretch on the red next month. Other P&G serial realignments are expected with the shift to daylight savings time (April 28).

Dodger Games on WNEW For Levers-General Mills

Lever Bros-General Mills will co-sponsor the night baseball games of the Brooklyn Dodgers on WNEW, New York, this year. Station has contracted to carry 11 games which includes seven at home and four on the road. Four away are to be done live. Red Barber and Al Helfer, who spiel Dodger afternoon contests over WOR, New York, for the same sponsor, also will handle the WNEW work. First game is May 28.

WNEW will carry the play-by-play descriptions of International League this year. For the past couple of seasons outlet broadcast the contests of the Newark team.

REVISIONS ALLOWED

Arch Oboler the 'Final Judge' of Wayne Script Contest

Detroit, April 1. Arch Oboler has been named as the final judge in the third annual Wayne University Broadcasting Guild Script Writing Contest. Contest permits those who pass the first preliminary writing to make revisions in their scripts before being submitted to Oboler. Contest is open to any student at the university to submit as many scripts as he desires. While the contest at present is confined to students enrolled in the university, plans for the future call for extending it to open participation. Last year's winner, Walter McGraw, now is script editor for the guild.

WCAE to Katz

WCAE, Pittsburgh, will switch its national sales representation at the end of this month from International Radio Sales to the Katz Agency. The break is unusual in that both WCAE and IRS are parts of the Hearst organization.

WCAE recently aligned itself with the Mutual Network, effective Oct. 1, after NBC had assigned the Pittsburgh release for the red network to KDKA and asked WCAE to take on the blue.

Bernard Fenner, program manager of KOWH, Omaha, writing script of 'Trouble in the Tropics', the 45th annual musical comedy presentation of the Knights of Ak-Sar-Ben, local civic society

Failure to Submit Performance Data Brings FCC Citation for 50 Stations; Trade Senses Some Significance

Washington, April 1.

The Federal Communications Commission last week called for another one of those sudden checkups, with the inquiry this time concerned with the failure of 50 stations operating on standard wavelengths to 'submit required performance data.' Most of the cited stations had already received regular renewals connection with the shifts to new frequencies last Saturday (28).

The announcement, pointing out that the 'great majority' of papers expiring coincidental with the reallocation had been renewed, recalled that all operators using directional antennas had been ordered 'to furnish certain performance data in order to be permitted to use the new frequencies on a regular basis.' Re-marking that 'the half a hundred stations in question failed to do so,' the Commission said power reductions will be necessary in order to avoid any 'possibility of serious interference.' Significantly, however, none of those whose licenses were slated for hearing is shown on official lists as being required to use directional, although some are supposed to go to higher power in the future.

Direction connection between the hearing order and the monopoly investigation was seen in several instances, besides the NBC outlets. Some of the others were the target of unusual curiosity regarding ownership, although no formal accusations of law violation have been made. The groups which must defend their right to continued existence are:

KEX, Portland, Ore., owned by NBC and operated under lease by Portland Oregonian; KJR, Seattle, owned by NBC and operated under

lease by Fisher's Blend Station; KGA, Denver, and KGO, San Francisco, owned by General Electric and operated under lease by NBC; KFPW, Fort Smith, Ark.; KGA, Spokane; KGLU, Safford, Ariz.; KIDW, Lamar, Colo.; WIBG, Glenside, Pa.; WIBU, Poyntette, Wis.; WTRY, Troy, N. Y.; and WJNC, Asheville, N. C.

Others handled only temporary extensions 'pending further consideration of their applications for renewal' are:

KFSD, St. Joseph, Mo.; KPJM, Grand Forks, N. D.; KGBU, Ketchikan, Alaska; KLUF, Galveston, Tex.; KOCA, Kilgore, Tex.; KORN, Fremont, Neb.; WCOA, Pensacola, Fla.; WELL, Battle Creek, Mich.; WIBC, Canton, O.; WHIF, Hammond, Ind.; WJHP, Jacksonville, Fla.; WNAD, Norman, Okla.; WOSU, Columbus, O.; WPRR, Ponce, P. R.; and WSJS, Winston-Salem, N. C.

'Temporary Extensions'

Another FCC announcement said merely 'temporary extensions of license granted' listing the following: WPRR, Mayaguez, P. R.; WGST, Atlanta; KTFN, Shenandoah, Ia.; KMA, Shenandoah, Ia.; WJAG, Norfolk, Neb.; KTBC, Austin, Tex.; WDLF, Panama City, Fla.; WBAX, Fayetteville, N. C.; WCAP, Asbury Park, N. J.; WCAM, Camden, N. J.; WTNJ, Trenton, N. J.; KRBA, Lufkin, Tex.; WTAL, Tallahassee, Fla.; WSGN, Birmingham, Ala.; WFNC, Fayetteville, N. C.; WAPY, Portsmouth, O.; WRDO, Augusta, Me.; KNET, Palestine, Tex.; KSAM, Huntsville, Tex.; KGKB, Tyler, Tex.; KGFI, Brownsville, Tex.; WTMG, Ocala, Fla.; WURL, Woodside, N. Y.; and WCNW, Brooklyn, N. Y.

While the Commission threw no light on these last two batches, it is known that some have applications pending of one sort or another (mostly for different assignments or for change of control) but others have been under fire on program charges or are accused of technical violations of either the law or Commission regulations.

WGAR
Cleveland
AWARDED THE
GEORGE FOSTER
PEABODY MEDAL
for distinguished
public service
AMONG REGIONAL STATIONS
DURING THE YEAR 1940

U.S. Navy Encourages FCC Sifting Of All Foreign Shortwave Programs

Washington, April 1. Round-the-clock listening to foreign shortwave broadcasts undertaken by the Federal Communications Commission is more concerned with analyzing the techniques of other nations in the use of radio propaganda than to check up on any suspected code transmission to spies in this country or attempts to encourage subversive groups here. The instigation for the 24-hour watch came from the Navy, which wants to get a line on what other fellow does so the United States can be prepared to make similar effort.

fective use of radio in event we are embroiled in the conflict.

With a picked force of 350, the FCC has created special listening posts to record, translate, transcribe, and analyze all programs from foreign nations intended for reception here or in neighboring countries. Constant listening will be done at primary monitoring stations which normally ride herd on U. S. Transmitters to run down unlicensed operators, departures from frequencies, and other violations.

Force comprising technicians, translators, propaganda analysts and other experts will give special attention to newscasts, speeches, announcements, and dramatic programs. Matter will be waded in the field at strategic points and then studied closely in Washington.

The FCC, which was careful not to say what use would be made of the material, commented that the step is necessary to deal with vital national defense problems, remarking that other Government agencies want to be correctly informed on the extent and character of foreign broadcasts reaching this country.

S. R. WOODSELL VICE YANDELL

Shirley F. Woodsell has been named by John F. Royall as sales manager in NBC's international division. Woodsell joined NBC in January, coming from the Packard Motors Export Corp.

His spot as sales manager was previously held by Lundford S. Yandell, who was moved to the blue web's sales staff.

Boston Newspaper Page In Shepard Radio Tie, First of Kind Locally

Boston, April 1. Boston Herald-Traveler will do a cooperative with the Yankee Colonial Networks in connection with Margaret Ford's 'The Good Sport Page.' Miss Ford will do a replica of her newspaper page on the regional networks with advertisers buying space on the air as well as the page. It's the first tie-in of its kind locally. Also the first time the H-T will carry advertising on 'The Good Sport Page.'

Linus Travers will produce the program, which will be debuted first on WAAB, Boston, and as markets outside of Boston are sold advertisers will be permitted to syndicate the page in their own areas.

Louisville.—Dick Noble, WAVE staff announcer, moved to the NBC announcing staff Monday (31). Auditioned for the Chicago job last summer. Bob Kay from WTAX, Springfield, Ill., will replace Noble at WAVE.

Help Canada Angles on Buffalo Stations Pass Without Complaint

Buffalo, April 1. In this border city one American program is openly plugging monetary aid to Canada to help 'that gallant fight across the sea.'

Series tabbed 'International House Party' on WBBN three nights a week contains heavily-larded urgings for Americans to spend their money 'across the (Peace) bridge.' Constant war-aid plugs have aroused little, if any, resentment from American listeners and plenty of approval from Canadians.

A Canadian brew sponsors the show and commercials are written by Canadian agency. Bought American time, though, because anything a little stronger than birch beer is taboo on Canadian airwaves. Show has been on Buffalo stations, first WGR, then WBBN, for two years. 'Buy in Canada' plugs were started

Nix Free Talent

Continued from page 3

shall constitute a violation of the rule.

Next day Hersholt got his answer: 'enforcement to the limit.' That set off the pyrotechnics. The Guild got busy and circularized its members against making free appearances. Naturally they couldn't do anything about a studio contract whose pact carries a clause making it imperative that the player, go on the air, for free, to help exploit the picture in which he appears. That was a matter to be taken up with the producers, to impress on them the difference between exploiting pictures and exploiting soap, soap or cereals. Y. Frank Freeman, pres. of Association of Motion Picture Producers, was given copies of the correspondence exchange between Hersholt and Kenneth Thomson, exec. secretary of Screen Actors Guild. Understood that representations also were made, by officers of the Guild for studio cooperation in stamping out a practice that long has been distasteful to radio and agency execs here.

Relief Fund Periled

Crux of the argument against Parsons was that her continuance on the air threatened to deprive Motion Picture Relief Fund of \$10,000 weekly they receive from Good Gulf. Col. J. Frank Drake of Gulf was quoted as saying if the Parsons show stays on the air there's the use of Gulf continuing to pay \$10,000 a week for a Hollywood show. There was even talk that the price would be cut in two if renewed for next season. The Fund, it was pointed out, could ill afford to have that revenue jeopardized at this time as the \$800,000 already paid by Gulf was being used to build a home for aged and indigent workers in the picture industry and considerable more was needed for furnishings, hospital facilities and other necessities.

The pressure was beginning to tell on Parsons. 'Early last Thursday morning (27) she was on the verge of chucking it all but was persuaded by her husband-biz manager, Dr. Harry Martin, and others to stick it out, for the 13 weeks she tasted for, anyway.'

Later in the day the principals decided to get together and have it out. Dick Marvin was there for William Esly; Thomson for the Guild; Dr. Martin for LOP; and Danny Danker, Coast head from J. Walter Thompson agency, as an interested observer. The word was soon passed that Parsons would call it quits after 13 weeks, never to come back again with unpaid talent, if the Guild would relax Rule 6 for that period and allow her to complete the Lifebuoy commitment without interference. That was okay.

Spud's Two on MBS

Programs which Spud cigars (Axtion-Fisher) will start on WOR-Mutual early in June will consist of two different 15-minute weekly shows. One will be a variety stanza Monday nights (starting June 2) with Mary Small, a chorus and orchestra. Other, heard only Wednesday nights, will be 'Danger Is My Business' dealing with risky occupations. It will start June 4.

Both shows will be spotted at 10.15-10.30 p.m. Weiss-Geller, of Chicago, is the agency.

Doc Brinkley and Wife Deny All Financial Links to Station XERA

Del Rio, Texas, April 1. Bankruptcy hearings involving Dr. John R. Brinkley came to an end here on Thursday, March 27. Creditors have until May 26 to file objections. Hearing concluded with a brief testimony by Mrs. Minnie T. Brinkley, wife of the doc, who also filed an involuntary bankruptcy action in Little Rock, Ark.

Brinkley testified that he was not interested in any phase of the present Brinkley Hospital, Inc., and added that Mrs. Brinkley served only as hostess at the hospital and

did some broadcasting on XERA, the giant station at Villa Acuna, Mexico. He further stated that neither have any stock in the hospital.

It was disclosed that he is serving as technical advisor for the International Advertising Agency of Del Rio, giving advice for \$250.00 monthly, the type of program to be broadcast from XERA. He added that neither he nor Mrs. Brinkley had any interest in the advertising agency.

He vigorously denied that he or his wife own stock in the Frontier Broadcasting Co., present operators XERA—the successor to the \$90,000 station he erected many years ago, known as XER.

Carol Rice of Kansas City, Dr. Brinkley's chief counsel, says that all creditors of Dr. Brinkley's—one's holding just claims—will be paid, but he won't pay unjust claims.

NORMAN BAKER STILL AT IT

Mexico City, April 1. Unionized medicos of Monterrey, eastern Texas border industrial center, and other organized members of the medical and allied professions of that city, have protested to the ministry of communications and public works which controls radio in this country, against plans of Norman Baker to establish a radio station in their community, for broadcasts similar to those he has long sprayed from his air plant at Reynosa, a little north of Monterrey.

The Monterrey doctoring folk told the ministry that they cannot understand why it is that Baker is permitted to conduct his station in Mexico, according to their allegations, his practice and advertising methods have been disapproved by both the American and Mexican health authorities. The Monterrey medicos said that if Baker is allowed to establish his station in their city it would embarrass everybody concerned, excepting the alert medical radio plugger.

Credit WRUL With Big Role in Serbian Revolt; Urged Defy to Nazis

Boston, April 1. WRUL's thrice daily short wave broadcasts to Yugoslavia, 'urging them to stand firm against the Nazis, influenced Serbs to rebel, it is being said here. Dr. Svetislav-Sveta Petrovich, Yugoslav writer and WRUL commentator, received a dispatch (March 28) from the Department of State in Washington, which in turn had received word from the American legation in Belgrade, saying:

'Everybody has been listening to the broadcasts, which whipped up the hatred against Germany.'

While Petar (aka Paul) Petrovich, Yugoslavia regent, negotiated with Berlin and his ministers traveled to Vienna to sign the tripartite pact, Dr. Petrovich called to his people to rise and take arms against the German oppressors' during his broadcasts.

Serbs, Croats and Slovenes are said to have listened to broadcasts from Boston in cafes and public places and to have been encouraged in part by them to reject the German alliance.

At first these programs were broadcast once daily, but during the last critical days he increased them to three a day, 15 minutes each, Dr. Petrovich explained. He is now at the Park Chambers hotel, New York City, where he will continue his broadcasts.

'I began to broadcast to my people from France when censorship was established in Yugoslavia,' he said. 'There are loud speakers in every cafe, and every rural library in my country, and I could judge the results of my work from the tremendous response I received. My last broadcast from France was on the day of the armistice. I could speak from there no longer, and I came here.'

'We began our broadcasts from Boston last December, thanks to the World Wide Broadcasting Foundation of the United War Club of Boston. The WRUL station is generally known and listened to in Europe.'

WHEELING A Fort Industry Market

"OUR TOWN"

Not that we are professional joiners or meddlers in other peoples' business, but we accept our home market of Wheeling as "OUR TOWN."

We know only too well that the better OUR town the better OUR business.

We are humbly proud of our community's recognition of the aggressiveness and push of the WWA organization. Various members of our Staff hold the following important civic posts in Wheeling:

- Chairman Executive Committee Ohio Valley Board of Trade
- President Exchange Club
- Exalted Ruler Elks
- Publicity Chairman Community Fund
- Officer in Shrine
- Church Vice President
- Chairman Red Cross Roll Call
- Rotary Club Member
- Member on Board of Directors of: Chamber of Commerce Kiwanis Club American Red Cross Community Fund Wheeling Association

BLAIR Represents Us



WWA

KNX
50,000 WATTS
LOS ANGELES

CBS

The most-listened-to station in the richest market in the West

Ask any Radio Sales office for more information about KNX, one of the sixteen CBS 50,000 watt stations.

Mexican Workers Use Radio To Combat Active Nazi Spokesmen

Mexico City, April 1. Oratory, mostly radio, by what will correspond to the 'minute men' speakers who functioned in the U. S. during World War I, is to be used intensively by the Party of the Mexican Revolution to combat Nazi agents who are very active in Mexico. Talks represent swing to the right by the Party as a potent means for neutralizing Axis operatives in Mexico. The Confederation recently founded a national warning against the spreading number of totalitarian undercover people, and called upon the workers and the public to back the government's efforts to curb them.

Special radio speeches, short and pointed, are being prepared by the Party for intensive air delivery throughout the republic from its radio stations XEFO (5,000 watts) and XEUB (100 watts) here as well as from other local federal government stations, XEXA (100 watts), official press department, and XECR (20-300 watts), ministry of foreign relations.

Privately-owned commercial radio stations are being lined up to participate in this campaign, which is to start this month. Regular announcers of the stations and a corps of speakers that is being trained for air speaking are to be employed. The drive will be the first and the biggest of the kind ever waged in this country.

The Party is considering a proposition that cinemas and theatres be asked to cooperate by allowing speakers to function for a few minutes during intermissions.

WILD YOUTHS EDUCATE OLD GOLD

Old Gold had enough of the idea of combining a Benny Goodman broadcast with dancing in front of the bandstand by 6,000 jitterbugs at its first tryout at Manhattan Center, N. Y., Monday night (31) and from now on the audience's participation will be restricted to acting up from auditorium chairs. Before the event was over there was a police action in action on the outside suppressing a small riot, while attendants in the hall found themselves almost powerless in keeping the cats from swamping the musicians. Program is cleared over WJZ, N. Y.

Excitement started when the doors were opened. The waiting mob rushed by the ticket-takers so that a ticket was collected for every five free addicts that got in. After 6,000 had been admitted the firemen on duty closed the doors, leaving over 2,000 clamoring outside with most of them holding tickets. A few minutes later there were four squad cars and a cordon of cops on the scene unflinching the youths as they sought to force open the doors.

FRANK SILVERNAIL UNDER CARLOS FRANCO

Frank Silvernail has joined the station's relations department of Young & Rubicam and will function under Carlos Franco's direction. Silvernail was formerly time buyer for the Pedlar & Ryan agency.

Lois Frost to WMCA

Lois Frost, secretary to Dick Vovono, of the Ward-Bellock agency, transfers April 14 to become contract manager of WMCA, New York. Job will be to clear and coordinate all commercial and sustaining contracts for the station. Before joining the Wheelock agency several weeks ago, Miss Frost was with the Chicago office of Edward Petry, station representative. She was previously with Virgil Reiter, another Chicago station rep, and Transamerica.

Great Expectations

Brice Disque, Jr., scripter of 'Gang Busters', recently appeared before the Junior League of Elizabeth, N. J., to speak on how to write for radio. At buffet supper in his honor at a Junior League's home before the affair, an exhibitory local matron rushed up to gush how thrilled she was to meet him, adding that all her friends were terribly envious because she was going to hear and see Dwight Fiske.

With a deadpan, Disque explained the distinction in identity, whereupon the matron, gave him a kind of concentrated look and murmured, 'Oh.'

SOME CONFUSION ON MOVING OF WAVELENGTH

Philadelphia, April 1. Shuffling of frequencies of Philly outlets has varied effect on the dial-twisters. As a general rule, thanks to a good publicity job carried out cooperatively by the stations, the majority of listeners were hep to the moving up. But there were still a large number who were befuddled by the change, according

Fly's Statement

Washington, April 1. Promise that 'everyone gains and nobody loses' under last week's reallocation of frequencies was made Friday (28) by FCC Chairman James L. Fly. In a speech over both networks of NBC Fly explained to the radio public that effectuation of the North American Regional Broadcasting Agreement—under which some 800 stations were given new berths—would save the broadcasting system from 'one kind of disruption' which occurred in 1927 when the courts permitted anyone to operate a radio station on any frequency.

Washington, April 1. FCC kept a staff up all night Friday for any possible complications resulting from moving day. Everything went off smoothly, the staff vigil proving largely unnecessary.

to the telephone operators on duty at the station when the switch took place.

Some of the listeners had their own ideas about what was happening. One bright had phoned WPEN and said they couldn't fool him. The real reason for the whole business, he claimed, was to open up channels for broadcasting war propaganda to South America as soon as war was declared.

On top of the questions about the switch-over, there was a report floating around Philly that Mussolini had been shot and the switchboard was flooded with calls checking up on that.

Some stations, particularly WHAT, WPEN, WDAS, received reports they were being heard in areas where previously their signals never reached. KYW and WCAU reported they were being heard with more clarity in certain areas. WFIL and WIP were only stations here not affected, but they co-operated in the educational campaign for the public. Radio service men did a land-office business adjusting push-button sets.

Youngstown, O.—Slocum Chapin, formerly with WOC, Davenport, Iowa, has become new local sales director of WKBN, Youngstown. Henry A. Ungar, formerly with WSPD, Toledo, and WMBG, Detroit, has been added to the sales staff, replacing Herbert Schorr, resigned.

Describe Soccer Game From N. Y. in Portuguese

NBC shortwave division, with much trepidation, aired its first play-by-play sports broadcast in Portuguese last week for benefit of its Brazilian listeners.

Event was soccer match between champ Brazilian team and a picked American aggregation. It was etherized directly from Randall's Island, N. Y., field. South Americans lost.

NOGALES POWER GIANT IS IN WORKS

Mexico City, April 1. Northwestern Mexico is still further to be put on the map by its most prominent native son, Gen. Abelardo L. Rodriguez, provisional president of the republic for 30 months, 1932 to 1934, who is prominent in the fishing, canning and packing industry of that region. A company Gen. Rodriguez has organized is completing plans for the establishment of a powerful radio station, wattage of which has not yet been determined, at Nogales, Sonora state, from its namesake in Arizona.

Preliminary work on this two-language, two-nation station, which it is said will be one of the most powerful in the world, is scheduled to begin late in May. The station is expected to get going the late fall. The Rodriguez company states it has arranged to invest \$1,500,000 (U. S.) for the equipment and establishment of this station which has been granted a concession by the ministry of communications and public works, ruler of air affairs in this country.

NEWS FOR CHILDREN BY DOROTHY GORDON

Program of special news analysis and commentary for children by WQXR, New York, with Dorothy Gordon, writing and reading the material. Series will be heard 5:30-5:55 p.m., Mondays through Fridays, as a sustainer.

Miss Gordon has done a number of children programs on the networks.

Good Reaction in South America To Running Translation of F.D.R.

Americana: 1941

Lincoln, April 1.

Globe Laundry Money Melody ran into an unexpected and embarrassing snag this week when conductor Ed Cooper didn't investigate his telephone numbers. Game is played by calling, while on the air, to various people, and if they can produce a laundry bill (Globe), they get \$1.

Cooper, an early morning dialling session, got one number, and talked to the sleepy man of the house, eventually finding it, to be Bill Messmer, one of his brother, KCCR, announcers, and pinch-hitter on the program. Cooper's days off.

BLURBS WITH SYMPHONIC CLASS

Longines-Wittnauer Watch Co. is working on a spot campaign which will try to convert the idea of prestige and old-reliability through recorded programs of symphony music. The series will run at the rate of three quarter-hour programs a week and for five weeks prior to school graduation time in June. The placements will be on evening schedules. Arthur Rosenberg is the agency on the account.

Renews Bea Wain

Bea Wain has been renewed for another 18 weeks by American Tobacco for its 'Hit Parade' (CBS), effective April 26. General Amusement Corp. agent.

Minneapolis—With departure of Helen Reis from WCCO to become a bride, Mary Rennie, in publicity department for four years, took over press work. Betty Carlile joined WCCO to fill Miss Rennie's former position.

As a first step of many to come in influencing and guiding cultural relationships with South America, the Nelson Rockefeller committee caused President Roosevelt's speech of March 15 to be handled in a new way. The response since the event has been most enthusiastic according to Don Francisco, the radio director of the committee.

Francisco's group had a translation into Spanish, and Portuguese made from an advance text of the Roosevelt speech. These were aired by linguist announcers while the President was speaking, with his voice. English audible in the background, lending authority and dramatic effect.

Committee early in the afternoon of the day of the talk cabled South American stations asking them if they would be interested in broadcasting on long wave the special translation. Committee has since had word from 40 of them that they carried the talk. Many more are believed to have aired it without subsequent confirmation to the Rockefeller group.

Roosevelt speeches in the past have been sent down to S. A. via short-wave, but native stations seldom bothered to rebroadcast because they were naturally in English and their audiences couldn't understand. Summaries were sent down later in Spanish and Portuguese on the regular news broadcasts.

(H. V. Kallenborn, for one, has previously used the translation device over the speaker's voice in Hitler's broadcasts to this country.)

Francisco made no plans to simultaneously translate the President's speech last Saturday (29) as it was primarily for domestic consumption and it is feared that too frequent requests to Latin etherizers for rebroadcasts might dull their interest.

2nd Newsreel Remote

Cleveland, April 1. Wayne Mack, commentator for Bond Clothes on nightly news broadcasts via WGAR, switches scene of action from station's studio to radio room of new Teleneva Theatre.

Move marks second local program now originating from newsreel house. Burt's, Inc., do daily dinner hour. forum show via WHK from Teleneva radio room.

Theatre is plugging Mack's news airings with trailer inviting patrons to attend the 10:30 p.m. broadcasts.



THE CAMPAIGN that succeeds, whether military or commercial, is based on detailed information covering every phase of the objective to be won. When the objective is SALES in any of our markets, you can look to us for an intimate knowledge of local factors to be considered in planning a successful air-attack.

JOHN BLAIR & COMPANY

National Representatives of Radio Stations

CHICAGO NEW YORK DETROIT ST. LOUIS LOS ANGELES SAN FRANCISCO

Public Service Broadcasts Waxed For Outside Re-Use Via Council

Denver, April 1.

Extension Division of the University of Colorado has established a transcription library service which will make recorded versions of public service broadcasts available to schools, clubs and other groups in the Rocky Mountain region. Idea for the project came from the Committee on Use of Radio and Transcriptions in Schools of the Rocky Mountain Radio Council, the services which will be operated under the general supervision of the Council, is supported by the Rockefeller Foundation.

Library already has a catalog of 150 discs whose subjects deal with news, medicine, Latin-American, defense, government, and economic and social problems. Included will be the 1940-41 broadcasts of the CBS' School of the Air of the Americas, Groups using the service will be required to pay only the transportation and handling costs.

'Referees and Razors'

Cleveland, April 1.

Tie-ups became more and more involved. A WHIK program, "Referees and Razors," has Jack Crancy and Pinky Hunter of the staff assigned to interview barbers and customers at shop in WHIK building on the subject of baseball for the benefit of I.T.S. rubber heels.

Rubber heel dealers will get free shaves and a chance to master mind the Cleveland Indians.

Westinghouse Has Separate Operating Corp. for Stations

Philadelphia, April 1.

Westinghouse has set up a wholly-owned subsidiary, Westinghouse Radio Stations, Inc., for the operating of all its broadcasting properties. Stations included are KDKA, Pittsburgh; KYW, Philadelphia; WBZ, Boston; WBZ, Springfield; WOWO-WGL, Fort Wayne, Ind.; the Boston International shortwave station, WBOS; and the two F-M outlets, WIXK, Boston, and WIXSN, Springfield, Mass.

Officers of the new operating set-up are G. H. Bucher, pres.; W. Smith and Walter Evans, v.p.; C. W. Pomeroy, secretary; L. H. Lund, assistant secretary; and L. W. Lyons, treasurer. Lee B. Walling, chief executive staff, which includes Joseph E. Baudino, technical manager; George Harder, publicity and advertising manager; Gordon Hawkins, program supervisor; and E. P. Nelson, manager of international shortwave activities.

BROMO QUININE READY FOR '41-42

J. Walter Thompson agency is working on a heavy campaign in Bromo-Quinine's behalf for the fall. It is still in the process of lining up stations.

Same agency is also going in for wide expansion of Shell and Placemans, using five and one-minute transcriptions. Time buying is done locally or through agency. Contracts are for 13 weeks and up.

WFCL Joins Colonial

Boston, April 1.

WFCL in Pawtucket-Providence, R. I., joins the Colonial network as of April 5. President John Shepard, 3rd, of network, announced last week.

Station will carry Mutual programs also. It is operated by Frank Crook, Pawtucket business man, with Paul Oury as general manager and Ted Allen, commercial manager.

Station operates on 1000 watts day and night on 1420 K.

300 Entries for Ohio State Awards

Entrance Fee No Deterrent—Judges Begin Weeding of Discs

Columbus, April 1.

Twelfth Annual Institute for Education by Radio, sponsored by the Ohio State University, will be held this year May 4-5-6-7 at the Dayton Wallick hotel. Preliminary judges went to work this week on some 300 entries in the Fifth American Exhibition of Radio Programs, one of the outstanding features of the Institute. Inasmuch as an entry fee was charged for first time the fact that the number of entries top all past exhibitions is particularly impressive.

Finalist judges will be: Philip Cohen, Chief of the Radio Project, Library of Congress, Washington; Paul C. Reed, Director, Department of Radio and Visual Education, Rochester (N.Y.); Board of Education, and Parker Wheatley, Radio Director, Northwestern University, Evanston.

COMMISSION SUIT OVER WMCA'S SALE

Alexander J. Jacoby seeks \$117,500 from Knickerbocker Broadcasting Co., Inc., and Donald Flamm, former owner of WMCA, N. Y., and \$21,250 from Emilie Z. Weinberger, defendant, on Wednesday (28) in the N. Y. supreme court for a bill of particulars which was argued yesterday (Tuesday). Action claims breach of agreement to pay commissions for securing a purchaser for Knickerbocker, which operates WMCA, N. Y.

Plaintiff claims he entered into an agreement with Flamm in June, 1935, to secure a purchaser, and to receive 5% on any amount up to \$1,500,000, and 10% over \$2,000,000. Weinberger was to act as broker with him and split the commissions. He alleges that a purchaser was secured who would have bought WMCA for \$1,500,000 but Flamm declined. Damages of \$75,000 are asked on this count, and Weinberger is made a defendant for refusing to join as a plaintiff.

In 1941 Weinberger secured Edward J. Noble who bought the station for \$850,000. Plaintiff seeks to be entitled to \$42,500 on this transaction which should be split with Weinberger, and seeks \$21,250 from the latter for failing to split with him. Answer general denial of all charges.

Ease FM Need To Give Full Starting Service

Washington, April 1.

Relaxation of certain rules pertaining to FM stations was okayed last week by the Federal Communications Commission in order to "stimulate development" in certain areas. Washington, Houston, St. Louis and Kansas City were mentioned as cities, temporarily, will be allowed to serve less than the basic trade area but at least the metropolitan district of the city in question. Special showing will be necessary for such authorizations, it was pointed out, and grants will be subject to the condition that the Commission may in the future require the licensee to serve the entire basic trade area.

Three frequencies presently allocated for stations with a population of less than 25,000 are now available to stations in cities having a greater population located in and adjacent to metropolitan districts having a population greater than 1,000,000.

In addition, it was indicated, that the Commission would reserve three such channels for communities outside the principal city of the basic trade area, although under Section 3.226 of the Rules 11 channels are available for any particular basic trade area.

Augusta, Ga.—C. H. Canafax and J. M. Smalley are new additions to WGAC's sales staff. Loren L. Watson, Jr., formerly with WIS, Columbia, is doubling from publicity to a special news assignment.

KGLO UPS EVERYTHING INCLUDING THE RATES

Mason City, Ia., April 1.

Station KGLO, local CBS outlet, began operation Saturday (29) under power of 1,000 watts day and night, an increase from its former power of 250 watts. Owned and operated by the Mason City Globe-Gazette, it is the only station in Mason City and the only major network outlet within a radius of 125 miles.

Effective April 15, the rate schedule will be revised. Basic rate will be \$125 per night time hour, instead of the present rate of \$100 per night time hour.

PULSE OF AMERICAN RADIO

(As Exemplified by the VARIETY Sample)

	% of Change Compared to LAST WEEK	% of Change Compared to YEAR AGO
NETWORK	-1%	+15%
LOCAL	+1%	+4%
NATIONAL SPOT	+1%	+8%
TOTAL	0	+10%

Active National Accounts

ACCOUNT	AGENCY	TIME PURCHASES
Absorbene	Ross-Gould	Announcements
American Cigarette & Cigar (Fall Mail)	Ruthrauff & Ryan	Announcements
American Encyclopedia	First United Broadcasters	4 Hours
American Mercury	Franklin, Spier & Aaron Sussman	Announcements
Axtion-Fisher Tobacco Corp.	McCann-Erickson	4 Hours
Bank of America	Charles Stuart	Announcements
Bathasweet	H. M. Kieseewetter	Temperature Reports
Beach-Nut Packing	Nowell-Emmett	Chain Breaks
Beach-Nut Packing	Nowell-Emmett	Station Breaks
Ford Motors	McCann-Erickson	Announcements
Pepto Mangan	Morse International	Announcements
Calavo Growers of California	Lord & Thomas	Participations
Campbell Cereal Co.	H. W. Kastor	Announcements
Campbell Cereal (Malt-O-Meal)	H. W. Kastor	Announcements
Cats Paw Rubber Co.	S. A. Levine	Announcements
Charm's Co. (Charm Pops)	Sheck Adv.	10-Mins.
Chemicals, Inc. (Vase)	Botsford, Constantine & Gardner	Participations
Colgate-Palmolive-Peet	Ward Wheelock	Announcements
Cudshy Packing	Erwin, Wasley	Chain Breaks
D. L. & W. Coal Co.	Ruthrauff & Ryan	4 Hours
Dubble Bubble Gum	N. W. Ayer	Announcements
Durkee Famous Foods	C. Wendel Muench	Announcements
General Foods (Post Toasties)	Benton & Eckhardt	Announcements
Gilmore Oil	H. W. Kastor	Announcements
Gordon Baking (Roman Meal Bread)	Barton A. Stebbins	5-Mins.
Gordon Baking (Silver Cup Bread)	Barton A. Stebbins	5-Mins.
Geo. Hartman	Geo. Hartman	4 Hours
Johnson & Johnson (Tek Toothbrushes)	Ferry-Hanly	Announcements
Kellogg Co.	Kenyon & Eckhardt	Station Breaks
Kellogg Co. (All Bran)	Kenyon & Eckhardt	Announcements
Knorr Gelatine	J. Walter Thompson	4 Hours
Life Savers	Kenyon & Eckhardt	Announcements
Marlin Firearms (razor blades)	Craven & Hedrick	Announcements
Mason, Au & Magenheimer	Applied Merchandising	Announcements
(Mason Mints, Black Crows)	4 Hours	
Mead & Co. Ice Cream	Le Gokick	Participations
Moibigas	Smith & Drum	Time Signals
John Morrell (Red Heart Dog Food)	Henri, Hurst & McDonald	Announcements
Neih Corp. (Royal Crown Cola)	BBD&O	Announcements, 5-Mins.
North American Accident Insurance	Franklin Bruok	5 Mins, 4 Hours
Nu Enamel	Wm. Blair Bagley	Announcements
O-Cedar Corp.	H. W. Kastor	Announcements
Olson Rug	Presba, Fellers & Presba	Participations
Peter Paul (Mounds)	Platt-Forbes	Announcements
Pefferman & Co.	McCann-Erickson	Announcements
Pond's Face Cream	J. Walter Thompson	Announcements
Quaker Oats	Sherman & Marquette	4 Hours
Quaker Eggs	BBD&O	4 Hours
Quaker State Oil Co.	Kenyon & Eckhardt	Announcements
Reader's Digest	BBD&O	Announcements
Red Bull Ice Cream	Wm. Ludgin	Announcements
Royal Crown Cola	BBD&O	5-Mins.
Safeway Stores	J. Walter Thompson	Announcements
Sayman Soap	Kelly, Stuhlman & Zahndt	4 Hours
Seaman Bros. (White Rose Confectionery)	Charles W. Hoyt	Temperature Reports
Seiberling Baking	Meldrum & Fawcett	4 Hours
Seven Up	Raymond Kane	Announcements
Shell Oil Co.	J. Walter Thompson	Announcements
Southern Pacific Railroad	Lord & Thomas	4 Hours
Stetson Baker Corp.	Roche, Williams & Cunningham	4 Hours
Sweetheart Soap	Franklin Bruok	4 Hour News
Swift & Co.	J. Walter Thompson	Announcements
Swift & Co. (Vigoro)	J. Walter Thompson	Announcements
Union Pacific Railroad	Caples Co.	Announcements
United States Lines	J. Walter Thompson	Participations, Time Signals
U. S. Playing Card Co.	J. Walter Thompson	Announcements
Walker Readyco	Westley	Announcements
Walham Fountain Pens	United Adv.	5 Mins, 4 Hours
Walham Pen Co.	United Adv.	4 Hours
Ward Baking	Sherman K. Ellis	Chain Breaks
Ward Baking	Sherman K. Ellis	Station Breaks
W. E. Waterman (fountain pens)	Charles Dallas Beach	4 Hours
Wilson & Co. (Ideal Dog Food)	J. S. Advertising	Announcements
Wm. R. Wise (books)	Northwest Radio	5-Mins.

Mass. Broadcasters Oppose Regulation By State Laws

Boston, April 1.

Massachusetts radio stations are opposing legislation for state to regulate broadcasting. Harold E. Fellows, WEI general manager and chairman of the Massachusetts Broadcasters' Committee spoke before a legislative committee considering two bills:

(1) Extension of the laws relating to libel to cover radio broadcasts, whereby under a new statute the liability would be limited to the person making the broadcast or his agent.

(2) Prohibition of liquor advertising over air.

Frank W. Grinnell, secretary of the Massachusetts Judicial Council, and former Rep. Philip Bewley, of Brookline, filed a radio libel bill of similar nature in the session of 1939.

On the liquor advertising bill, introduced by Thomas McMahon, of Hyde Park, several ministers, executives of civic and temperance leagues, spoke to taboo liquor on radio. Fellows said:

"This bill is discriminatory, unnecessary, poorly drawn and not properly within the province of State legislation. The effect would merely be to divert advertisers to newspapers, magazines, billboards, etc. It would decrease the total amount of alcoholic beverage advertising, but merely change the form of a very small portion of it."

If there were no other reason to defeat it, this bill should be killed because it is special legislation grossly unfair to one of several competitive businesses." The following station representatives were present at hearings: A. S. Moffet, of WMAS, Springfield, and WLLF, Lowell; E. E. Hill, WTAG, Worcester; M. J. Smith, W. O. Worcester; John Mathewson, WHDH, Boston; A. N. Armstrong, WCOB, Boston; Roy Harlow, Yankee and Colonial networks; I. E. Rogers, WLA-W, Lawrence; David Jones, WJSH, Shelton, WESP, Lynn; Quincy Brackett, WSPR, Springfield; Allan T. Dresser, WMEX.

Dallas 100-Watter Plea Denied in Present Form

Dallas, April 1.

The application of the Chilton Radio Corp. of this city for a new radio station has been dismissed by the Federal Communications Commission. Application of the Chilton group and an application by V. O. Stamps, filed in the meantime, were ready at the same time. Both requested 1370 kilocycles with a power of 100 watts at unlimited time. A consolidated hearing was to be held but in the meantime Stamps filed. The Chilton group applied for and petitioned the FCC to reconsider and grant its plea.

Stamps requested the Chilton group to amend its request and a specify a new frequency. An amendment was filed and then dismissed.

re- | Coconut Grove, Los Angeles, and
ry, | it will remain there until Sept. 1.

Bands at Hotel B. O.

(Presented herewith, as weekly tabulation, is the estimated cover charge business being done by name bands in various New York hotels. Dinner service (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	Weeks	Covers
City of Lucas	Baltimore (300; \$1-\$1.50)	0	2,501	550
Leighton Noble	Waldorf (375; \$1-\$1.50)	0	1,200	12,850
Lani McIntire	Lexington (300; 75c-\$1.50)	0	1,275	12,175
Guy Lombardo	Roosevelt (500; \$1-\$1.50)	24	1,050	30,825
Woody Herman	New Yorker (400; 75c-\$1.50)	13	1,310	21,200
Jimmy Dorsey	Pennsylvania (500; 75c-\$1.50)	9	2,375	24,725
Tony Pastor	Lincoln (225; 75c-\$1.50)	25	675	12,025

Asterisks indicate a supporting floor show, although the band is the major draw. * Four days.

Band Reviews

CLAUDE THORNHILL ORCH. (16)
With Betty Claire, Dick Harding,
Bob Jenney
Glen Island Casino, New Rochelle,
N. Y.

This is pretty "advanced" stuff. Thornhill has poured into the moulds of old and new tunes alike a burst of richness and variety that makes his band stand out like a sore thumb. Its playing of them marks the outfit as one of the best currently available and labels the 16-piece combo the best new group to show its stuff in a long time. It shows its taste and musical appeal in five minutes on the stand than most of the present bands do in an evening.

Just about a year old, with most of its early days spent on the coast, Thornhill's group dishes up a menu of interesting and danceable arrangements. They are not while this outfit is on the stand. Every minute brings something to further solidify its position as a band that has the makings of future success. And its playing keeps pace with the musical embroidery dreamed up by its leader.

Each section is solidly manned. Band is made up of four saxes, two clarinets, one played by Irving Fazio, who's due to stay here instead of going to Mugsy Spanier's new outfit; three trumpets, two trombones and the four rhythm headed by Thornhill's piano. With such instrumentation it's no wonder the band sounds exceptionally full. Apparently the group has been extensively rehearsed. It's sharply clean in all sections.

Thornhill seems to have covered all tempos and types of music in laying out the crisp and fresh stuff in his books. Band shifts easily from free and easy dance tempos to hot driving swing to sub-toned waltzes and slowly played standards dominated by the leader's piano. His keyboard runs and breathes and works, hanging a recognizable mark on the outfit. Another brand is the common clarinets, used apart from the saxes.

Betty Claire, sister of Bobby Byne's sister, Dick Harding for ballads and Bob Jenney for the more brother, also a trombonist, are okay on the vocals. Jenney does novelties. Harding's only failing is that he's dead on the singing and, seeming to be a bit shy. He'll get over it. Wood.

BEVERLY TWINS ORCH (14)

Arcadia Ballroom, New York.
This band, a distinct novelty because it's composed of seven sets of twins, was seven years in the making. Beverly Twinnall and her sister, worked that long fermenting out sets of look-alikes with musical talent. It wasn't until recently that the twinning troubles were over and band began to take shape. Band still isn't finished, but interest in the novelty and the twins should keep it working and give it time to straighten out the rough edges.

As it is now the band isn't bad musically. It's easily on a par with many other semi-name crews now working around and it would seem to become better with additional time on the stand. One thing that can't be said but give it a try. The twinning. Currently the twins are reading a great many stocks, which of course give the outfit no individuality at all. Tailored waltzes are slowly being eased into the books, some 25 now supposed to be on tap. Twins figure that it's one of the most important ankle tickled—that of holding on to the men it took so long to dig up. Plainly, if one individual becomes dissatisfied and leaves, the resignation would start their troubles all over again. To forestall such action the outfit has been made operative with each man a stockholder. Result seems to be that the members are imbued with enthusiasm over the band. They all work with a zest not ordinarily found in such outfits.

To heighten the double angle the men are uniformed in pairs, one set

decked out in blue, another in red, etc. Beverlys, who could improve their work up front by not taking everything quite so seriously, do the boy band thing together. Never play an instrument.

Bandmembers: Myron-Harry Robinson, trombone; Bill-Russ Whelan, trumpet-trombone; Jim-Joe McCarthy, saxes; Walter-Sol Brudon, saxes; Roger-Rodney Harmon, guitar; base; Sol-Ben Marcus, piano, drums. Most of the men double on some other instrument.

Theme, of course, is "Exactly Like You." Wood.

VAL GRAYSON ORCH (11)

With Diane Paige, Sammy Grayson
Turnpike Casino, Lincoln, Neb.

Unsuited for ballrooms, the Val Grayson combo is steeped too deeply in the tempos of clubs, and too heavily liberally with the South American rhythms which haven't found their way to popularity in the midwest halls. With a trio in every department, reeds, brass and rhythm, the organization is conventional, but lacks along with other things, the volume to get to the far corners of a spacious ballroom. Novelties are somewhat stilted, indicative of material which would be passable in intimate spots, but lost on a date of this size.

Carries two soloists. Sonny Grayson, of the trumpet bracket, who is heard from vocally and instrumentally. The girl is Diane Paige, very weak, and not always paralleling the band in key. Here's an outfit which would be much more at home on a small location, especially one with A.K. radio, beat is of the Rotary stamp. Variety.

EDDY ROGERS ORCHESTRA (10)

With Irene Janis
Hunt Hotel, Kansas City

Band is a newcomer in this area, although not new to the hotels-on-the-Eastern route. Rogers is a former house band leader for NBC in Radio City, but took to the bandstand some four or five years ago. He brings in a band which is typical in style to the many suited to this type of dance room, yet with a difference. It's a band which is typical in style to the many suited to this type of dance room, yet with a difference. It's a band which is typical in style to the many suited to this type of dance room, yet with a difference.

Arranging is handled by Joseph Lepore of the sax section and by Rogers, and crew carries a large book that delves into oldtimers as well as the newest of pop songs. Besides his featured fiddling Rogers is also adept at the piano and occasionally fills here between sets. His soloists Rex Sittig, Hal Rafi and Norman-Rot in reeds besides Lepore, who is a fiddler and arranger. Elias on trumpets; Frank Yakots, piano; Billy Hanson, drums, and Bill Wiley, bass. With Rogers at the violin on nearly every number the ten pieces and arrangements are all standard at ten pieces. Rogers makes a special attempt at accomplishing fullness, although limiting himself to nine instrumentalists besides himself.

In the vocal department Irene Janis receives the major assignments for her full throated singing. Most of the registers are satisfactory, her best work being over the air. In all band is wholesome and generally standard for hotels. Quinn.

Sonny Dunham Bluebirding

Sonny Dunham band will record for the Bluebird label on a contract set last week. Outfit has its first date April 8.

Dunham's crew is currently at the Roseland Ballroom, Brooklyn, and is scheduled for a 12-week buildup at Meadowbrook, Cedar Grove, N. J., opening late in July. Prior to that comes to New York Roseland for a month.

On the Beat

Archie Tarshis opened Friday (28) at Yacht Club, Pittsburgh, replacing Herman Middleman outfit. Tarshis is a former sax player for Middleman.

Al Marsico band celebrated second anniversary at Nixon Cafe last week (26) and birthday-gifted at Pittsburgh spot by a six-month contract extension.

Clyde Knight opened return engagement at Casino, Pittsburgh; Saturday (29), following Paul Pendarvis. Knight stays through April 12, with Everett Hoagland coming two nights later.

Vincent Gonzales received a call to report to draft board, so he handed in his notice as guitarist with Kai Nira's Waikiki Strings at Boston's Club Varsity Fair.

The same night he was back on the job. He lacked one-half inch of being five feet and so was turned down.

Newt Perry opened a five-week engagement (March 31) at Wayside Inn, West Springfield, Mass., with the privilege of playing college dates in the vicinity: April 19, Vassar, Poughkeepsie, N. Y.; May 3, Smith College, Northampton, Mass.

The army has taken two of Perry's boys: Carl Plak, lead sax, and Bill Winkler, trombone, who were respectively by Dan Martin and Roy Smithers, from Russ Andree's band.

Fred Joseph, of Club Lido, Youngstown, O., drew a suspended fine of \$25 and costs when he admitted lack of a dance license at his place. Suspended fine was recommended by prosecutor's office after Joseph showed he had obtained a dance license since his arrest.

Eddie Varsos to the Providence Biltmore April 14 after two seasons at the Hotel St. Moritz, N. Y.

Dick Rogers crew has been rebooked for Roseland Ballroom, New York. Goes back June 5 for the entire summer.

Lehman Engel has been signed to baton Gene Autry's radio program for eight broadcasts cowboy star will make in east during his spring rodeo tour.

Buddy Malville Orchestra to Empire Room, Hotel Utah, Salt Lake. With Malville is quartet composed of Easton Willie, Henry Beguire, Dan Snell and Lino Landi.

Bill LeRoy packed for entire series of Saturday Night Club Dates at Pines, Pittsburgh, until May 29 when outdoor Sunken Gardens opens with Howard Becker's band.

Joe Vitella band hit six-month mark at Balconades, Pittsburgh, and has been renewed for another similar stretch.

Teddy Black is being held over at the Belvedere Hotel, Baltimore, through May 15.

Bunny Berigan has made two replacements: Charlie Arlington, lead alto sax from Segar Ellis band for Joe DiMaggio, who went to Teddy Powell on third alto; Truman Quigley, who was with Berigan two years ago, on first trumpet from Clyde Lucas for Ray Krantz, who shifted to Al Donahue.

Eddie Berioleto joined Sam Donahue's band, replacing Kenny Haughey on trombone, who went home to Detroit.

Mart Kenny en route to the Banff Springs Hotel, Banff, Alta. After a season in Ontario, will play a series of one-nighters along the way. Regina, Sask., date is April 15 at the Trianon Ballroom under Kinsmen Club auspices.

Leigh Knowles, ex-Glen Miller trumpeter, has his own band at Seven Gables Inn, Milford, Conn.

Richard Himber follows Russ Morgan into the Palladium, Hollywood, April 3.

Anson Weeks and George Hamilton, bands have been added to the Frederick Bros. agency list.

Jan Savitt makes his first recordings for Victor Records tomorrow (3) in Chicago. He'll cut four sides. (Continued on page 36)

Special Jitney Slot Ticket

Band promotion and exploitation men aren't missing a trick in helping to sell bands and records of those bands. Competition is forcing them to cover even the most minute details. Latest idea gives an advantage.

Here's an example: Much is expected of the "Sister" tune, a fine melody. Chester's version should fit into its course easily. It's heavily done at slow speed with a ponderous, but neat, Bill Darnell vocal. After a dozen maybe-we're-wrong spinings no untoward excitement could be worked up over the depressing theme, but if it finds favor, Chester's side will click. It drops with commercialism. "Slow Down" is an interesting original, vocally by Betty Bradley. Dick Jurgens' swing at "Sister" (Okeh 6094) is lighter in arrangement and slightly faster in tempo with a Harry Cool vocal. He treats as a good time rather than as a tear jerking set of lyrics. It's backed by a filler titled "Pardon Me for Falling in Love." Buddy Moreno vocals.

TEO SALUD, DINERO Y AMOR
Elmo Tanner singing

TEO SALUD, DINERO Y AMOR
Elmo Tanner singing

Com-Catching Records

Bob Chester "My Sister and I—Slow Down" (Bluebird 11088)
Much is expected of the "Sister" tune, a fine melody. Chester's version should fit into its course easily. It's heavily done at slow speed with a ponderous, but neat, Bill Darnell vocal. After a dozen maybe-we're-wrong spinings no untoward excitement could be worked up over the depressing theme, but if it finds favor, Chester's side will click. It drops with commercialism. "Slow Down" is an interesting original, vocally by Betty Bradley. Dick Jurgens' swing at "Sister" (Okeh 6094) is lighter in arrangement and slightly faster in tempo with a Harry Cool vocal. He treats as a good time rather than as a tear jerking set of lyrics. It's backed by a filler titled "Pardon Me for Falling in Love." Buddy Moreno vocals.

Kate Smith "Little Church in England—All Comes Back" (Cap 36015)
This'll go all around. Miss Smith's release of Irving Berlin's creamy melody is strong for any use. She does it with production background of music and choral work. "It All Comes Back to Me Now," a BMI pop, is well done.

Sammy Kaye "Montague, the Terrible—Horse and Saddle" (Victor 27361)
Two pleasant novelties. They're good examples of the stuff Kaye likes to ferret out. First, in Latin tempo, is similar to same band's "He's a Tough Hombre." Backing is a western ballad smoothly done and sung by Jimmy Brown. Marty McKenna and chorus vocals first.

Ella Fitzgerald "Muffin Man—Lonesome Gal in Town" (Decca 3666)
"Muffin" is a good piece of material. It's solidly dressed in rhythm by the band and the singer's outstanding vocal style. Machine candidate. Reverse is strong once Miss Fitzgerald gets in the chorus, but the band at the outset and in the bridges doesn't pair with her. From vocal angle only it's okay.

Les Brown "Hotchicks Corners—Celery Stalks Midnight" (Okeh 6098)
Brown's bunch is one to keep an eye on. It's moving forward at a fast clip in playing effectiveness. These two are solid arrangements of tunes used in past by other bands. Brown burnishes 'em. Celery is a shade better. Doris Day vocals both well.

Tony Pastor "Maria, Marie—Wigwam Stomp" (Bluebird 11087)
Another group assuming important status. First side here is a neat few minutes with a clean, strong band. Work hops smoothly and makes good machine fare. Pastor's vocals helps. Coupling, an original, rouses little interest.

Clyde Lucas "Intermezzo—When Buddha Smiles" (Columbia 36017)
There are only a few of the expected avalanche of releases on this fine tune out so far. Lucas' side is most appealing to date. It's smooth and pleasantly arranged, violins dominating. Backing is average, a bit monotonous.

Bea Wain "You Can Depend on Me—Do I Worry" (Victor 27353)
Contrasting tempos, both listenable vocals. First is lively, rhythmic and easy to listen to. Coupling, a ballad, is a good tune nicely turned out.

Glen Gray "Margarita—Bye Bye Blues" (Decca 3639)
Done in similar slow tempo, neither of these two awakens much interest. Both are played under muted, sub-tone or low-register instruments which are likeable at the kickoff, but become tiresome quickly. Kenny Sargent vocals both rather dull.

Dinah Shore "No. 10 Lullaby Lane—For All Time" (Bluebird 11084)
"Lullaby Lane" is a capable tune and Miss Shore does it justice. Her warm voice, by now solidly set with machine patrons, makes it good listening. Reserve is a musical waltz despite her vocal appeal.

Bing Crosby "Dolores—De Campdown Race" (Decca 3644)
Both sides good. "Dolores," a film tune, with Crosby backed by the Merry Macks and Bob Crosby's Bob Cats, is an extremely competent version of the ballad. Coupling swings to the lively side with the King's Men and unusually good Victor Young musical backing.

Tommy Tucker "Rose of Rochester—Two Squirrels" (Okeh 6092)
Tucker makes a habit of digging up unusual tunes. "Squirrels" is a cute piece of novelty which may be good for machines in some sectors. Amy Arnell, Don Brown and Tucker do vocal. Reverse is a smartly grooved ballad, quietly but effectively turned out. Ensemble interprets lyrics.

Tommy Dorsey "Everything Happens—Whatcha Know Joe" (Victor 27359)
Contrasting sides. Teeoff is an acceptable tune nicely handled by Frank Sinatra, but his vocal is too long, covering the entire side. Tune isn't worth that much. Backing jumps and is okay relief from the slow tempo. It loses some of its appeal on the ride-out last chorus. Pied Piper vocal.

Xavier Cugat "Amapola—Can Can Conga" (Columbia 36013)
First side is weak, in colorless Latin tempo. It gets nowhere beyond the appeal of the tune itself even after repeat playings. Carmen Castille vocals. After many tries Jimmy Dorsey's Decca version is still tops. Coupling is in conga beat and little else. It gets tiresome fast.

Inkapots "We'll Meet Again—You're Looking for Romance" (Decca 3642)
Spots' followers will find the "Meet Again" side a nice dish. It's a good tune and suitable for machines as well as private listening. Coupling is okay, but not as strong in comparison.

Joe Reichman "Toy Piano Minuet—Wise Old Owl" (Victor 27360)
Nice work by another newcomer getting strong. Reichman features his own piano more on these two. First, catchy material, makes good listening. "Reserve" is a machine side. "Owl" seems to be catching on, and this version, studied with leader's piano breaks, will find play. It's fairly fast in tempo. Marion Shaw vocals.

Harry McClintock "Hallelujah I'm a Bum—Bum Song" (Bluebird 11083)
Novelty appeal may carry, but numbers are colorlessly and monotonously sung. Second is best, though first is better known.

4 One-Niter Records; Berigan \$3,915, Busse \$6,166, Heidt 2G, Kaye \$3,250

Bunny Berigan (Totem Pole B. Auburndale, Mass., March 28-29). Seems records are made to be broken fast here. Berigan topped Al Donahue's Friday mark of 2,600 by culling 2,800 at \$1.35 a couple, then went on to drag in capacity 3,000 Saturday at same price. Two day gross, \$3,915.

Henry Busse (Palace theatre, Fort Wayne, Ind., 28-30). Busse cracked three-day mark here at 33c-44c admish. Drew \$6,166 in three days.

Bobby Byrne (Valley Dale, Columbus, O., March 30). Byrne got a "satisfactory" draw of 1,250 tabs at 75c advance and \$1 at gate for \$1,100. Al Donahue (Metropolitan theatre, Providence, R. I., March 28-30). Donahue's current tally \$5,000 in three-day hits. Record here is \$3,000 in three days set by Tommy Dorsey last week (21-23).

Sam Donahue (Rosedale-State B. Boston, March 29). On third successive Saturday here Donahue drew 950 hoofers at 44c-55c, 150 better than previous week.

Tommy Dorsey (Bucknell College, Lewisburg, Pa., March 28). Dorsey pulled \$2,500 through the gate with 493 pairs of dancers at \$5 and \$5.50 a couple.

Benny Goodman (Lyric theatre, Bridgeport, Conn., March 30). Goodman played here month ago and got \$3,600 gross with 7,000 admissions. This trip he pulled 5,500 which equaled \$2,900 at the b.o.

Erskine Hawkins (Grand theatre, Evansville, Ind., March 21-24). Hawkins did well for Lenten season, drawing 12,700 in four days for \$3,950. Prices ranged 30c-72c mats, 30c-40c evens.

Horace Heidt (Municipal Aud., Worcester, March 28). Heidt topped his previous mark here and set season's mark with \$2,000 in the till from 2,000 hoppers at \$1.

Harry James-Dick Rogers (Raymor-Playmor B., Boston, March 25). Coupled in twin dancers James and Rogers got big 1,900, biggest Tuesday night in months. Grossed \$1,140 at 55c-65c.

Sammy Kaye (Waldenmer Park, Erie, Pa., March 25). Kaye got nice 1,000 response at \$1 head here. At Lakeside Park, Dayton, O. (28), he scattered records, drawing 3,000 admissions at 75c per for gross of \$2,250.

Jimmy Lunceford (Ritz B., Bridgeport, Conn., March 30). Lunceford pulled 2,119 customers at 77c for a take of \$1,611.

Dick Rogers-Newt Perry (Raymor-Playmor B., Boston, March 28). Rogers and Perry got nice 1,750 admissions at 55c-65c, biggest Friday in four weeks. Gross \$1,050. On Saturday (29) Rogers hooked with Gene Marshall, local, and drew 2,200 for net \$1,320.

10 Best Sellers on Coin-Machines

(Records below are grabbing most nickels this week in jukeboxes throughout the country, as reported by operators to VARIETY. Names of more than one band or vocalist after the title indicates, in order of popularity, whose recordings are being played. Figures and names in parenthesis indicate the number of weeks each song has been in the hitings and respective publishers.)

1. Amapola (3) (Marks)	Jimmy Dorsey.....Decca
2. There'll Be Changes Made (6) (Marks)	Ted Weems.....Decca
3. Prenez! (13) (Southern)	Vaughn Monroe.....Bluebird
4. Stardust (12) (Mills)	Benny Goodman.....Columbia
5. One I Love (5) (Forster)	Artie Shaw.....Victor
6. May I Never Love Again (4) (BMI)	Woody Herman.....Decca
7. San Antonio Rose (4) (Berlin)	Tommy Dorsey.....Victor
8. Memory of a Rose (4) (S-B)	Artie Shaw.....Victor
9. It All Comes Back to Me (2) (BMI)	Tommy Dorsey.....Victor
10 I Understand (1) (Feist)	Ellia Fitzgerald.....Decca

DISKS GAINING FAVOR

(These records are directly below the first 10 in popularity, but growing in demand on the coin machines.)

Hello Ma, I Done It Again (Robbins)	Bea Wain.....Victor
Sorrento (Southern)	Ella Fitzgerald.....Decca
Oh, Look at Me Now (Embassy)	Mitchell Ayres.....Bluebird
Dancing in the Dark (Chappell)	Orrin Tucker.....Columbia
Music Makers (Paramount)	Woody Herman.....Decca
Dolores (Paramount)	Tommy Dorsey.....Victor
Perfidia (Southern)	Woody Herman.....Decca
Band Played On (P. D.)	Artie Shaw.....Victor
	Harry James.....Columbia
	Bill Crosby.....Decca
	Tommy Dorsey.....Victor
	Bill Chester.....Bluebird
	Jimmy Dorsey.....Decca
	Xavier Cugat.....Columbia
	Benny Goodman.....Columbia
	Guy Lombardo.....Decca
	Jesters.....Decca

BENNY GOODMAN TO DIRECT DELL SYMPH

Philadelphia, April 1. Benny Goodman will be guest-conductor of the Philly Orchestra at the Robin Hood Ball on July 31. Will give the beat for symphonic arrangements of swing music. Goodman also scheduled to perform at least one classical concerto for clarinet and orchestra on his licorice stick.

KYSER'S TEXAS DATES

Dallas, April 1. Kay Kyser and his orchestra have been assigned by Joe Landwehr and Dick Wheeler, owners and operators of the Plantation Clubs here and at Austin, to play a string of one-night stands in this territory. Dallas date is penciled in for Sunday, April 20. Dates for Houston, Beaumont and New Orleans have not been announced. Kyser is scheduled to appear here for concert and a dance performance.

Victor Dealer School Meets in Manhattan

Victor Records ran off one of its annual 'dealer schools' in New York last week. Company maintains a staff of instructors who traipse the country holding such meetings to educate dealers in the best methods of merchandising Victor product and to relay latest wrinkles in promotion. Several hundred dealers from the area surrounding New York attended.

For entertainment NBC supplied Ted Cott and his 'So You Think You Know Music' radio quiz show.

Band Bookings

Charlie Barnet, April 25, Franklin Marshall; Lancaster, Pa.; 26, Lawrenceville School, Lawrenceville, N. J.

Count Basie, April 25, week Apollo theatre, New York; May 17, U. of Rochester, Rochester, N. Y.

Will Bradley, May 9, Villanova College, Villanova, Pa.

Dol Brissette, April 16, Hotel Bancroft, Boston; 18, Town Hall, Hingham B., Boston; 26, private party, Worcester, Mass.; May 5, Rotary Club, Lexington, Mass.; 7, Police Ball, Medford, Mass.

Henry Busse, April 16, Meadow Brook, Kan.; 19, Frog Hop B. St. Joseph, Mo.

Bobby Byrne, April 4-5, Citadel, Charleston, S. C.; 7, Tobacco Warehouse, Columbia, Tenn.

Bob Callaway, April 4, U. of Michigan, Ann Arbor; 5, Eastwood Gardens, Detroit.

Bob Chester, April 4, Men's Gym, Athens, O.; 5, Lakeside Park, Dayton, 6, Myers Lake Park, Canton; 8, Metropolitan theatre, Morgantown, W. Va.; 10, GM Aud., Detroit; 12, Aud., Saginaw, Mich.; 13, Valley Dale, Columbus, O.; 15, Coliseum, Greensburg, Pa.

Fritz Chinlon, April 4-5, Totem Pole B., Auburndale, Mass.

Del Courtois, April 21, St. Louis U., St. Louis, Mo.

Al Donahue, April 5, Nu-Elm B., Youngstown, O.; 6, Valley Dale, Columbus, O.

Tommy Dorsey, May 1, U. of Pittsburgh, P. D.; 2, U. of North Carolina, Chapel Hill; 6-7, U. of Tennessee, Knoxville; 9-10, VPI, Blacksburg, Va.; 16, U. of Pennsylvania, Philadelphia; 17, U. of Rochester, Rochester, N. Y.

Duke Ellington, May 28, Aud. Kansas City, Mo.

Earl Hines, April 11, Moonlight Gardens, Canton; May 12, Olympia Park, Pittsburgh.

Ma Ray Hutton, April 20, Rivoli theatre, Rutherford, N. J.; 18, Washington-Lee U., Lexington, Va.

Harry James, April 7, Astor hotel, New York; 9, Basie theatre, Washington, Pa.; 10, New River State College, Montgomery, W. Va.; 13, Trianon B., Cleveland; 14-15, Memorial Aud., Buffalo; 25, Withrow Court, Oxford, O.

Gene Krupa, April 12, Sunnysbrook B., Potstown, Pa.; 13, Lyric theatre, Bridgeport, Conn.; 14, Mecca Temple, Scranton, Pa.; 15, Coliseum, Washington, D. C.; 16, Johns-Hopkins U., Baltimore; 18-20, Metropolitan theatre, Providence.

Knock Light, May 2, College of New Rochelle, New Rochelle, N. Y.

Vincent Lopez, April 6, Commodore hotel, New York; 7, Rialto theatre, Lewistown, Pa.; May 7, State Armory, Westfield, Mass.

Jimmy Lunceford, April 4, week, Earle theatre, Philadelphia; 13, Renaissance Casino, New York; 14, Armory, Orange, N. J.; 15, Lincoln Colonnade, Washington, D. C.; 16, Teachers' College, Winston-Salem, N. C.; 18-19, Emory U., Atlanta, Ga.; 20, Augusta, Ga.; 21, Planters' Warehouse, Martinsville, Va.; 23, Memorial Aud., Buffalo, N. Y.; 24, Trianon B., Toledo; 25, week, Royal theatre, Chicago.

Red Nichols, April 11-12, Totem Pole B., Auburndale, Mass.

Will Osborne, April 26, U. of Arizona, Tucson.

Leo Reisman, April 19, Iowa State C., Ames; 25, Butler U., Indianapolis.

Dick Rogers, April 4, Shoreham hotel, Washington, D. C.; 5, Empire B., Allentown, Pa.; 16, B. B. Bridgeport, Conn.; 7, Astor hotel, New York.

Joe Venuti, April 6, Trianon B., Cleveland.

Barnet, \$50,000, Spivak's 2d, 35G, Both Hot in N. Y. Bandfilmmers; Will Bradley \$35,000 Chi Click

(Estimates for This Week)

Charlie Barnet, New York—(Paramount; 3,664; 35-55-85-99). With 'Nice Girl' (M-G) as the picture and on the stage, Dinah Shore and others. Combination pull of the Barnet band and the rostrum display, together with the Deanna Durbin film, is 'spelling smart gate action. The first seven days \$50,000, very fine. Second week begins this morning (Wed.).

Will Bradley, Chicago—(Chicago; 4,000; 35-55-75). With Allan Jones and 'Lady Eve' (Par) on screen. Very strong combo started off slowly, like most other loop attractions this week. Saturday-Sunday speed-up, however, should help toward \$35,000, okay.

Ray Herbeck, Minneapolis—(Orpheum; 2,800; 28-44-55). With 'Truth or Consequences' and Mary Jane Brown and Virginia Austin on stage, and 'Come Live With Me' (M-G) on screen. 'Strong all-around bill is pulling \$12,000, good for Minneapolis. Radio program is drawing the cream of the exploitation and deserves major credit for the money. This is Herbeck's first visit here, and he is being well received.

Ted Lewis, L. A.—(Orpheum; 2,200; 30-44-55). With 'Man Betrayed' (Rep) on screen. Lewis' revenue is the drawing card here, the film not figuring much in the swell \$10,000 take.

Clyde McCoy, Boston—(Boston; 3,200; 33-44-55). With stage show and 'Sleepers West' (20th) on screen. Okay \$14,000 anticipated. This figure is perhaps \$3,000 or \$4,000 over what the house normally has taken in with dual bills and vaude on a split-week arrangement. McCoy largely responsible. All told, the gross is satisfactory, though far from a record-breaker.

Ray Noble, Indianapolis—(Lyric; 1,800; 30-40-50). With 'Man Betrayed' (Rep) on screen. Looks like 'Rep' \$8,500, with the price slightly lifted to make the admish come out even money. Film is B product, so Noble gets the nod. The gross is no great shakes, but it's an improvement over what has previously gone into the Lyric cash-register under the band-film policy. Also in fairness to Noble it should be recalled that Indianapolis has lately been a very poor fill town from the b.o. viewpoint.

Ciro Rimaq, Chicago—(State-Lake; 2,700; 28-44). With Blackstone magic act, and 'Maisee was a Lady' (M-G). Fine \$10,000 sighted, but Blackstone gets most of the credit.

Charlie Spivak, New York—(Strand; 2,767; 35-55-75-85-99). With 'Sea Wolf' (WB) on screen. In second week and holding up stoutly for \$35,000 or not far from it. Band figuring importantly at the b.o. though shade the best on the draw is believed to be the Edward G. Robinson film. Holds over a third week starting Friday (4).

Hartford Theatre Will Try Summer Dates

State theatre, Hartford, Conn., name band stand, will try to remain open through the summer this year due to the installation of a cooling system. House usually folds for the hot stretch. Cooling system or no, however, operator Doc Harris will lock the doors if business goes bad. State is not a steady operation. It works anywhere from three to five days a week, depending on the length of time it can secure any one band. Rest of the week it shutters entirely. It uses vaude acts in support of the bands.

"Best Band in Years"



"This is a new Paul Whiteman. It's perhaps his best band band in years. It's as modern as 1941. New blood, fresh arrangements, peppery rhythm and thoroughly solid in every respect. Proving that neither time nor tide can dim the King of Jazz."

Abel, VARIETY, Feb. 5, 1941.

Solid Business Everywhere!

MIAMI \$12,000—A RECORD!

Standing Room in Every Theatre Played in the South!

8,000 People at the University of Alabama!

A Complete Sellout in Chattanooga!

Everything New but the Rhapsody in Blue

PAUL WHITEMAN

and his All-American orchestra (Designed for the Dancing Youth of America)

ON TOUR

Direction WILLIAM MORRIS AGENCY

Writers Claim Witmark Should Have Gotten More for Song's Pic Rights

Suit by Joseph Meyer and B. G. deSylva, songwriters, was revealed Monday (31) in N. Y. supreme court against M. Witmark & Sons when note of issue was filed for trial. Action seeks \$50,000 damages claiming Witmark failed to sell a song at a proper sum to 20th Century-Fox.

In 1923 the plaintiffs wrote "California, Here I Come" and gave it to Witmark to publish. It is claimed that the songwriters' rights may be sold by Witmark to 20th last year for \$150 for use in "Rose of Washington Square." Plaintiffs claim that the song could have been sold for a far greater sum. Hays, S. John, Abramson & Schulman represent plaintiffs.

14% Payoff Plan Proposed in U.S. Record Co. Reorg

A plan of reorganization for the U. S. Record Corp. was submitted to referee Irwin Kurtz in N. Y. federal court yesterday (Tuesday) which calls for the payment of approximately 14% to general unsecured creditors. Claims have not been reduced to about \$43,000, with \$58,000 filed claims clipped off. Approximately \$6,400, in addition to the \$43,000, has not been filed, but will be allowed.

The plan will be sent out tomorrow (Thursday), and a hearing will be set before Judge Vincent L. Leibel on April 21, at which time objections to the plan may be heard. Referee Kurtz will sit in on the hearing with the judge.

The plan will be administered by officers and directors of U. S. Record, who include Chas. M. Hemenway, Eli E. Oberstein, Lowell A. Mayberry, Sidney Newman, Raymond Pruitt, Mortimer Gordon, Wesley Simpson and Samuel Underleider. These men will purchase all the assets of U. S. Record and will assume the mortgages of the Pilgrim Trust Co. and Hemenway. These total \$21,307. All administration expenses and preferred claims of taxes, wages and salaries will be paid as well as the 14% to general creditors.

The total of this is expected to be approximately \$15,000 all told.

WOODY HERMAN'S NEW DEAL WITH DECCA CO.

Woody Herman orchestra renewed its recording contract with Decca Records. New agreement went into effect today. It was signed last week and supercedes Herman's old contract which had until May to run. Rewritten binder calls for the band to do a minimum of 48 sides a year at an increase per side over what it has been drawing.

Herman is currently at the New Yorker hotel, New York, until April 10 after which he hits the theatre and one-night trail. Band's set for a stint at the Sherman hotel, Chicago, in July, and another at the Palladium, Hollywood, beginning Aug. 7.

Frankie Carle Needs More Nerve Recuperation

Worcester, April 1. Frankie Carle, horn player, rejoined orchestra last week after eight-week layoff due to nervous breakdown, but he stayed for only one night. Maestro figured he was far from physically fit yet and told him to take it easy for an indefinite spell.

Shep Fields' Operation

Shep Fields underwent an operation for the removal of a cyst at the base of his spine last week. Cutting was done at Mt. Sinai hospital, New York, and the doctor came out of it with no difficulty.

Fields' band is on location at the Gay White Way, George White's N. Y. nitery.

Gil Bayek's \$100 Prize

Hartford, April 1. Gil Bayek, mickman at WDRC, has been awarded a \$100 first prize in the Associated Music Publishers songwriters contest for lyrics to the tune "My Love Is Gone."

Mus was written by Dr. Leo Ascher, refugee Viennese composer.

Sues Satepost For Using Copyright Lyrics In Sports Article

Milwaukee, April 1. Attorney Robert A. Hess this week filed a suit in Judge F. Ryan county court here for \$5,000 damages from The Saturday Evening Post, as legal rep for Eric Karll, local composer.

It is alleged in complaint that the weekly magazine "lifted" copyrighted lyrics of his client without payment or permission, and should therefore be penalized in the amount named.

According to the allegations in the complaint, The Saturday Evening Post in its issue of Nov. 30, 1940, published a story by Russ Davis entitled "And a Little Town Shall Lead Them," depicting the rise of the Green Bay Packers in the professional football field. Part of the story was devoted to the Packers' theme song "Go, You Packers, Go," written by Karll, and the chorus of the number was printed in full.

Therein lies the infringement claimed, and the Satepost must defend the suit.

Pinch BMI Song Book Peddlers; Sue N.Y. Cops

Charlton Publishing Corp., a 32-page monthly magazine dealing with music, filed suit yesterday (Tuesday) in N. Y. supreme court against Lewis J. Valentine, commissioner of police of N. Y. City, seeking to restrain him from arresting its distributors. Charlton claims that the police made arrests on March 20 for peddling without a license. Plaintiff claims that: newspapers and periodicals are exempt from this ruling under the N. Y. City Administration Code. It says its book contains lyrics of popular songs, jazz, semi-classical and classical selections. It states that it paid Broadcast Music, Inc., \$15,000 for the right to publish its music during 1941 and in the present issue, has some 300 songs, only a small part of which belong to BMI. Monthly sales are in excess of 300,000, it is claimed.

Inside Stuff—Music

Walter G. Douglas, chairman of the Music Publishers Protective Association, last week asked the MPPA members what ideas they wanted to take on the terms of a bill introduced by Congressman James Ramsey which seeks to make the U. S. Secretary of the Treasury the trustee of royalty payments due foreign countries from American nationals. A similar bill was passed by Congress during the last World War. Present memo comes up for hearing before the House Patents Committee April 15.

Under Representative Ramsey's bill American publishers and performing rights societies will have no course but to turn such royalty payments over to the Federal treasurer if any foreign government refuses foreign exchange to its nationals for money due American copyright owners. Also that such payment to the treasurer will constitute a full discharge of the American's obligation and that Americans with claims against foreign sources can call upon this fund for payment of these claims, providing the amount held by the secretary of the treasury under the bill is sufficient.

Advent of "I'll Be With You In Apple Blossom Time" among the current sheet best sellers illustrates another case of a tune being made strictly by a phonograph record. "Apple Blossom," published by Broadway Music Co., an ASCAP affiliate, has had only one source of plugging and that's the version made by Decca with the Andrews sisters. Latter have included the song also in their discography. Another case in point is the tune of "San Antonio Rose" (Berlin) which with but phonograph record to plug it is figured in the trade to be set for the top of the best seller list. Others coming up along the same route are "I Understand" (Feist) and "Dolores" (Paramount). "Apple Blossom" was originally published 20 years ago.

Publishers now rate any potential song sellers as their "possible first hit piece ASCAP would not touch." Such is the excitement around Feist with "I Understand," which Kim Gannon and Mabel Wayne wrote, and which Jack Robbins thinks is the Big Three's first such possible click, excluding "Yes My Darling Daughter," which, too, rates as a non-radio-made hit.

Coslow's 'Make-Believe Is' Suit vs. Robbins

Sam Coslow, songwriter, filed suit Friday (29) in N. Y. supreme court against Jack Robbins, Miller Music Inc., one of his firms, Elise Grosz, administratrix of the estate of Wilhelm Grosz, and Charles and Nick Kenny, charged with plagiarism of the song, "Panorama Island," written by Coslow in conjunction with Robbins, by the defendants' "Make-Believe Island." Damages \$5,000 are asked as well as an injunction and an accounting of profits.

In July, 1937, Coslow and Grosz wrote the lyrics and music to "Panorama Island." Coslow wrote all the lyrics, and part of the music. The song was presented to Robbins who turned it down. The defendants are accused of having gotten Nick and Charles Kenny to write the lyrics to a song called "Make-Believe Island" in which Grosz's music to "Panorama Island" was used, with different lyrics. Since Coslow wrote part of the music and is getting no credit or royalties, the action was started. Fitelson & Mayers represent Coslow.

Joe Cook

Continued from page 1

nearby Earle theatre in the same city.

Cook role will be played in the show, tabbed "Cook Book" by a student, Leo Brady. He collaborated on scripting the play with an instructor, Walter Kerr, who is also staging it. Music, prepared by another student, Frank Spitzig, includes excerpts from such Cookisms as "Foolish Little Known," it opened and closed in Rochester, N. Y., without ever getting to Broadway.

Show, with a cast of 40, is in 14 scenes, tracing the orphan boy, Joe Lopez, later Joe Cook, from childhood in Indiana to top billing in vaude and legit.

Cook is negotiating for an extended run at Mike Todd's Theatre Cafe in Chicago, after the Washington date, instead of doing a vaude tour as originally planned.

WB's Cagney as Cohan

George M. Cohan biog which Warner Bros. will put before the cameras this spring or early summer is its second, for 1941-42 based on a show business personality. It recently announced a pic modeled around the life and songs of the late George Gershwin, with the composer's brother-in-law, Dorothy, as collaborator, Ira, collating the material.

Jimmy Cagney will play the Cohan role in the film to be tagged "Yankee Doodle." Cohan himself is expected to move into Hollywood within the next month to look over material and confer with Jack L. Warner, Hal Roach and the production team, which will be prepared by Robert Buckner. However, the Cohan collaboration is not official as yet.

Inside Stuff—Orchestras

Ben Selvin's last birthday on March 6 was a sequence of surprises and climaxes, starting with an early a.m. "congratulations" over the phone from an Associated Music Publishers' top exec. Thinking it referred to his natal day, Selvin brushed it off and didn't learn until later in the morning that he had been elected a v.p. and director of AMP which is the parent of AMP Studios and Musak. Heretofore, Selvin was recording chief of Musak primarily.

Climaxing the March 6 events was a curt invitation from James C. Petrillo, AFM president, to be at the executive offices that afternoon. Selvin, like all mechanical-music execs, got his facts and figures together hurriedly to prove, if that was why he was invited by Petrillo, that all union scale and other requirements had been fully met. Instead, Petrillo engaged Selvin at a fancy fee to "probe" the wax recording business, on behalf of AFM, and become its "coordinator." Selvin's findings must be in by June 1, in anticipation of the June 10 AFM national convention. As an ex-recording artist and executive, the other companies are pleased that it is somebody with Selvin's understanding who is in charge of this investigation, instead of someone less privy to their problems and whose sympathies might be more inimical.

Martin Block is devoting a portion of his radio time on WNEW, New York, each week, to following suggestions for programs sent in by listeners. Little while ago Block complained on one of his recorded shows that listeners gave him no rest, that one would write and say he was favoring one band and another would inform him that wasn't devoting enough time to the same outfit. To call a halt he asked dialers to make up their own ideas of what records and by whom he should use in each 15-minute portion of his three and a half hour slot of broadcast time. He got 6,000 replies among which were complete formulas for airing recorded songs, some even marking out interludes for blurs, etc. He selected six and is using them this week as a contest to determine the best one. Winner will get an evening in New York, dinner, show, etc.

Worth Kramer, conductor of "Wing Over Jordan" program (CBS) has written to various name band leaders protesting against what he terms their "irreverent rendition" of Negro spirituals. Kramer, who originates his colored choir from WGAR, Cleveland, pointed out that these folk songs are based upon the religious emotions of a God-fearing group of American citizens and that the living they have given such compositions since the beginning of the ASCAP-radio war has developed an element of disgust. Kramer, who himself is white, asks that in the interests of national unity, inter-racial goodwill and respect for the religious rights of others the bands refrain from playing dance arrangements of spirituals.

Shep Fields is currently making plans to revamp his orchestra, changing its style to one he has been developing during the past several months. There is no indication of what style the outfit will follow, but it will use flutes and soprano saxes.

Fields is currently at the Gay White Way, New York. He'll leave there soon at which time the new plans for the band will be put into practice.

Boston music circles are buzzing with report that General Amus, Corp. dangled a Meadowbrook roadhouse (Cedar Grove, N. J.) offer in front of Vaughn Monroe, hoping he would switch from William Morris to GAC. Monroe referred GAC to Willard Alexander. Monroe band currently at Hotel Statler, Boston.

On the Upbeat

(Continued from page 34)

two popular "Manhattan Sunrise" and "Wang Wang Blues" Band goes into Sherman hotel, Chicago, same day.

Eddie Kossy, trombone, and Clayton Cook, trumpet, ex-hits of Kenny Rogers, join Skinny Ennis' band when it opens tonight (Wed.) at Wilshire Bowl, Hollywood.

Tommy Dorsey has cut a 12-inch record of "For You" and "Without a Song" for Victor.

Herbie Fields, Raymond Scott's tenor saxist who was drafted, will guest star with Scott Saturday (5) on the band's hour sustainer from Meadowbrook, Cedar Grove, N. J. Scott goes into Meadowbrook Friday (4).

Lee Castaldo, trumpet, replaces Joe Weidman with Will Bradley.

Bobby Burns, road manager for Tommy Dorsey, has left that band again.

"Snooky" Lanson took over vocal work with Ray Noble from Larry Stewart. He comes from WSM, Nashville, and was heard on the air by Noble.

Met Marvin, currently at Blue Gardens, Atlantic City, N. Y., his band is entered in National Table Tennis Championships April 2-4 at Manhattan Center, N. Y.

Bob Chester opens Hershey Park, Pa., dancery May 3. On May 10 he battles Harry James' band at Green Key Ball at Dartmouth College, Hanover, N. H.

JIMMY DORSEY FORGIVEN

Philadelphia, April 1. Jimmy Dorsey's "unfair list" was taken off the C.I.O. "unfair list" here when he sent word he would respect its picket lines hereafter. Dorsey and his band were blacklisted by the C.I.O. after the C.I.O. Hotel Workers pickets at the Penn Athletic Club two weeks ago to play a one-nighter.

'AY, AY, AY' SUIT

Number Long Thought in Public Domain Draws An Action

Latest instance of an infringement suit being filed on a composition which the public domain industry regarded as strictly in the public domain concerns "Ay, Ay, Ay," which was written by the late Osmer Perez Freire, Alfredo Phillip and Maria de Phillip, who describe themselves in the complaint as assignees of the next to him to the deceased composer, have brought their action in connection with "Ay, Ay, Ay" in the N.Y. federal court. The late Osmer Perez Freire, as the defendant, Special arrangement of the number have been published by over 20 firms in this country. All these have considered the composition to be without protective copyright because as required by the U.S. copyright law of 1909 Freire failed to register his work in Washington at the time he applied for and published it in Buenos Aires in 1912.

What gives this case its many ramifications is the circumstance that three American firms published and copyrighted the number long before Freire took such action for himself and that Freire waited 10 years after the 1912 action in Buenos Aires to copyright the work, and only in manuscript form, in the U. S. Freire died April 1.

Bernard Miller, counsel for Amus on the case, declares that he has dug up data showing that there were two copyrights filed on the number in France in 1920. The three copyrights registered in Washington prior to 1922, the date of Freire's copyright, were those of Oliver Dillon, G. Schirmer and Hunzinger & Doolittle.

Laws Not Reported Out

Boston, April 1. Early reports had legislative Constitutional Law Committee ready to report on three anti-ASCAP bills on March 25, but didn't. Bills aim to regulate tax and performance in this State. Committee desires further information before releasing this matter to its members.

Next Wednesday (8) the committee will listen to reps of Society Against Copyright Abuses.

FLAT FEE FOR ASCAP GAINS

ASCAP Distributes Royalties

**\$350,000 Added to Previous Advances for Quarter
Make Total of \$1,100,000**

ASCAP board of directors last Thursday (27) voted to distribute in royalties for the first quarter of this year the same amount, namely, \$1,100,000, that the organization did for the like quarter of 1940. The checks going out this week to writer and publisher members will in the aggregate total but \$350,000, since the other \$750,000 had already been divided up among the membership at the end of December. The members were informed at the time of the \$750,000 distribution, made for tax reasons, that this money would be deducted from their next quarter's shares.

In authorizing the melon cut last week the board at the same time ordered some \$600,000 to be withheld for distribution at the end of the year (April-June). The board estimated that with this money included the Society will be able to split up an amount equal to that distributed for the second quarter of 1940.

John G. Paine, ASCAP general manager, last week disclosed that the returns from 186 stations with ASCAP licenses showed that their commercial payments were far above what they had been for the like period of 1940 even though they are now paying 3% as compared to the 5% fee which prevailed under the old contract. Paine attributed this material boost to the circumstance that these small stations found both a listener and an advertiser asset in their continued use of ASCAP music. It was the one thing, according to Paine's viewpoint, that made these stations different from their competitors and local advertisers, realizing this, were more inclined than ever to play along with the ASCAP-licensed outlets.

Witmark, Spier (ASCAP) Inform BMI Two Tunes Regarded as Lifts

Two more ASCAP firms have served notice on Broadcast Music, Inc., that it is licensing tunes which allegedly are infringements of numbers controlled by them. The complainants are Witmark and Larry Spier, Inc.

Witmark, part of the Warner Bros. group, claims that the melody of "An Old Cathedral in Rio," published by Southern Music Co., a BMI affiliate, is a lift on "Lullaby of Broadway," which Witmark published in 1935. Latter tune, written by Harry Warren, is from the score of "Gold Diggers."

Spier's notice is also directed at the Regent Music Corp., owned by Benny and Harry Goodman. Spier charges that Regent's "I Close My Eyes," a recent release, has much in common with the music of "I Want You Only," which McKinley Music Co. later acquired by Spier, published in 1938.

Bregman, Vocco & Conn's Gordon-Warren Score

Bregman, Vocco & Conn, Inc., will publish the next score that Mack Gordon and Harry Warren turn out for 20th Century-Fox, with which the writers renewed their contract for another year last month. B-V-C's deal with Gordon and Warren is for a year with an option for a second.

This agreement entitles B-V-C to everything the team writes from now on. Gordon and Warren have already turned over to 20th Century their score for "Sun Valley," and which score finished up with the deal to the Metro-Robbins publishing group.

'RELUCTANT DRAGON'

BMI Publishing Title Song of Walt Disney Feature

Following negotiations over a period of several months BMI has signed contract with Walt Disney Studios to publish and exploit title song of the next Disney full length feature, "The Reluctant Dragon," scheduled for release May 1.

No other numbers in film are to be published under current agreement. "Reluctant Dragon" is from Kenneth Graham's "Dear Days." BMI will also publish "Madame Will Drop Her Shawl," from "South of Panama" (Producers Releasing Corp.), and several numbers in the forthcoming Judy Canova production, "Fudd'n' Head."

BMI ALLIES WITH ASCAP IN OHIO

Columbus, O., April 1.

Broadcasters who have been harassing the American Society of Composers, Authors and Publishers for the past several years with anti-monopoly bills introduced in state legislatures now find themselves perched on conditions allied with ASCAP in fighting such measures. This curious situation has made itself dramatically evident in the opposition that is being offered before the Ohio House of Representatives' judiciary committee, which last week opened hearings on a bill which would bar any one from agenting for two or more copyrights. Since Broadcast Music, Inc., in which hundreds of broadcasters hold stock, would be barred from Ohio under the terms of this bill, local broadcaster interests are slated to fight the bill as bitterly as ASCAP.

ASCAP's spokesmen, in the person of John G. Paine, general manager, and Louis Frohlich, general counsel, had their say on the bill last Thursday (27). The delegation from BMI is due to make themselves heard before the same legislative committee tomorrow (Wednesday). The bill is being advocated by the tavernkeepers of the state, while the independent theatre owners have been kept in record as being opposed to it.

Hotel-Inspired

Columbus, April 1.

Future of Ohio's anti-ASCAP bill will be decided tomorrow (2) night when the house judiciary committee of the Legislature hears final arguments. Measure, properly known as House Bill 616, was written by Herschel Mowrey, executive secretary of the Ohio Hotel Association. Bill differs from similar measures in other states inasmuch as it deals with one point only, that the contract system of licensing engaged in by ASCAP is actually a monopoly contrary to good public policy.

At the initial hearing last Thursday, Edward Hotz, special assistant to the Attorney General of Nebraska, spoke in favor of the bill. He was appearing for the hotel organization. Although ASCAP is not mentioned in H.B. 616, Mowrey made it known that his organization was responsible for the action because it objected to the licensing arrangements of the society. However, as the bill is now written, BMI would be equally guilty.

Milton Drake has set eight songs with Columbia pictures and is the co-writer with Ben Oakland and Artie Shaw on another, "If It's You," which Metro has accepted for the forthcoming Marx Bros. picture.

MAY APPORTION LIKE MUSICIANS

**Now Seems Likely That First
Real Progress Toward
Music-Peace Is in Sight—
Mutual Talks Continue**

ASCAP WILLING

Negotiations between ASCAP and radio for the basis of a new licensing deal began to take on some momentum yesterday (Tuesday) when the ASCAP radio committee called in late board of directors to null over a per program formula which the former had worked out. Conferences held recently between this committee and Mutual Network spokesmen have brought out evidence that Mutual is strongly inclined toward making a blanket deal but that it would not enter into serious discussions on such a proposal until ASCAP had first made available what it (Mutual) termed the "mechanics of a per program basis."

Impression in both Mutual and ASCAP is that once the per program formula as provided for under the U. S. government's consent decree, is tossed on the table the negotiations can be brought to a relatively speedy conclusion. With this alternative proposal at hand the two camps could then start talking about a flat annual sum that is to be guaranteed ASCAP under a five-year, or even 10 year, contract.

Like A.F.M. Deal
Idea of making a flat deal with ASCAP has always been a strong one within the broadcasting industry and there is now no small leaning in the same direction among the ASCAP directors. Radio industry has had several years of experience of operating under a similar blanket guarantee of expenditure and that's the employment plan of the American Federation of Musicians. No exact quotations have been made on either side with the stipulated annual payment should be between ASCAP and the radio industry. ASCAP took in around \$5,000,000 from the broadcasting industry for 1940 and it is expected that the starting level of the new contract will not be less than that sum since the networks are required under the consent decree, and for the first time in ASCAP-radio relations, to make payments directly on hookup programs.

The indications within ASCAP are that no move will be made to resume conversations with the committee of 15 appointed by National Association of Broadcasters until a deal has been worked out with Mutual. At the preliminary meeting between the two factions two weeks ago mention was made from the broadcaster contingent about ASCAP's radio committee was advised at the same time that it would have to submit along with such a proposal a per program formula before the other program could get any intelligent consideration.

Peter Maurice of England Incorporates in N. Y.

Albany, April 1.

Peter Maurice, Inc., has been re-organized to conduct a music publishing business in New York, with a capital stock of 100 shares, no par value. Bernard L. Miller, of New York, is filing attorney and a director. Maurice makes the latest of British publishers to set up a corporation in this country to facilitate the handling of royalty interests. The directors will consist also of Maurice, his London general manager, Jimmy Phillips, and Louis Bernstein, head of Shapiro, Bernstein & Co. Latter firm will serve as the exclusive sales agent for the Peter Maurice works in this country.

Al Dublin and Arthur Schwartz doing the music for "Navy Blues" at Warners.

Music Law Adds Vital Decision In 'Irish Eyes' Renewal Case

Hailed by oldline publishers as one of the most significant victories for them in recent years is the opinion which Judge Edward A. Conger, of the N. Y. federal court, rendered last week in the contest between M. Witmark & Sons and the Fred Fisher Music Co. over the renewal rights to "When Irish Eyes Are Smiling." For the first time a U. S. court has held that the assignment of a renewal right made by a writer more than a year before the renewal can become effective is binding on the writer so long as the latter is alive when the renewal becomes due. Judge Conger on the other hand expressed the doubt that such a transfer is enforceable upon the writer's heirs or estate.

Judge Conger went into an exhaustive analysis of all the legal and historical sources introduced at the trial of the case. Even though, as this jurist saw it, the Congress which passed on the renewal section of the copyright law was intent upon giving the writer the exclusive right to renew his copyright (Congress) had not set up any bar to prevent the writer from assigning his future rights to any one and at any time. Judge Conger also couldn't see why a transfer of this sort would be against public policy.

Pressed for Cash

Evidence was introduced at the trial that after George Graff, Jr., one of the tune's writers, had given Witmark two assignments of his renewal rights he made a similar deal with Fisher. Both Fisher and Graff were represented in the litigation by John Schulman, who is also counsel for the Songwriters Protective Association, which as an organization is strongly interested in having vacant assignment renewals made by songwriters years ago. Schulman proposes to appeal from Judge Conger's findings.

The decision, if upheld, is figured

to affect many valuable old copyrights, since it was a common procedure among the oldline publishing houses to obtain renewal assignments from writers when the latter, pressed for quick money, would often sell out their future rights to get it.

500 MUSIC RACKS ADDED DESPITE BIZ DECLINE

Even though the pop sheet music business in general is about 50% off from what it had been a year ago the International Circulation Co. has continued to expand its placement of music racks among stationery, drugstores, icecream parlors, etc. in the hinterland. It has just added 500 more racks to its distributing list, making a total of over 3,000 such racks on hand with stores serviced by the ICC.

These racks contain the first 20 best sellers and an initial order by International on a displayed song is 15,000 copies.

BMI's Coast Haul

Hollywood, April 1.

Broadcast Music landed the title song of Walt Disney's "The Reluctant Dragon" for publication and planted four numbers by its own writers in the next "Dr. Christian" picture for RKO. "Dragon" was written by T. Hee, Charles Wolcott and Ed Penner of the Disney staff.

'Christian' numbers are by Jack Owens, Claude Sweeten, David Gregory and Al Moss.

**TOPPING ALL LISTS!
SHEET MUSIC—RECORDS—
PERFORMANCES**

AMAPOLA

THERE'LL BE SOME
CHANGES MADE

TWO HEARTS THAT
PASS IN THE NIGHT

FOR YOURS

FOR WANT OF A STAR
BLUES

MY NAUGHTY SWEETIE GIVES TO ME

IT WAS WONDERFUL THEN

CHIAPANECAS
(MEXICAN "CLAP HANDS" SONG)

EDWARD B. MARKS MUSIC CORPORATION
RCA BUILDING, RADIO CITY, NEW YORK
FRANK HENNIGS, General Professional Manager

Unit Reviews

Hollywood Gold-Diggers of '41

(PALACE, CLEVELAND)

Cleveland, March 22. Gaultier's Bricklayers, Sue Ryan Helson, Denison, Betty North, Lee Kelton, Betty North, Kozloff's Line (44); 'Footsteps in Dark' (WB).

Dayton got the break-in date for Harry Howard's new unit, but it's been revamped here, with a pile of new acts added, and is shaping up as a large-scale flash show that goes big for pulchritude and flag-waving. Looks like a strong money puller, with lavishly done numbers woven around good standard acts and a timely flavor.

What gives it sock here, however, the Palace built over the orchestra pit, plus stairways to upper boxes to display 44 peaches in the line. Lee Kelton lends a warm baritone in 'Beautiful Lady' for first beauty parade.

It builds nice background for vivid girl-tossing, adagio work by the Gordon Trio, who tighten up the spectacular opening. Flying into gets a tough following spot, but his affable mugging and juggling of gags and falls earn okay laughs. Next novelty is Gaultier's trained, pig doing amazing knockabout takeoff on Willie West and McIntyre in a house wrecking bit. Flying trapeze wind-up in which dogs go sailing through air, had every kid in the house yipping hysterically for an encore.

Carter and Holmes waste some time on juggler burlesque, but their clowning approach to several gymnastic stunts adds freshness. With only an impressionistic fold-leaved tree for a bare setting, Helene Denison's graceful foot-twirling doesn't impress at first, but her firebird spinning dance, backed by fine musical accompaniment, is more imaginative and better received.

Betty North is out for just a brief spell, handling the vocals satirically in an American Indian ensemble. A punchy break in tempo comes when Sue Ryan calls into the ring caricatures on prima donnas and jittersbugs. Her sense of satire is as sure as her sharply comic, noisy impersonations, and the glib vitality in living 'Back to Bach' shakes them out of their seats.

Kozloff's unusually large troupe of dancers is fast on its feet in a saucy can-can, besides having eye-opening fingers and a splendid wardrobe. In finale they take a bow to flags of all the Allies, with girls bobbing out from behind them in smart costumes.

Somebody impersonating George Washington then appears in an upper box to read his famous letters about protecting these shores. 'Abe Lincoln' also rises in the opposite box to recite a condensed version of his Gettysburg address. They are frankly so corny in makeup that some guffaws burst forth from Saturday's audience but the unfolding of a huge American flag that hangs from the top flies to the runway makes the most extravagant and spectacular patriotic pageant seen hereabouts since George M. Cohan's Yankee Doodle days.

Big strong. Pullen.

Broad Facts and Figures (BROADWAY, CHARLOTTE, N. C.)

Charlotte, N.C., March 21. Myles Bell, Nan Bedini, Golden Gate Trio, Brother Slim Williams, Myles Trio, The Rolands (2), The Myrtle Walton Girls (10), Ardel & Delores, Frank Smiedick's Band (5); 'Diamond Frontier' (U).

Although this show had been out less than a week when caught, it moved with speed and precision and drew heavily in the laugh and plaudits department, with its smartly-paced, talent-studded acts. Chief factor in the success of the show is emcee Myles Bell, who works hard to sell each act and then comes on in a single to wow 'em with his clever patter and clowning. Add to this his pleasing stage personality and a nice singing voice, the effect being socko.

Working with a doll as a prop, Bell does a take-off of 'Johnny Boy' in a 15-act, that drew big laughs. He also scores heavily again working with songstress Nan Bedini, who pipes 'The Nearness of You' and 'What Is It'.

The Golden Gate Trio, made up of Ernie Rie, and a trio of Hunt, plus Tom Murray, bass, sell their harmonizing neatly. They open with a nice rendition of 'Down By a Yuletide' and follow with a standard spiritual and leave 'em yelling for more with their Scotch version of 'The Glow-Worm'.

Ardel and Delores, who come back to score nicely, harmonizing as each does a different duet. The Mita Miles, William Watson, and George Lette, open the show with a turn marked by grace and clowning. The Gloaming Trio come back to score nicely, harmonizing as each does a different duet. The Mita Miles, William Watson, and George Lette, open the show with a turn marked by grace and clowning. The Gloaming Trio come back to score nicely, harmonizing as each does a different duet.

The Rolands, brother and sister dancing act, come back to score nicely, harmonizing as each does a different duet. The Mita Miles, William Watson, and George Lette, open the show with a turn marked by grace and clowning. The Gloaming Trio come back to score nicely, harmonizing as each does a different duet.

Anybody number, which serves as a setting for a double strip number in which Ardel and Delores shed their ruffles and silkies and drop them in the bundles box. The Myrtle Walton girls (10) are pleasing in three standard appearances. Bell assists on a Mex rumba turn, piping some risqué lyrics and the torso wrigglers and the guy ring down the curtain with a spirited can-can. Producer Dan Fitch lives up to his rep for picking good-looking for his line with this one sporting its quota. Smiedick's band (5) backs the show nicely from the stage.

Ardel and Delores, who come back to score nicely, harmonizing as each does a different duet. The Mita Miles, William Watson, and George Lette, open the show with a turn marked by grace and clowning. The Gloaming Trio come back to score nicely, harmonizing as each does a different duet.

Good biz on show caught. Just.

Diosa's Hotel Spot

Diosa Costello and Conga Revue, with Jesus Martini band, follows Wintor for Carnival into the Terrace Room, Hotel New Yorker April 11. Bobby Byrne orchestra succeeds Woody Herman at same time.

Revamped ice show returns to the Terrace May 1.

Worcester Sun. Vaude

Resumes Easter (13)

Worcester, April 1.

Sunday vaudeville in Municipal Auditorium will be resumed Easter Sunday (13) after a lapse of several months, under direction of Frank Duffy, local dance promoter.

Ben Bernie and four acts have been lined up for opener. Duffy plans top of 75c, two-bits less than formerly.

SEEK MIDWEST HOME FOR INDIGENT ACTORS

Chicago, April 1.

Show folks, active, organization of former acts, members in show biz, is aiming for the establishment of a home in Chicago to be known as Actors Haven, which would care for aged performers in the mid-west.

Organization will start its drive with a meeting tomorrow (Wednesday) in the Hotel Sherman. Officers of the organization are Peggy Richards, Jean Cook, Irene Coffey, Queenie Kleven and Mae Love Levy.

N. Y. Nitory Follow-Up

Pargeta's new band at LaMar-tinque N. Y., is a neat setup of two brass, three reeds and three rhythm with the maestro doing some according on folk occasion, although it's chiefly a personality bawling job. He does a good show accompaniment for Matti and his unique and somewhat zany terp impressions and for the holdover Danny Kaye who, however, is less meshing on his spouse, Alvina Fine, piano accompanist. Pargeta is no novice at camp and does a neat location job here. Herbert Curbello's Latinus continue with their sock brand of congarumba tempos.

Mildred Bailey is making the swank Ruban Blue on East 54th street, N. Y., and is a live joint calling out quite a few of the 52d street disciples with her brand of sweet rhythm-singing. At the same time she is especially strong include here with the white tie trade that Herbert Jacoby's class bistro usually attracts. Mildred Bailey's rhythmic versions of 'Love Come Back to Me,' 'Nobody Knows the Trouble I've Seen,' 'I've Got a Feeling,' 'Downhearted Blues,' 'When That Man Is Dead and Gone,' with a piano-guitar-string bass background, make for all appeal.

Holding over are the Delta Rhythm Boys, vocal quartet whose piano-arranger masterminds their unique vocal harmonies. They are indubitable faves here. Hope Emerson is a returner to the stage, which, somehow, don't click. Must be her material as she's registered to much better effect in the past, both here and elsewhere.

Saranac Lake

By Happy Benway

Saranac Lake, April 1. In a letter recently received from Sir Harry Lauder, in Strathaven, Scotland, Sir Harry states that he has a \$5 bet on 'u' to win the war.

Dr. George Willson, medico-in-chief of the Will Rogers, has worn out on pen writing go-home reports. Among those officially sketched to leave are Tudor Cameron, Val General, Max Smalless, Sylvia Cohen, Peggy Kessella, Bede Fiddler, Bill Plunkett and Francis Diamond.

Rev. Alvin B. Gurley takes time out to direct a Sunday afternoon Bible class at the Will Rogers. Turn-out is S.R.O.

Since the Hotel Saranac has shuttered its orchestra and floorshow, hotel's biz has been off. Hennessey's Grill now only spot in town that has entertainment and band.

Patricia Edwards took the phrenic operation and is doing O.K. Harry Clifton got a slight reaction and is held in bed.

Anna May Tesso was hopped up by the unannounced visit of her mother.

Harry Martin (Stuart) got his first 'you're-doing-good' report. He immediately told his agent, 'After six weeks on this circuit I got a good report, see if Eddie Sherman can use me.'

Frank Moran, ex-blackface comic from Boston, here for a checkup. Medico pronounced him okay.

Thanks to Steve Forrest, Joseph Vaughn, Bobby Graham, Tommy Vicks, Harry Leyton, Charlie Mack, Jimmy Lake, Jack Hirsch, Grant Cans, Fred Doring, John Clancy, Richard Flournoy, Weaver Bros. and Elvira, Polly Jenkins and her Plowboys, Bryce Leavin for their greetings and reading matter sent to this Colony.

Write to those who are ill.

Night Club Reviews

Minnesota Terrace, Mpls. (HOTEL NICOLLET)

Minneapolis, March 22. 'Ran Willie' Orch. (42), Robbins Bros. and Margie (3), LePaul, Dornine and Ellis; week-day minimum, \$1; Saturdays, \$1.50.

Playing his third engagement in this swanky spot, Ran Willie and his small but first-rate orchestra again deliver dance and show music of a brand that has made the aggregation popular locally. It's plenty swingy and listenable, but not too loud, not hard on the establishment's bankroll. A strong floor show, also not overly costly, is extremely pleasing.

Two trumpets, three tenor saxes, two violins, one sax, two pianos, a bass viol and the drums give forth smooth rhythm, and because of his broadcasts from the Terrace, Willie goes in largely for BMI numbers, which are 'No Fooling,' 'Here's the Situation' and 'Talkin' by the River.' Arrangements are neat, if not especially striking. Outfit has no novelty or comedy tentacles, confines itself to danceable music and, inasmuch as dancing enjoyment is the main gain, the entertainment has its main function well. Playing of the show is faultless, too. As for Willie himself, he pianos nicely, most of the time. 'Here's the Situation' is his keyboard work. He also does a good job of conducting and emceeing and does his pleasingly as a band leader. The band has picked up the Three Clark Sisters, a local trio, who were not caught at this show.

The two Robbins brothers and Margie are acrobatic dancers who provide thrills. One of the boys does a 'honey' dance, and the precision and backward somersaults also land solidly.

LePaul, sleight-of-hand artist, produces live can-can from a seemingly empty newspaper page and then devotes himself to clever tricks with cards. He induces comedy touches into his manipulations which evidence plenty of skill.

Very young and personable, Dornine and Allen, girl and boy singers in musical comedy costumes, warble such numbers as the 'Italian Street Song,' 'Vienna Dream' and 'Their Voices Blend Nicely' and put plenty of dramatic fire into their songs. Their antics seemed unwise to get enough of them.

During the early show Willie plays the old-time songs and invites the customers to join in the singing. There are also the Arthur Murray dancers who illustrate the newest fads. The show is good, the guests with the most apt pupils winning bottles of champagne.

Room well filled at late show caught. Rees.

Beachcomber, Prov.

Providence, March 28. Chico Simeone's Congarumba Band (6), Chena DeSimone and her Congarumba dancers (6), George Escudé and Pearl Dionne, Eddie Edwards' Continentals (6).

Informality seems to be the note at the Beachcomber, with little change from the pattern established at its opening show. Bill generally calls for congarumba dances, Spanish tangos and girl singing and rumba lessons. Customers are also given a chance to fulfill what for some may be a lifelong ambition, that of leading a band.

Chico Simeone's congarumba band, bawled by Bill Vent, provides a pulse-beating rhythm. George Escudé, Spanish singer, has a pleasing personality and does a nice job of putting comph into his Spanish numbers. Pearl Dionne, American pop singer, fits in nicely with more modern melody.

Chico Simeone introduces an innovation in the current floor show, and joins her troupe in what she calls conga-bogie. Dance has conga tempo and hand-clapping. Looks like a page out of a woodoo dance and provides plenty of opportunity for contortions galore. Bill Martin, house press agent, emcees the spot. Eddie Edwards' smooth Continentals work the relief for more sedate dance tunes. Malo.

Vocal Coach Puts On Streamlined Audition In N. Y.

Possibly on theory that there should be a first time for everything, Joe Stewart, voice, coach, last Friday (28) presented what he termed a 'streamlined' 'atmosphered' audition of nitory talent to the enlightenment of those Broadway agents who cared to attend. Professor Stewart fondly referred to his periment as 'Vocal Futures.'

Giggie water was planted on the reception table, mentioned in the program billing and handed around by hostesses. A bulber took flash photos of the acts. Sprinkling of newspapermen were in evidence favoring the proceeding. There were scouts from the Morris office and Music Corp of America. The Nola Studio, in building housing station WJLB, rented for the occasion, was jammed.

Lineup of embryo femme nitory talent, all dressed up in their best bibs, appeared on a slightly raised stage. Baby spots, a gilt backdrop and Bob Farnley's arch combined to give girls chance to work under favorable conditions.

Agents were regaled with numbers such as 'Last Time I Saw Paris,' 'Yes My Darling Dauter,' and other 'pre-melody' pre-act because they presented least difficulty for the performers, some of whom had only a few weeks vocal training. Among those presented were Madeleine Holmes, pseudonym as daughter of Taylor Holmes (brother Philip in films), who tried with torch and comedy numbers.

Professional audience appeared to be in a receptive mood, perhaps substantiating Stewart's theory that 'atmosphered' conditions inspire new talent to give better performances.

Geo. Church Bankrupt

George L. Church, dancer at La Conga nitory, N. Y., has filed a voluntary bankruptcy petition, listing no assets and \$1423 in liabilities.

Among creditors are Joe Whitley, owed \$240 for publicity from Jan. 1-March 1, 1941, and Dan L. Blank, manager and agent, owed \$216 in commissions from February, 1940, to February, 1941.

WENCES

Not a Radio STAR

Not a Screen STAR

But an Attraction

Extraordinary

Anywhere

Currently

PARAMOUNT THEATRE

New York

EXCLUSIVE BOOKING

WILLIAM MORRIS AGENCY

PERSONAL MANAGER

CLARENCE J. AUSTIN

RUFÉ DAVIS

HELD OVER THREE WEEKS

STRAND, NEW YORK

Starting Republic Picture April 18

MANY THANKS—

Jack Partington, Jesse Kaye and the entire staff for a most pleasant, two-week engagement at the Roxy Theatre, New York.

Rep.: BILLY DELL

JACK McCOY

The THEATRE of the STARS

March 20th

BOOKING AGENCY

GENERAL EXECUTIVE OFFICES

LOEY BLDG ANNEX

160 WEST 46TH ST. NEW YORK

Bryant 9-7800

J. H. LUBIN

GENERAL MANAGER

SIDNEY H. PIERMONT

BOOKING MANAGER

N. Y. BILL AMENDS AT AGENTS

Optioning Acts Seasons in Advance Becomes Practice Among Bookers

A new practice is evidently taking hold in vaude booking circles, i.e., optioning name acts for seasons in advance. Thus Eddie Sherman, indie booker, has already signed the Ralph Edwards unit, 'Truth and Consequences,' the Ink Spots and Andrews Sisters for dates at the Hippodrome, Baltimore, next fall and winter. Sherman, incidentally, leaves today (Wednesday) for a short visit on the Coast with Abbott and Costello, whom he personally manages.

Idea behind the far-in-advance booking is insure the house getting certain name acts at their current salaries, thus forestalling the possibility that prices might rise shortly because of certain acts' growing popularity.

A similar practice has been followed for some time by Harry Kalcheim, booker of the N. Y. Paramount with bands. Via this method Kalcheim repeats certain bands until they become standard names for the Par, especially newer orcs which are given their first Broadway stage opportunities by the Paramount's booker. Kalcheim, however, in his options usually stipulates raises in salaries for subsequent appearances.

MPLS. NITERY ON GUILTY ON MONEY COIN CHARGE

Minneapolis, April 1. Eddie Firoto, owner and operator of the Clift, after-hours night club here, was found guilty, along with three Chicago men, in federal district court of possession and sale of counterfeit money on three counts and is awaiting sentence. The principal witness against him was a 22-year old girl, who testified Firoto gave her counterfeit money to pass. Maximum penalty is 15 years in prison and a \$5,000 fine for each of the three counts.

The lid was clamped down here again after Cedric Adams stated in his Star-Journal column that several hundred unlicensed after-hour niteries were running hot wild and a blowup was due.

A bill was passed in the state legislature requiring all niteries and saloons to have a state permit, which would be revoked if any slot machine was found on the premises. During the debate one of the senators charged that a brother of a county attorney controlled the slot machine privilege.

Sun. Vaude-Orch Policy For Malden, Mass., Aud

Malden, Mass., April 1. A big Sunday name show policy begins here April 13, patterned after the successful ones in Lowell, with bookings being arranged by Ben Ford cooperating with Ray Galvin's Eastern Orchestra Service. Shows will be under auspices of Malden Elks Christmas Cheer Fund, and will be held at Malden high school auditorium.

Set-up will include one of two name personalities weekly, six acts of vaudeville, one name and a local orch. The four shows per Sunday will be scaled at 40-60c afternoons and 80-85c evenings.

Anita Louise was set to start back to Hollywood. Thus far, Louis Prima and Blanche Calloway orchestras are with Tony, Juanita and Buddy, WBZ hubbly trio.

Isabel Jewell is set for April 20 with Larry Clinton and Fenton Bros. orchestras. Adrian O'Brien and Alice O'Leary, local radio and nitery favorites.

Equip State, Hartford, For Ice Show Policy

State, Hartford, operated by the Mann Bros., is installing a permanent ice plant for the purpose of presenting at least five ice shows yearly as part of its regular stage show-film policy.

Four pro shows, at least, will be presented, possibly produced by the theatre itself, and one presentation made up of local amateur skaters. State's ice plant is the first permanent one in the theatre with the exception of the Center, in Radio City, N. Y., which reopens Friday (4) with a new version of 'It Happens On Ice.'

CHICAGO AGENT GROUP OKAYS AGVA TIE

Chicago, April 1. General meeting of the Entertainment Managers Assn. was held in the Sherman hotel last week for ratification of the proposed agreement with the American Guild of Variety Artists. EMA, which includes practically all the bookers and agents operating in Chicago, passed the resolution unanimously, with each of the bookers and agents present affixing personal signatures to the agreement.

Those who signed the agreement: Music and Entertainment Service, Associated Orchestras, Benn Theatrical Agency, Chicago Artists Bureau, Joe Cody Attractions, Consolidated Radio Artists, Joe Coffey Amus. Co., William C. Heimback Sr., Henshel Thompson Amusement Booking Enterprise, Kennway Corp., Metropolitan Booking Office, Nedel Brothers, David P. O'Malley, Donna Parker-Peter Film Productions, Alma Clausen, Riley & Goss, James A. Spomers, General Amusement and Raters & Associates.

Associated members: Reginald Voorhees Music & Entertainment, Young Productions & Management Corp., Marion Garner Griffith, Tommy Sacco Theatrical Mart, Sun Agency, Block & Hyman, G. Perkins Agency & Marcus Glazer, Central Booking, John King Enterprises, Frank's Theatrical Agency, Thos. Butchill Agency, Sammy Clark, Charles E. Hogan, Sam Roberts, Seymour Shapiro Agency, Halperin & Greben, Sam Herman Agency, John Benson, E. B. Sligh, Affiliated Booking Agency, Ed. J. Warner, Paul Marr, Jack R. Perkins Agency, Max Landau Theatrical Agency, John H. Billsbury, Artists Casting Bureau, Fitzsimmons Theatrical Enterprises, Performers, Consolidated Attractions, Milton Schuster, Hal Lawrence Theatrical Exchange, Duke Yellman, Barnes-Carruthers Rany Booking Assn., J. J. O'Brien, Wm. Booth, Mort Infield, Danny Graham, Wally Weiss, Howard Schultz, Doris Hurling, Jack Russell, John Mullaney, Ray Lytle, Hal Blake-Cowles, Sidney K. Warner, Paul Marr, Ed. J. Warner, Stewart, Mr. Fred Rosenthal, L. N. Fleckles Jr., Floyd F. Shaw, George W. Koncher Sr., Alexander Marney, George W. Koncher Jr., Bert Olsen, Marvin Welt, John J. Donovan, Robert W. Pursell, Ruth Racette, Mike Levy, Harry E. Sigman, Edward C. Hayman, Bill Parent, John LeMay, George, Hal, Ed. J. Warner, Max Landau, Mike Taffin, M. J. Whyte, Alpha, W. Demarc, Sidney J. Page and George A. Laadi.

Jerry Wayne, baritone with the Bobby Byrne band, leaves that outfit just before it goes into the New Yorker hotel, New York, April 11.

1 YEAR AS LIMIT ON COLLECTIONS

Assemblyman Ostertag's Proposed Statute Would Amend N.Y. State Labor Law in Relation to Employment Agencies—Commissions Would Be Held Down to 5%

PROTESTS TO ALBANY

A new bill proposed by Assemblyman Harold Ostertag in Albany to amend the State's labor law, in relation to employment agencies, is fraught with obstacles for theatrical agents, not the least of which is the limitation to 5% in commissions and only one year's collections on performers receiving salaries totalling more than \$3,000 yearly. Bill is now before the rules committee of the Assembly.

The Artists Representatives Assn., of N. Y. City, with counsel I. Robert Broder, Monday (31) wired protests against the passage of the bill to Oswald Heck, Speaker of the assembly and chairman of the Rules Committee, and Abbott Moffat, chairman of the Ways and Means Committee. It was pointed out to them that the measure would work great hardship on all agents in the show business. American Federation of Radio Artists also wired protests against the bill to Albany yesterday (Tuesday).

Besides the limitation of commission to 5% for all agents, except those who personally manage only one particular artist and no others, and the limitation of collections to one year on salaries over \$3,000, the bill also provides for doubling of employment agency fee in all cities of 1,000,000 or more population. This means that a license in N.Y.C. would cost \$50 inst. v. of the current \$25. Bill also calls for doubling bonds required from employment agencies, viz., \$2,000 instead of the \$1,000 bond required currently.

The time limit on collection of commissions would place a particular hardship on picture and radio agents, who often set performers for terms running over a period of years, and at the same time, when they are fortunate in landing a player in a long-running show, such as 'Tobacco Road,' 'Hellzapoppin,' 'Life With Father,' etc.

The bill, which contains specific provisions on theatrical employment agencies and theatrical engagements, defines the former to mean and include:

The business of conducting an agency, bureau, office or any place for the purpose of procuring or offering, promising or attempting to provide engagements for circus, vaudeville, theatrical and other entertainments or exhibitions or performances, or of giving information as to where such engagements may be procured or provided, whether such business is conducted in a building, on the street or elsewhere. Term, 'theatrical employment agency' also shall include and apply to owner of an act or theatrical enterprise to obtain employment or engagements or to represent him in any negotiations for such person's engagements, appearances, etc., in any kind of theatrical amusement, motion picture, radio, operatic or concert field.

Ann Corio to Oriental. Ann Corio has been linked by Mike Todd for week of May 2 at his Oriental, Chicago. Stripper said to be grabbing \$1,500 for the date.

Disappointing Response to Filing Nominations for AGVA's National Voting Brings April 12 Extension

Mpls. Safeguards Aud Against Non-Payoffs

Minneapolis, April 1. Under terms of an ordinance introduced in the city council here, no show or attraction of any sort can come into the municipal Auditorium without posting a deposit or bond to insure payment of rental and of possible creditors.

Measure is intended to safeguard city and local tradesmen and comes as result of recent departure of Larry Sunbrook, leaving \$4,000 in unpaid bills incurred by his Hollywood thrill show.

TA CITES BOREO, 13 OTHERS IN CONTEMPT

Theatre Authority has cited Emilie Boreo, Henry Theron and the Merriel Abbott Dancers (12), floorshow of the Latin Quarter in Miami, for appearing last Tuesday (25) at an unauthorized benefit in Nassau sponsored by the Duke and Duchess of Windsor. In a meeting with Lou Walters, operating the Miami nitery, prior to the show's sailing, Bert Green, TA's Miami rep., had informed him that the performers should be paid and that if the performers worked gratis it would be in violation of rules.

The show had already closed at the Latin Quarter before sailing for Nassau and the special performance.

It's not yet known what the American Guild of Variety Artists, a member of TA, will do, but Equity, as a result of the performers' disregard of TA's ruling, will not permit Boreo or Theron to play in legit. If booked in a show coming within Equity's jurisdiction, they would face trial by the actors' union and probable fine, with the latter often being very stiff.

Nixes Cash for Benefit

Miami, April 1. Lew Walters, operator of the local Latin Quarter nitery, turned down booking at the Olympia theatre (Par) here in order to play a 'British War Relief benefit in Nassau (27).

Walters flew his entire bill, including Sally Rand, over at his own expense. Show scored a smash hit.

Philly Nitery Folds Holy Week, Gets Church Praise

Philadelphia, April 1. For the first time in local history a nitery will shutter during Holy Week. Frankie Palumbo yesterday announced he would close his spot in the Latin Quarter from April 7 to April 12. The action was applauded by church groups, who are seeking to have other niteries follow suit.

Palumbo's club is reputed to be the oldest nitery in the world. It has been operating on the same location since 1884.

LARRY PAGE, AGENT

Larry Page, of hoofing trio Page, Dodge and Page, has left act to go into vaudeville. Peter Page continues as a single.

The executive committee set up several months ago by the Associated Actors and Artists of America to administer the American Guild of Variety Artists has postponed AGVA's national election because 'the response from the locals was disappointing.' As a result, there's an extension for filing nominations to the national board to April 12—March 22 was the original deadline—and ballots will be mailed April 19, with voting terminated by 2 p.m. on Saturday, May 3. It was originally proposed to end the balloting April 12.

According to the Four A's executive committee, which is supervising the election, the locals not only were delinquent in filing petitions for nominations but failed in some instances to follow rules laid down for the procedure of the election. In a statement to all of the locals, the committee, in fact, referred to the response as 'deplorable.' It was pointed out that it's the real purpose of the Four A's to conduct proper and truly national election.

Reps' Chances Better. It is again stated that due to the maximum quota of 45 for the national board, locals may find it possible to land more than one or two representatives. While it is figured that each local having 100 paid-up members or more is entitled to two members on the national board, with locals under that membership figure for one rep, all vacancies not filled will be culled from defeated nominees in direct order of the number of votes received, so long as he gets a vote equal to at least 25% of the local's paid-up membership. Thus, certain locals which sent in only one or two nominating petitions now have the opportunity to file more.

Up to March 22 the original deadline, only 11 officially accepted nominations had been filed, when at least 100 or more were expected. Of these, Boston accounted for two; Cincinnati, six; and San Francisco, three. New York filed 16 petitions subject to check for standing of members signing. Philadelphia sent in six, of which two are subject for check of membership signing, while four did not contain the requisite number of 25 signatures for the nominee.

The locals, Chicago (2), Los Angeles (2), and Detroit (6), sent in petitions late, but these will now be checked and accepted if okay, while other locals merely sent in excuses. Cleveland, for instance, stated that it was holding a nomination meeting March 30, 'only time members can appear,' although deadline was March 22.

EVANS TIRED OF PAYING 40% TO AGENT VINER

Chicago, April 1. Through attorney Ben Ehrlich, ventriloquist Bob Evans, currently in the Empire Room of the Palmer House, has instituted suit against Joe Viner, who allegedly has a management contract with Evans calling for 40% of the performer's salary. This contract, signed a couple of years ago, is for a period of 10 years and Evans has appealed to the courts to break it up as unfair.

Esquire Beats Nitery

Miami, April 1. Esquire Club, operated by local syndicate, has just signed a contract to change its name and remove from its walls all decorations of 'Esq.' bulbous-eyed, copyrighted work publicized by Esquire magazine.

Ruling by judge John W. Holland was sought of court, signed a couple of years ago, is for a period of 10 years and Evans has appealed to the courts to break it up as unfair.

Cork and Bol
Jack Davis
El Chico
Don Mario Orc
Kristen Dano
d on page 47)

Skirmish Against 75c Measure

San Carlo Opens in Port.; Nix La Scala Booking

Robert Ardrey has gone to Tucson from San Antonio. He's completing a script for Broadway.

'The Beautiful People'—William Saroyan.
'The Last Round'—Theatre Guild.
'Theatre'—John Golden.
'The Trojan Women'—Experimental Theatre.
'Not In Our Stars'—Experimental Theatre.

(April 2-12)

'Twelfth Night' (Helen Hay Maurice Evans)—Nixon, Pittsburgh (2-5); Hartman, Columbus, O. (7-

GABRIELLE

Play's locale is a Swiss sanatorium in 1908. There is an intriguing though undeveloped, criss-cross bitterness in the relationships.

Phil Baker wants to play the lead in a Chicago company of 'Charley Aunt.'

Al Fresco Operetta For Dallas Under Shubert; 'Blossom Time' Leads Off

Phil Baker wants to play the lead in a Chicago company of "Charley Aunt."

Equity Meeting Averts Another Tiff On Reds; Lytell's Army Show Report

A tiff over the Red issue that rocked Equity last season was narrowly averted at the quarterly meeting held at the Astor Friday (28), when a member proposed that the actors send a delegate or observer to rallies of a so-called "Red" organization group soon to be held. Bert Lytell, association's head, who was in the chair, detected the origin of the proposal as coming from radically minded members and ruled it out of order.

Another proposal not favored called for closing Equity's membership list until unemployment of members abated. Idea was to make it a closed shop for two years, it being alleged that only 10% of the membership is currently engaged. Equity leaders, however, say that most of those out of jobs are unemployed. Lytell created the phrase that "we are the art dealers of the amusement world," selling to fewer people at higher prices than those in other entertainment occupations. He said that what counts is show business in its finest form, but conceded that radio is important opposition, though a blessing for show people because of the jobs it affords.

52 Army Theatres In Sight
Lytell told of hearing from Robert Z. Sherwood, of the army navy joint committee on welfare and recreation, an advisory board, and indicated that there will be 52 army camp theatres with seating capacities of around 4,000 each made available by next October. The number mentioned was surprising, as was the size of the proposed theatres. However, when Equity is given representation on the eventual working committee, changes are anticipated.

Proposed size of the theatres for stage entertainment was puzzling until it was explained that such buildings would also be used for other activities, such as basketball and other sports. That would mean that the floors would be flat instead of graded. Professionals favor the theatres holding around 1,200, although it was figured that part of larger buildings could be curtained off. Ultimately there will be a circuit, expected to be handled by managers, booking agents and directors who will devote their time gratis, but that won't go for actors.

Equity's nominating committee was elected after 19 names had been proposed from the floor. Six who won: Ruth Gordon, who easily topped the field; Frank Wilcox, Jack Norworth, Byron McKelby, Wycliffe Birch and Paul Huber. Understood that two candidates said to be of the Theatre Arts Committee got the smallest number of votes. Committee was completed with three members named by the council: Florence Reed, William David and John Lorenz. Committee will not deliberate until next week, new rules stipulating that 10 votes must elapse before meetings start.

Paul Dulzell, in his report, said the managers must present satisfactory evidence that Sunday performances have increased enjoyment by extending the engagements if the experiment of Sunday performances is to continue beyond June 1.

Joan Carroll Replacement Set for 'Panama Hattie'

Patsy O'Connor has been selected to replace Joan Carroll, told in 'Panama Hattie,' 48th Street, N. Y. When the kid goes to Hollywood, Patsy O'Connor is the daughter of a vaudeville family. Red Marshall has been selected to step into Rags Ragland's shoes under the name of 'Rags Ragland.' He is also under contract for 'Cost.' 'Hattie' cast changes are not to be made until June. Show is figured to run through summer on Broadway. Buck Hutton is another of the cast going west, no replacement player being chosen as yet.

'PIGEONS' SET

Charleston, S. C., April 1.
First production of George M. Cohan's play, 'Pigeons and People,' opens Thursday (3) at Dock Street theatre here.

Norman Lloyd is set for lead. Richard Gaines, Raymond Massey's successor in Broadway run of 'Abe Lincoln in Illinois,' and Elizabeth Mellich, from summer stock, head supporting cast. Play runs through April 15.

O. & J. Scram 'Hells' For Coast April 26

Olsen and Johnson will leave the east of 'Hellzapoppin' April 26, going to the Coast to appear and advise in film life to be produced by Jules Levey for Universal release. Film will not adapt much of the present show. Plans for running the show into summer depend on business after the duo leave. Same goes for a Chicago engagement, which may be made by the road company headed by Eddie Gass and Billy House. The outfit has been cleaning up, too.

'Hells' will continue, however, for a time after O.J.'s depart. Jay C. Flipper will replace Olsen, but a business decision for Johnson has not been decided upon. Plan for a colored version for the Coast to be called 'Hellzapoppin' in Harlem' has not been seriously considered, although Duke Ellington's name is mentioned in connection with such an outfit.

'FATHER,' SET SOLID, ENDS UBO FIGHT

So far as Oscar Serlin is concerned, the fight with the United Booking Office over spotting 'Life With Father' in New York has been finished, for the time at least. Producer states that the two companies on the road, in Philadelphia and Chicago, respectively, have been contracted for by out of town agencies for a full season, what with the completion of negotiations with west coast theatre managements.

Each company has been booked 40 weeks, dates starting in October and continuing into July, 1942. Claimed that 85% of the bookings were consummated by Serlin dealing directly with theatres regularly booked by the UBO. Only sizeable city not on the 'Father' itinerary is St. Louis. In only four states will 'Father' operate theatres owned or operated by UBO. No plans are mentioned for road dates of the original 'Father,' Empire, N. Y., indicating the engagement will extend into next season.

2-FOR-ONES HELP EXTEND LEGIT RUNS

At least four shows on Broadway's list are using two-for-ones and it is known that this method of reduced prices has extended engagements for longer periods than have been ordinarily possible. A fifth show is trying out the bargain coupons for a limited period, but only by wide distribution in wholesale lots are two for ones found to be worthwhile. Another method of bolstering ticket sales is by means of theatre parties at from one-third to 10% off.

Shows using two for one are topped by 'Separate Rooms,' which has played more than a year and may go into summer at the Plymouth. Others are 'Johnny Belinda,' Longacre, 'Out of the Frying Pan,' Windsor, and the new 'My Fair Lady,' Hudson. All four give Sunday performances and the cut rate coupons are accepted then, but not on Saturdays.

1G Rockefeller Prizes To Three Dramatists

Awards of three Rockefeller play-writing fellowships were announced yesterday (Tuesday) by the Dramatists Guild. Recipients, each getting \$1,000, are Ramon Mays (writing under the name of 'Frank Vassuk'), Theodore Browne and Noel Houston. Browne is a Negro.

Two previous fellowship-holders, George Corey and Tennessee Williams, are also given special awards of an additional \$500 each to write new plays.

Wiser Now?

Max Gendel, of the Shubert press department, participated in a publicity stunt and emerged with a fractured elbow last week. Chances and others of 'Panama Hattie,' 'Hellzapoppin' and 'Meet the People' were supposed to participate in a bowling contest. Following the players, Gendel decided to show his prowess, slipped on the floor and became a casualty. Despite the accident he reported at the office the next day.

STRUCK BALLET IN HAVANA MIXUP

Strike of members of the Original Ballet Russe in Havana has split an involved mixup among the personnel of the company, the management and the dancers' union, the American Guild of Musical Artists. Situation is further complicated by relations between Col. W. de Basil, manager of the company, and Sol Hurok, who has been booking its tour. Meanwhile, the troupe is stranded in Havana, with AGMA trying to arrange passage back to New York.

Bond for the tour is held by AGMA, but whether it is large enough to cover passage of all the dancers' inventory or whether it was posted by those responsible in the present situation, was uncertain yesterday (Tuesday). AGMA board held a special meeting and resolved that the strike was not ordered nor authorized. It also sent word to the members of the company not to go on strike. Later gesture was figured to be virtually meaningless, however, as the strike already disrupted the scheduled South American tour.

According to word from Havana, the members of the company went on strike at de Basil's alleged violation of his AGMA contract covering wages and working conditions. Whether the contract applied outside the U. S. appears to be a question. Bond was posted with AGMA, by Hurok, as booker for the de Basil troupe. But Hurok issued a statement Monday (31) more or less disavowing de Basil. Therefore it's uncertain just how far AGMA can go toward using the bond to bring the striking dancers back to the U. S.

Troupe recently completed an engagement in Havana, having gone there after a stay in Mexico City and a tour of eastern U. S. The other Russian ballet, officially known as the Ballet Russe de Monte Carlo and also booked by Hurok, has also been touring the U. S. Both companies played engagements earlier this season at the 51st Street theatre, N. Y.

Nab 2 in Ballet Russe Theft Mexico City, April 1.

Mystery of disappearance of \$12,000 (Mex; \$2,400 U. S.) from funds the Daniels Co., bookers, collected (Continued on page 45)

HARRY KAUFMAN ILL

Will Undergo Operation in New York Hospital

Harry Kaufman is in the New York hospital where he is to be operated upon for an intestinal obstruction. Patient was having a blood transfusion early this week for the purpose of strengthening his condition.

Kaufman, in addition to being teamed with William Sullivan in the Tyson Ticket Agency, has been an active showman. He supervised several Shubert musicals, including 'Hellzapoppin' and 'Meet the People,' an associate of Lee Shubert. He has an interest in 'Hells'.

'Animal' Folds Tour

Minneapolis, April 1.
'The Male Animal' closed its tour here following the conclusion of its local engagement at the Lyceum last week. Members of the company returned to New York. Since the departure of Elliott Nugent from the cast takings on the road have been less.

Nugent went to Hollywood to direct a Bob Hope picture.

Authors' Atty., Asking Dismissal of Suit, Says League Isn't 'Proper Plaintiff'

Erim O'Brien-Moore Settles Suit vs. Lyons

Action of Erin O'Brien-Moore against Jack Lyons, in whose 50th street (N.Y.) restaurant she was critically injured earlier last year, was settled out of court. Amount paid the actress was not stated, but she was in bed for three months and hospitalization and specialist fees were costly. Suit was heard in February, but the jury was dismissed after deliberating a comparatively short time. Case was supposed to have been retried last month.

Miss Moore testified that a lighted match carelessly discarded by Lyons ignited her evening gown, worn at a performance of 'The American Way,' which opened at the City Center last evening. Her evidence was corroborated.

NOT A SUMMER MUSICAL IN SIGHT

Last spring a number of summer musicals were being readied, after a lapse of years when only one seasonal production was aimed for that period. Two of last summer's musicals were fast fops and current favorites, but the seasonable newcomers of that type. One or two are possibilities, while others being planned are dated for next season.

Faucy of new musicals enhances the chance of the current crop holding over. There are seven on the boards, four of which may comprise the whole summer musical card: 'Panama Hattie,' 48th Street, 'Pal Joey,' Barrymore, 'Louisiana Purchase,' Imperial, and 'Hellzapoppin,' Winter Garden, Musical Play, 'Lady in the Dark,' would be a pinch to play through summer, but will lay off after June 14, as originally arranged. Whether 'Hells' will stick through summer is questionable and depends on business after Olsen and Johnson step out. 'Meet the People,' Mansfield, is doubtful, but may stay, while 'Crazy With the Heat,' 44th Street, is going off soon to tour in the 'Happening,' 'Happening on Ice,' which resumes at the Center Friday (4), is doubtful for summer.

Critter Siesta
Production is slowing down to a walk and indications are for a dull spring so far as new shows are concerned. After the few definite arrivals sketched, it looks like the end of the season will be a dull affair, what play they will hang their prize award upon. Some reviewers are supposed to be a bit jittery over what their editors may think if there are no premieres over an extended period.

However, it is not believed that any of the metropolitan dailies will disrupt the drama departments. Most likely the only change of all the staff posts if called upon. Among those who are also efficient rewrite men are Richard Lockridge, Sun, and Sidney Whipple, World-Telegram. The lecture platform is another outlet for some reviewers, those who have built up a following out of town, among them being Erim O'Brien-Moore, John Mason Brown, Post, and John Anderson, Journal-American.

This week the highly-touted 'Watch on the Rhine' opens at the Beck, and 'Your Loving Son' comes to the Little, 'Ice' also listed as opening because of some changes. Last week 'Gabrielle' disappeared from the East 42nd Street, and 'The Wall Around Me' stopped at the Golden. Next week, 'The Night Before Christmas' arrives at the Morosco, 'Old Acquaintance' moving over to the Lyceum, and 'The Trojan Women,' will be tried at the Trujillo.

Draft Musical

Lee Posner's musical revue, 'The Spirit of 158,' revolving about the draft, is slated to open on Broadway early next week.

Posner with Alan Wilson and Mortie Jacobs did the score and sketches.

There was an unexpected development in the action filed by the League of New York Theatre against the Authors League and Dramatists Guild, when Morris Ernst, special counsel for the latter, filed a motion to dismiss the complaint, instead of filing an answer. Attorney contends that the League has no right to sue the Guild, because the managers organization is such is not the proper plaintiff.

Ernst's argument is that the League as such is not engaged in the production of plays to manage management of theatres and therefore should not appear as complainant against the recently revised basic agreement, dated for five years starting last month. O'Brien-Moore declares it is a group of showmen and cannot be damaged as an association. Also contended that there is no contact between the League and the Guild. Although the question was negotiated by the League, the actual agitators are, or will be, individual managers. Authors insisted from the first, but agreed that the signatories of the showmen never recognized the League's standing to legally represent all the managers.

Ernst Key to Action

If Ernst's contention is upheld in court, some individual producer will then be required to start action and upon its outcome would depend the legality of the pact. Ernst's motion questioned whether the League has been injured by the contract's stipulations and challenges anyone to prove such a result.

Managers' complaint is that the contract, which is monopolistic, in that it requires all authors of plays to be members of the Guild, whether they are American citizens or not. When the question was argued by the League's board, it was decided that the question be strengthened as much as possible and a number of regulations were objected to. Some were present in the first agreement, but the showmen say that doesn't mean that they assented without objection.

Matter of plays from abroad motivated the League's objection, however. It is admitted that little foreign product can be expected during the war's duration, and perhaps afterwards, except the possibility of scripts from England. They objected to the principle involved and appear to be hopeful of winning a court decision because of a wave of sympathy for the playwrights, literary authorities and others to curb monopoly.

'FATHER' CHANGING 3 KIDS FOR THIRD TIME

Three youngest children in 'Life With Father,' at the Empire, N. Y., are being changed for the third time since the play opened in the fall of 1939 that the parts have had to be changed because the moppets grew out of roles.

Changes are Tony Miller, replacing Richard Simon as John; Jackie Ayres replacing Ronnie Reese as Whitney, and Ted Donaldson replacing Bobby Chase as Hilda. Sherk remains with the company as a understudy. At the same time, Walter Kelly is replacing Warren Briggs as Whitney in the Dorothy Gish company currently at the Walnut, Philadelphia.

Larry Robinson, one of the original kids in the 'Father' company at the Empire, N. Y., got a laugh on 'The Frog Who Went a-wooing' when he ad-libbed that he was no longer in the play because he had grown too much. They didn't want to buy a new pair of pants, he said, so they got a new actor.

Experimental Theatre In Benefit Performance

New usage for plays presented under the Experimental Theatre setup will be tried. First of the shows, 'The Frog Who Went a-wooing,' shown to an invited audience next Tuesday (8) at the Cort, N.Y.

However, a first public performance is announced for April 13 (Sunday) at the same spot as benefit for the Stage Relief Fund. It will be held at 11.50 top.

'Eileen' \$15,000, 'Father' \$11,500, Dante, 7 1/2 G, OK in Chi Despite Lent

Chicago, April 1.

Despite Lent, the legit houses held to steady grosses last week. The only disappointment was the postponed opening of 'Arsenic and Old Lace' from last night (Monday) to next Sunday (6). However, the Ed Wynn show, 'Boys and Girls Together,' got away snappily Sunday (5) in the Selwyn following a time advance spread by Fred Spowner. In their final weeks currently are 'Pins and Needles,' which is winding up a fine run in the Studebaker on Saturday (5), and Dante, the magician, who will complete a solid three-week stay in the Erlanger on Sunday (6).

Estimates for Last Week

'Life With Father,' Blackstone (5th week) (1,200; \$7.15). Held to steady heading for the road. Gross before heading for the road. 24 hours up remarkably; bit off, \$11,500. 'My Sister Eileen,' Harris (4th week) (1,000; \$2.75). Steady big over \$15,000. Due for long run. 'Pins and Needles,' Studebaker (15th week) (1,200; \$1). Goes into final week and then hits the road. Has had bang-up run here. Around \$2,500 last week.

'See My Lawyer,' Selwyn (2nd week) (1,000; \$2.75). Held to \$6,500 last week, deemed satisfactory enough to call off prospective road tour and continue at the Studebaker, to which show moves Sunday (6).

'Sim Sala Bim,' (Dante), Erlanger (2nd week) (1,300; \$2.20). Strong matinee and week ends, but weak weekday nights. However, profitable \$7,500.

HAYES-EVANS STRONG \$16,500 IN CINCINNATI

Cincinnati, April 1.

Helen Hayes and Maurice Evans, in 'Twelfth Night,' pulled strong for approximately \$16,500 on four performances in the last half of last week at the 2,500-seat Taft auditorium. Top was \$3,300. Matinee Saturday (29) was a sellout.

Next road show for Cincy is 'Student Prince' at the Cox, week of April 13 at \$16.50 top.

\$10,000 in Buffalo

Buffalo, April 1.

The Hayes-Evans 'Twelfth Night' production, in four shows at \$3,300 top at the Erlanger last week, grossed estimated \$10,000, virtual capacity.

George S. Kaufman and Edna Ferber at White Sulphur Springs to work on new play.

Robert Ross will direct at the St. Louis Muny this summer.



Mgt. LOU CLAYTON

EDDIE GARR

CO-STARING
IN RECORD BREAKING
'HELL-A-POPPIN'

Mgt. WM. Kent
1776 B'way, New York

SAMUEL FRENCH

Authors Representative
Plans for Stage, Screen and Radio
31 West 57th Street, New York
811 West 7th Street, Los Angeles

'Cabin' 19G in Toronto

Toronto, April 1.

In at \$2.50 top, 'Cabin in the Sky,' grossed estimated excellent \$18,700 at the Royal Alexandra here last week.

No Lenten depression was noticeable and only cut into capacity business were the two big hockey play-offs Tuesday and Thursday nights.

'ROAD,' IN 8TH PHILLY VISIT, BIG \$12,000

Philadelphia, April 1.

'Legit bit was first-rate in Philly last week all along the line, and that meant three houses legit and occupied.

'Tobacco Road' is here on its eighth engagement and doing very well. It was first advertised for two weeks only, but may stay five or six.

Despite waning success of this old favorite, two current comedy hits continued to rake in the shekels—'The Man Who Came to Dinner' in its third and final week at the Forrest, and 'Life With Father' in its fourth week at the Walnut.

In its third and final week at the Forrest, 'The Looking Glass' (and only one) is 'There Shall Be No Night' at Forrest April 14.

Estimates for Last Week

'Man Who Came to Dinner,' Forrest (3rd week) (1,800; \$2.85). Went out to fairly good grossing, considering third week, \$15,000. 'Little Foxes' this week.

'Life With Father,' Walnut (4th week) (1,400; \$2.85). Still hitting same hot pace, with only fluctuation in orch and box in week. Went up slightly, \$19,600.

'Tobacco Road,' Locust (1st week) (1,500; \$3.00). Eighth engagement and eighteenth week here, and this one is still plenty powerful. Hit \$12,000, remarkable for this low scale, and third week has already been added to its run.

'RHINE' 17G, 'ARSENIC' \$13,761, BIG IN BALTO

Baltimore, April 1.

There was plenty of action here for legit last week, with both theatres showing shows and both reporting big grosses. 'Arsenic and Old Lace' on its pre-Broadway trial by Herman Shumlin at Ford's, Lillian Hellman's 'Watch on the Rhine' drew rave notices from the local critic and a mounting response that wound up with a bang total of \$18,877 (actual) for the 1,900 seats scaled at a top of \$2.78. Last performance Sat. (29) night was absolute capacity at \$3.27.

At the indie booked Maryland, preem of Chicago company of 'Arsenic and Old Lace' faced up the opposition from the Shumlin-Hellman hit, far exceeded expectations at \$13,761 (actual). This in spite of the fact that the original company of the hit spent a two-week tryout date at the same house earlier in the season.

'Foxes,' \$10,000, N.S.G. In Pitt Repeat Date

Pittsburgh, April 1.

Return engagement of 'Little Foxes' at Nixon last week was very disappointing. Show did only estimated \$10,000, n.s.h. for drama which has been a smash hit practically everywhere. Opened to almost nothing at all, and night performances were way off, only two matinee shows. The show is now saving it from being complete bust. Nixon has 'Twelfth Night' current under ATS auspices and got away last night (Monday) to big advance sale. 'Doesn't look like a season will last beyond May 6, when 'DuBarry Was a Lady' will be the attraction. That'll give Nixon season of 22 weeks in all, more than was looked for the way it started out.

Engagements

Nicholas Joy, 'Charley's Aunt.' John Morry, 'Hope for a Harvest.' James Rawls, 'The Man Who Came to Dinner' (New York company).

Clanad Rains in from Hollywood and looking for a play.

B'way Still on Upbeat; 'Native Son' Strong Draw at \$15,000 in 1st Week, 'Lady,' \$31,900, SRO, 'Joey' Big 22G

Estimates for Last Week

Key: C (Comedy), D (Drama), R (Revue), M (Musical), F (Farce), O (Opera).

'Arsenic and Old Lace,' Fulton (12th week) (CD-538; \$3.30). Business continued excellent for most attractions; but some slightly under marks of previous week; little change here and approached \$17,000 level.

'Claudia,' Booth (7th week) (CD-712; \$3.30). Second company planned, but may not tour until fall; strong interest in B'way take quite profitable; around \$13,000.

'Crazy With the Heat,' 44th St. (9th week) (R-1328; \$3.30). Registered good week, but over \$15,000; however, revived review, however, will be turned into vaude unit and opens at Loew's in B'way late this month in that form.

'Flight to the West,' Royale (13th week) (D-1947; \$1.10). Picked up again, with count around \$6,000, broke even or better; among few shows with low admission scale.

'Gabrielle,' Maxine Elliot. Opened Tuesday (25) with mixed, adverse notices; taken off next night.

'Pinfeathers,' Winter Garden (132d week) (R-1071; \$3.30). With new lineup almost good for summer, this one likely to play into or through another hot period; rated around \$10,000.

'It Happens on Ice,' Center (R-3-087; \$2.75). After being on road for two weeks resumes Friday (4) with lineup almost good for summer, this one likely to play into or through another hot period; rated around \$10,000.

'Johnny Belinda,' Longacre (28th week) (R-1018; \$3.30). Eased off to good week, but over \$15,000; cast calls for pay raise under that figure, which betters even break.

'The Man Who Came to Dinner,' Alvin (10th week) (M-1357; \$4.40). Quoted at \$31,900; that means standees were present on last week; big agency demand.

'Life With Father,' Empire (72d week) (M-1,005; \$3.30). Very straight show, able to top takings of long-staying comedy, which again was not much under \$10,000.

'The Man Who Came to Dinner,' Imperial (44th week) (C-1,450; \$4.40). Right back with the musical front runners and able to top takings of long-staying comedy, which again was not much under \$10,000.

'The Man Who Came to Dinner,' Music Box (C-1,013; \$3.30). Not quite as much as week previous, but scored another profitable week with record result, sales staying on, rated around \$10,500.

'My Sister Eileen,' Biltmore (14th week) (C-1,013; \$3.30). Come back, but dip not material, and comedy continues to register fine weekly profits; around \$10,000.

'Mr. and Mrs. North,' Belasco (11th week) (C-1,000; \$3.30). Pegged as a show to improve week, but operating profit right along; estimated around \$10,000.

'My Fair Lady,' Hudson (1st week) (C-1,013; \$3.30). Using cut rates after doubtful start and mild press; first full week estimated around \$4,500, which may be even break.

'Native Son,' St. James (1st week) (D-1,500; \$3.30). Attracting plenty of attention, starting pace approached \$15,000; way house is scaled and several parties at concession the count is very strong.

'Old Acquaintance,' Morosco (13th week) (C-939; \$3.30). Moves to Broadway next week; burst business last week around \$9,000 and should stick around that level or more; profitable.

'Out of the Frying Pan,' Windsor (7th week) (C-893; \$3.30). Quoted over \$3,000; using two for ones; word of mouth may improve takings.

'Pal Joey,' Barrymore (14th week) (M-1,104; \$4.40). Topped \$22,000 and did considerable better previous week, when bit under-estimated; unquestioned musical click.

'Panama Hattie,' 46th St. (22d week) (M-1,387; \$4.40). One of most popular musicals and should last into next season despite some summer cancellations; nearly \$22,000.

'Separate Rooms,' Plymouth (53d week) (C-1,107; \$3.30). Other shows were reported coming to this spot, but current occupant making money both ways and listed to stick; \$7,500.

'The Corn Is Green,' National (18th week) (D-1,102; \$3.30). Not as big as earlier months, but one of season's most substantial successes and cleaning up; \$15,000.

'The Corn Is Green,' National (18th week) (D-1,102; \$3.30). Not as big as earlier months, but one of season's most substantial successes and cleaning up; \$15,000.

'The Corn Is Green,' National (18th week) (D-1,102; \$3.30). Not as big as earlier months, but one of season's most substantial successes and cleaning up; \$15,000.

'The Corn Is Green,' National (18th week) (D-1,102; \$3.30). Not as big as earlier months, but one of season's most substantial successes and cleaning up; \$15,000.

earning some profit road show closes up; \$5,500.

'Watch on the Rhine,' Beck (D-1,214; \$3.30). Presented by Herman Shumlin; written by Lillian Hellman; staged by Lillian Hellman; last week; opened last night (Tuesday).

'The Loving Son,' Little (C-530; \$3.30). Presented by Jay Richard Kennedy, Alfred Bloomingdale and Joseph P. Loewi; written by Abby Merchant; opens Friday (4).

Revels
'The Doctor's Dilemma,' Shubert (2nd week) (C-1,462; \$3.30). Surprising draw of Shavian play studied principally to its star name (Katharine Cornell); close to \$23,000.

'Charley's Aunt,' Cort (24th week) (C-1,064; \$3.30). Sponsors discovered windfall in this old farce; grosses not quite so high as last week, but turning weekly profit; around \$8,000 last week.

LUNTS GROSS \$20,300 IN MIDWEST 1-NITERS

'There Shall Be No Night,' starring the Lunts and playing midwestern one-nighters, gross \$20,300 in seven performances last week. Total is under the average pace of the show, especially in view of the fact that it accepted a fine \$2,000 per night.

Minneapolis, Ind., and Lansing, Mich., because both are college towns, in the former spot. 'Night' was the initial attraction in the new auditorium of the University of Indiana, where it grossed \$20,300.

Top money was drawn in Toledo, takings being \$6,411. Lunts got \$4,000 in Youngstown and \$4,887 at South Bend.

'Night' is scheduled for another full season on tour starting next fall. That tour will follow a four-week return date on Broadway in September. Next season's dates will include southern states which could not be played this season and it is likely the Lunts will have return dates in southern states. Show will lay off next (Holy) week, stars resting in New York. Next date will be the Forrest, Philadelphia.

'Blossom' Still Blooms In Hub With \$14,700

Boston, April 1.

'Blossom Time' still in full bloom, and on the strength of it's drawing power the Shuberts will probably bring the 'Blossom Time' before the season ends. 'Night Before Christmas' premeared Monday (31), a play by Laura and S. J. Edwards, and 'Hope for a Harvest' with Fredric March and Florence Eldridge, opens April 7. 'Tobacco Road' is slated for return engagement April 14.

'Blossom Time' tallied estimated \$14,700 last week (2nd) and remains for a third.

'Animal' Light \$6,100 In Mpls.-St. Paul Standees

Minneapolis, April 1.

'The Male Animal,' playing five nights and a matinee, picked up estimated light \$4,500 in the 2,200-seat percent at \$2.75 top. Same show grossed \$1,600 for the matinee and night at the Auditorium, St. Paul.

May was well liked, but sans cast names had tough going.

JACK DURANT

'Jack Durant' cast in the character of the blackmailing agent is powerful.

Richard Watts, Herald Tribune
Featured in GEORGE ARBON'S
'PAL JOEY'

Barrymore Theatre, New York

ROSALIND IVAN

'The Corn Is Green'

NATIONAL THEATRE, N. Y.

Broadway

Marka Marko back from the Coast. Mark Hanna Key Westing on holiday.

John Hammon Anderson has recovered from the shingles.

Charles Coburn planned for the Coast Friday (28).

Jack Whitney expected back from the Coast this week from New York.

Norman Light hiding for a couple of days with a shiner.

Wife of Lep Solomon, treasurer of the Longacre, in Leroy Sanvarius.

Bill Queringer, secretary from New Broadway, heading the Broadway shows.

Tommy Lyman now torch-singing at Mor's new uptown eatery on East 82d.

John Hammond's (Columbia Records) back from Georgia hollywood.

Frank McCoy entering Leahy Hospital, Boston, suffering with stomach ulcer.

Karl Hottelitz expected in town today (Wed.) on one of his infrequent trips north.

Andy Smith, RKO sales chief, back from Miami Beach where he had been vacationing.

Helen Vinson bought a Virginia estate at Irvington Beach, summer home on the Rappahannock.

Estelle Stabins, secretary to Sid Reichenbach, resigned last week to become Mrs. William Bartlett.

Hank Sengbusch, on the road ahead of 'Little Foxes' since last August, has joined Dick Maney's N. Y. staff.

Nat Simon, manager of the Riviera (Schafer), N. Y., has been told to prepare to leave for training camp Thursday (3).

The Lou Paymer (Laura Lee of the screen) had their third baby recently, a boy, which makes it two sons and a girl.

The Danny Kayes (Sylvia Fine) will motor to the Coast in their new car this summer on vacation. He has a sunny film bids.

A. L. Plindat, no. special sales representative for Republic, said to be (28) for a four-week visit to Rep's Panama office.

Russell Holman, Paramount's eastern production head, returned to his home (Monday) from Pinehurst, N. C., golfing vacation.

Dave Ferguson, secretary of the Jewish Theatrical Guild, planning a monthly house organ devoted to the organization's activities.

Katharine Cornell revising her 1939 autobiography, 'I Wanted to Be an Actress', to bring it up-to-date for fall 1941, re-publication.

Last week Dave Elman went to the hospital to have his tonsils clipped. This week Mrs. Elman followed him for an emergency appendix op.

Earl Reiter, production manager on Walt Disney's 'Reluctant Dragon', in town with his wife on combination business and vacation trip.

After attending a stockholders meeting of Paramount-Richards Theatres in New Orleans, Louis Netter, actor, is back in the Coast Zone.

Archie Mayo turned up Thursday (27) for a short vacation. While east he will ogle the legit 'Charley's Aunt' which he will direct.

Walter Blake, of Blaine-Thompson Agency; Gilbert Golden, of Warner Bros.; and David E. Green, publicist, are in Florida burned a deep tan.

Present trek of Louis de Rochemont, editor of March of Time, to all sections of the Coast to interview exhibitors first hand on their short merits.

Bide Dudley, who has been lecturing for several years, spoke at the State Normal School, New Paltz, N. Y., on 'Backstage on Broadway'. It was a repeat date.

Barret McCormick, RKO's ad publicity chief, back from the Coast today (Wednesday). He stopped off in Chi on his way back after three weeks spent looking over new product in Hollywood.

Carol Bruce, Raymond Massey, Danny Kaye, Willie Howard, Diosa Cardinale, Ezra Stone, and Arthur Treacher have been lined up for the Silver Jubilee ball of the AMPA Friday (4). Louis Prima will be the orchestra.

Mexico City

By Douglas L. Graham

Antonieta Llorca, the comedienne, back from a tour of South America.

Celestino Gorostiza representing the National Dramatists Assn. on the Coast of the theatre.

Ricardo Pani is to start producing his own pix here next month. He has signed Alejandro Galindo as his manager.

David Silva, jr., pie juvenile star, and Margaret Jean Sommer, a tourist from Minneapolis, engaged to be married in May.

Emilio Azcaraga, owner of stations XEW and XEQ, and the Cine

Alameda here, building a hotel in Acapulco, Pacific port resort.

Ernesto Riestra, top class nifty band leader, and Mario Alberto Rodriguez, tenor, featured on a half-hour weekly program at radio station XEQ.

Cantinflas (Mario Moreno), ace tramp comedian, announces that while he will do some work in pix he has no intention of quitting the stage for the screen.

Elmy and Amanda Cortes and Doris and Valero, the latter a Spanish dance team, the former singers and comedians, allowed to stay longer in Mexico to fill new engagements.

Conchita Cintron, ace lady matorador, who is part American, was smash class at a return engagement at the local bull ring. She showed them in north Mexican arenas on a three-month tour.

Felipe Gregorio Castillo, an ex-federal film censor, now chief of the federalized picture censoring and supervising department. Adolfo Bustamante, secretary general of the Mexican Dramatists Assn., is head supervisor of the department.

Miami Beach

By Les Harris

Vincent Youmans to Nassau. Madeleine Carroll back in town for fishing.

John H. Lottman off to New York for visit.

Paul Douglas pausing few days en route from Mexico.

Bob Christenberry has bought a house in Gorton Beach.

Ben Gross and E. Ray Goetz leave vacationists to Lord Tarleton.

Marissa will head for U. of California when she closes at Royal Palm.

Harry Richman bought a 43-foot boat and is cruising with Ben Marden.

Abby Pascal retiring here after staging premiere of 'Major Barbara' in Nassau.

Peggy Fears resting in Palm Beach before heading into Loew's State, New York.

Joe McCoy, Mayfair club slated to open shortly for summer under new management.

Cross and Dunn off for Cincinnati and winding up season at Olympia this weekend.

Walter Jacobs hosted Lew Walters and entire Latin Quartet at gala farewell party at Lord Tarleton.

Emile Boree, who closed at the Riviera (Monday), tossed a 'Une Soiree Intime' at Gant Gaither there.

Harry Butcher, CBS Washington correspondent, and John Charles Daly standing by, awaiting President Roosevelt's return.

Panama

Influx of Cuban entertainers, with intact Cuban shows, at cut-rate prices, flooding the town.

Silver Spray, in Colon, denied for not employing '55 talent.

Local talent is not very promising.

Atlas Gardens, ace mammoth beer garden of the town, firing with so-called names, with the first being Rogers Dahl.

Mary Lee Kelley, cabaret operator here, left for the States and Hot Springs due to ill-health. She's been in Panama 20 years.

Bretley Stevens and Cliff Evans, two Boston bandleaders down here, have an eye on organizing an American band for the Colon Zone.

Several New York and one Boston cafe men were looking over spots here for possible cafes, but the Panama government's new alien law discouraged them.

With the number of American troops headed for Honolulu stopping overnight, and giving the boys overnight, the local cabaret business is reaping big profits.

Norma Kennedy, Brooklyn nudist, after three years in the Orient and Hawaii, broke her jump here.

One of the spots for three months before heading for New York.

Spanish films doing fine business locally. 'Dictator' took a nose-dive at the local houses after playing Panama and Colon cities at 80c top.

Picture sold to Zone employees for about 40c.

Tector Downe, N. Y. night-club man, just got under the gun, taking over a piece of Kelley's Ritz, where he's acting manager, just before Premier Armstrong's arrival.

Downe on the no-alien ownership.

With the influx of thousands of Canal workers from the States, it became a problem to keep some of the gale in the better spots for the run of their contracts with plenty of them hopping into the Canal Zone.

Spanish films doing fine business locally. 'Dictator' took a nose-dive at the local houses after playing Panama and Colon cities at 80c top.

Picture sold to Zone employees for about 40c.

Tector Downe, N. Y. night-club man, just got under the gun, taking over a piece of Kelley's Ritz, where he's acting manager, just before Premier Armstrong's arrival.

Downe on the no-alien ownership.

With the influx of thousands of Canal workers from the States, it became a problem to keep some of the gale in the better spots for the run of their contracts with plenty of them hopping into the Canal Zone.

Spanish films doing fine business locally. 'Dictator' took a nose-dive at the local houses after playing Panama and Colon cities at 80c top.

Picture sold to Zone employees for about 40c.

Tector Downe, N. Y. night-club man, just got under the gun, taking over a piece of Kelley's Ritz, where he's acting manager, just before Premier Armstrong's arrival.

Downe on the no-alien ownership.

With the influx of thousands of Canal workers from the States, it became a problem to keep some of the gale in the better spots for the run of their contracts with plenty of them hopping into the Canal Zone.

Spanish films doing fine business locally. 'Dictator' took a nose-dive at the local houses after playing Panama and Colon cities at 80c top.

Picture sold to Zone employees for about 40c.

Tector Downe, N. Y. night-club man, just got under the gun, taking over a piece of Kelley's Ritz, where he's acting manager, just before Premier Armstrong's arrival.

Downe on the no-alien ownership.

With the influx of thousands of Canal workers from the States, it became a problem to keep some of the gale in the better spots for the run of their contracts with plenty of them hopping into the Canal Zone.

Spanish films doing fine business locally. 'Dictator' took a nose-dive at the local houses after playing Panama and Colon cities at 80c top.

Picture sold to Zone employees for about 40c.

Tector Downe, N. Y. night-club man, just got under the gun, taking over a piece of Kelley's Ritz, where he's acting manager, just before Premier Armstrong's arrival.

Downe on the no-alien ownership.

With the influx of thousands of Canal workers from the States, it became a problem to keep some of the gale in the better spots for the run of their contracts with plenty of them hopping into the Canal Zone.

Spanish films doing fine business locally. 'Dictator' took a nose-dive at the local houses after playing Panama and Colon cities at 80c top.

Picture sold to Zone employees for about 40c.

Tector Downe, N. Y. night-club man, just got under the gun, taking over a piece of Kelley's Ritz, where he's acting manager, just before Premier Armstrong's arrival.

Downe on the no-alien ownership.

With the influx of thousands of Canal workers from the States, it became a problem to keep some of the gale in the better spots for the run of their contracts with plenty of them hopping into the Canal Zone.

Spanish films doing fine business locally. 'Dictator' took a nose-dive at the local houses after playing Panama and Colon cities at 80c top.

Picture sold to Zone employees for about 40c.

Tector Downe, N. Y. night-club man, just got under the gun, taking over a piece of Kelley's Ritz, where he's acting manager, just before Premier Armstrong's arrival.

Downe on the no-alien ownership.

With the influx of thousands of Canal workers from the States, it became a problem to keep some of the gale in the better spots for the run of their contracts with plenty of them hopping into the Canal Zone.

Spanish films doing fine business locally. 'Dictator' took a nose-dive at the local houses after playing Panama and Colon cities at 80c top.

Picture sold to Zone employees for about 40c.

Tector Downe, N. Y. night-club man, just got under the gun, taking over a piece of Kelley's Ritz, where he's acting manager, just before Premier Armstrong's arrival.

Downe on the no-alien ownership.

With the influx of thousands of Canal workers from the States, it became a problem to keep some of the gale in the better spots for the run of their contracts with plenty of them hopping into the Canal Zone.

Spanish films doing fine business locally. 'Dictator' took a nose-dive at the local houses after playing Panama and Colon cities at 80c top.

Picture sold to Zone employees for about 40c.

Tector Downe, N. Y. night-club man, just got under the gun, taking over a piece of Kelley's Ritz, where he's acting manager, just before Premier Armstrong's arrival.

Downe on the no-alien ownership.

London

Athole Stewart, actor and producer, left around \$25,000.

Collins and Grade, the agents, are going to see band leader, for breach of contract.

Bessie Love is now at Teddington studios, appearing in 'The Alarming of Atlantic' by Warner.

Elre Censorship Board reveals 2.1% of total of dramatic films imported were banned by the body during 1940.

Julia Neilson, widow of Fred Tennyson, publisher, memorialized the title 'This for Rememberance'.

Ernest C. Rolls doing revue, which stars his wife, Jennie Benson, and George Gee. Show will tour Moss Empires.

British National Films dickering for the film rights of Walter Greenwood's latest book, 'The Secret Kingdom'.

A repertory season of English comedies being staged at the Vaudeville under the management of Wilson Barrett.

There's talk of revival of St. John Irvine's 'The Elephant and the Gypsy' at the Haymarket, where it was first staged 12 years ago.

Mark Malloy, in the cast of 'Applesauce' at the London Palladium show starring Max Miller, writes most of Miller's material.

The Vaudeville and Variety Society has called a general meeting for March 14 to consider the suspension of its League of Nations.

London County Council is vetoing shelter concessions and dances due to the League of Nations.

Lou Jackson, 'England' opens for the Regal, Marble Arch, April 25, with 10% of the intake to be given to the fund of the Soldiers'-Airmen's Association.

Runaround about that George Arlino's last film, 'The Vicar of Wakefield'. Arlino still asks \$160,000 per picture, and will not let the last picture be made to pay him just half what he asks.

Mary Pendered, author and playwright, from her three pacifist plays, 'The Quaker', 'William Penn' and 'Banish the Bogue' were bequeathed to the League of Nations.

George King and John Stafford have original yarn by the designer of the 'Spinnaker' which has been submitted to Robert Donat through the Ministry of Information as suitable vehicle for film. The English star is reported to like the story.

William Mollison is associated with Jack Hydon in his new picture 'Babes in the Blue', which starts tour in the States in the spring, then comes to the States.

Stanley Lupino's new show, 'Lady Behave', which opens in the West-End, is by Max.

Met with a blunt turnaround by Home Secretary Morrison on any plan to produce a new cinema of charity law, spokesmen for Cinematograph Exhibitors Assn. indicate they'll plan to.

Spence, director, has been submitted to Robert Donat through the Ministry of Information as suitable vehicle for film. The English star is reported to like the story.

William Mollison is associated with Jack Hydon in his new picture 'Babes in the Blue', which starts tour in the States in the spring, then comes to the States.

Stanley Lupino's new show, 'Lady Behave', which opens in the West-End, is by Max.

Met with a blunt turnaround by Home Secretary Morrison on any plan to produce a new cinema of charity law, spokesmen for Cinematograph Exhibitors Assn. indicate they'll plan to.

Spence, director, has been submitted to Robert Donat through the Ministry of Information as suitable vehicle for film. The English star is reported to like the story.

William Mollison is associated with Jack Hydon in his new picture 'Babes in the Blue', which starts tour in the States in the spring, then comes to the States.

Stanley Lupino's new show, 'Lady Behave', which opens in the West-End, is by Max.

Met with a blunt turnaround by Home Secretary Morrison on any plan to produce a new cinema of charity law, spokesmen for Cinematograph Exhibitors Assn. indicate they'll plan to.

Spence, director, has been submitted to Robert Donat through the Ministry of Information as suitable vehicle for film. The English star is reported to like the story.

William Mollison is associated with Jack Hydon in his new picture 'Babes in the Blue', which starts tour in the States in the spring, then comes to the States.

Stanley Lupino's new show, 'Lady Behave', which opens in the West-End, is by Max.

Met with a blunt turnaround by Home Secretary Morrison on any plan to produce a new cinema of charity law, spokesmen for Cinematograph Exhibitors Assn. indicate they'll plan to.

Spence, director, has been submitted to Robert Donat through the Ministry of Information as suitable vehicle for film. The English star is reported to like the story.

William Mollison is associated with Jack Hydon in his new picture 'Babes in the Blue', which starts tour in the States in the spring, then comes to the States.

Stanley Lupino's new show, 'Lady Behave', which opens in the West-End, is by Max.

Met with a blunt turnaround by Home Secretary Morrison on any plan to produce a new cinema of charity law, spokesmen for Cinematograph Exhibitors Assn. indicate they'll plan to.

Spence, director, has been submitted to Robert Donat through the Ministry of Information as suitable vehicle for film. The English star is reported to like the story.

William Mollison is associated with Jack Hydon in his new picture 'Babes in the Blue', which starts tour in the States in the spring, then comes to the States.

Stanley Lupino's new show, 'Lady Behave', which opens in the West-End, is by Max.

Met with a blunt turnaround by Home Secretary Morrison on any plan to produce a new cinema of charity law, spokesmen for Cinematograph Exhibitors Assn. indicate they'll plan to.

home army, pic industry is finding it hard to overcome manpower shortage. Fences to, are scarce owing to so much war work being on tap.

Acting spotted over the Tivoli locally, including Jim Gerald, the Bros., Valentine and Monty, Jandy, Snowy Townes, Sampson and Simplicity, Alec Kellaway, Arlino, Terry, and the Bros. and the Bros.

Germaine and Joe, Anita Martell, Billy Samuels, Gardner and Kane, Four Lizards, Ray Baird, and Jean Hatten.

Buenos Aires

By Ray Joseph

Director Ljov Slavsky packing for Hollywood. Experimental theatre of the Cinema opened new season.

Maipo Revue theatre, preparing two new shows to star Sofia Bocas and Ester Bori.

Richard Harlan, only U.S. director in local films, working on script of musical to star Hugo del Carril.

S. artists at the Teatro, local night spot, include Gil Johnson, Peggy Strickland and the Burettes.

Cesar and Pepi Ratti open at the Teatro de San Isidro (San Isidro Priati) by Antonio Boca.

Colon seeking new bass clarinet. Harry Novak, after new show offers members to fill out for Toscanini visit.

Pedro Sosa re-elected president of 'Asociacion Musical de Socorros Mutuos' (Musical Mutual Aid Association).

Patricia Films, indie company owned by Andres Chipping and Edmo Comietti. Story by Jose Roca.

'Me case on an Angel' ('Married an Angel') being directed in Argentine by Andres Chipping and Edmo Comietti. Story by Jose Roca.

Bob Roberts, head cameraman for Pampa Film (only U.S. cameraman in Argentine), is shooting local spots for 'El Cura Gaucho' (The Gaucho Priest).

Action of Municipal Cinema Contraband, after that by Davis' 'Letter' could not be seen by those under 16 is being protested by Harry Novak, Warner manager here.

Alberto de Avalia, director, and cast of 'Veinte Anos y una Noche' ('Twenty Years and One Night') to include local actors, shown on new EFA film. Story by Alejandro Casanova.

Moglia Berta and company to Estancia in the South of Province of Buenos Aires, for location shots on Argentina Sono Film's 'Fortin Alto' (High Fort).

Story by Roberto Manzi and Ulises Pelt de Murat.

Premiere of 'El Mejor Papa del Mundo' ('Best Father in the World') in Argentine. The first Argentine pic had been opened outside the country before being shown at home.

'Si yo Fuera Rica' ('If I Were Rich'), soon to be released, being watched because it marks debut of European director, Schlegel and Assistant Bayon Herrera. Story by Antonio Amiano, stars Amanda Leduc.

Colon selected Argentine opera to be presented this season, following custom of one local production annual. Work is 'Lin-Cam' by Victor Mercante, one-acter, based on a story by Holmberg.

'El Zonda de Nesi' by Enrique Casella, placed second in contest for home film.

Mayor Carlos Alberto Pueyredon of B. A. and Director-General of Films and Telegraphs Dr. Horacio C. Riverola visited set of 'Embarcacion', film, being produced at Tivoli.

View looked on as a first attempt to give companies to win more good will from officials.

Teatro Municipal in Bahia Blanca (Atlantic coast) company, Maruja Roig and Maria E. Emery, presenting 'La Ilamadora' ('The Nameless').

The names of H. H. Hester, company in Tucuman, for Teatro Municipal, will feature San Santiago del Estero, Santa Fe and other interior cities.

Colon selected Argentine opera to be presented this season, following custom of one local production annual. Work is 'Lin-Cam' by Victor Mercante, one-acter, based on a story by Holmberg.

'El Zonda de Nesi' by Enrique Casella, placed second in contest for home film.

Mayor Carlos Alberto Pueyredon of B. A. and Director-General of Films and Telegraphs Dr. Horacio C. Riverola visited set of 'Embarcacion', film, being produced at Tivoli.

View looked on as a first attempt to give companies to win more good will from officials.

Teatro Municipal in Bahia Blanca (Atlantic coast) company, Maruja Roig and Maria E. Emery, presenting 'La Ilamadora' ('The Nameless').

The names of H. H. Hester, company in Tucuman, for Teatro Municipal, will feature San Santiago del Estero, Santa Fe and other interior cities.

Colon selected Argentine opera to be presented this season, following custom of one local production annual. Work is 'Lin-Cam' by Victor Mercante, one-acter, based on a story by Holmberg.

'El Zonda de Nesi' by Enrique Casella, placed second in contest for home film.

Mayor Carlos Alberto Pueyredon of B. A. and Director-General of Films and Telegraphs Dr. Horacio C. Riverola visited set of 'Embarcacion', film, being produced at Tivoli.

View looked on as a first attempt to give companies to win more good will from officials.

Teatro Municipal in Bahia Blanca (Atlantic coast) company, Maruja Roig and Maria E. Emery, presenting 'La Ilamadora' ('The Nameless').

The names of H. H. Hester, company in Tucuman, for Teatro Municipal, will feature San Santiago del Estero, Santa Fe and other interior cities.

Colon selected Argentine opera to be presented this season, following custom of one local production annual. Work is 'Lin-Cam' by Victor Mercante, one-acter, based on a story by Holmberg.

OBITUARIES

DUDLEY HAWLEY

Dudley Hawley, 62, actor of nearly 50 years stage experience, died of coronary thrombosis March 29 at the Fifth Avenue Hospital, New York. A member of the Fifth Avenue road company of "The Man Who Came to Dinner," which closed in Pittsburgh March 22, he had been ill only a day. Born in England, the son of an architectural artist, Hawley came to America as a child. Making his professional debut at Proctor's 23d St. theatre, N. Y., in 1895, he played at Tony Pastor's the following year and thereafter with Richard Mansfield for two seasons in repertoire. He also passed a similar interval with Nat Goodwin in "When We Were Twenty-one."

A stock player for 12 years, Hawley portrayed more than 600 roles and appeared in most of them at Proctor's Fifth Avenue and 125th St., where he was a company member for eight years. His engagements

In Memory of LOU DIAMOND

Included 98 weeks in "Up in Mabel's Room" and 106 weeks as Artie Oakley in "Common Clay."

Other plays in which he appeared were "For Better or for Worse," "The Coward Boy," "The Girl in the Silk," "Ladies of the Evening," "Mr. Samuels" with Edward G. Robinson, "The First Apple" with Conrad Nagel, "Congal" with Helen Menken and "Ladies of the Jury" with Mrs. Fiske. He appeared also in two films, "An American Widow," a silent picture with Ethel Barrymore, and more recently with Claudette Colbert in "Young Man of Manhattan."

Surviving are his widow, Dolly; a son, Hugh; and three sisters, Mrs. Blanche Farnol, former wife of Jeffrey Farnol, the novelist, and Mrs. Nydia Crane, both in London, and Mrs. Gertrude French, of New Rochelle, N. Y. Funeral services were held in New York yesterday (Tuesday) under auspices of the Actors' Fund.

MILTON H. FAHREY

Milton H. Fahrey, 70, one of the earliest picture directors, died March 27 at his home in Culver City following a heart attack. An actor in the legitimate stage in the '90's, Fahrey entered the film industry in 1907 and continued in that field until illness forced him to retire in 1933.

Fahrey directed pictures for David Horsley Productions on Staten Island before moving to Hollywood, where he piloted the first production of the old New York Co. in 1912. The picture was the first to be made in the old Blondeau Tavern at Sunset Blvd. and Gower street. In those days film cowboys galloped along the city streets at night, the shooting being done by sunlight. Fahrey directed a great number of westerns and comedies, including a one-reel series, "Mutt and Jeff," he directed Belle Bennett, Neil Hart, George Ovey, Vernon Dent, Leo Maloney and other pioneer screen players. He was connected at various times with Edison Studios, Arb & Golden, Universal, Albuquerque Films, Mina Film Co. and Bostock Studios.

ALFRED G. SWENSON

Alfred G. Swenson, 36, dramatic character actor of stage and radio, who had appeared on most of the leading network programs since entering that field in 1929, died of a heart attack March 28 at his home in Great Kills, Staten Island, N. Y., after a brief illness.

A familiar actor to soap-opera audiences, Swenson had roles in a number of sketches including "Big Sister," "Hilltop House," "The O'Neill" and "Pretty Kitty Kelly." He was known as Captain Blackstone on NBC Blue from 1929 to 1935; on the True Story "Court of Human Relations," 1936-38; "Alias Jimmy Valentine" and Dr. Lyon's "Toothpowder," both 1938-39.

Born in Salt Lake City, Swenson made his professional debut at the age of 21. He had played in stock and many road shows. Among the plays in which he appeared were "Gaustrak," "The Wolf," "American Tragedy," "Great Power," "The 19th Hole" with Frank Craven.

Surviving are his widow, Mrs.

Leola Palmer Swenson, an actress and a brother, Joseph, of Salt Lake City.

MARGARET A. ROBINSON

Margaret A. Robinson, 73, veteran stock and stage actress who retired some 15 years ago due to failing eyesight, died March 27 at the Harlem Hospital, New York, where she had long been a patient.

Born in Ontario, Miss Robinson passed much of her early life in Minneapolis and it was there that she made her debut at the age of 15 in a stock company production of "Dr. Jekyll and Mr. Hyde."

Later coming to New York, Miss Robinson appeared in many plays including "The Governor of Kentucky" with William H. Crane; "Under Two Flags" with Blanche Bates, and "The Rivals" with Sol Smith Russell. She also toured with the Famous Players' "Shenandoah" company and acted in stock in various city theatres.

Funeral services were held in New York Saturday (29) under auspices of the Actors' Fund.

ANGELO BADA

Angelo Bada, 65, who retired two years ago after singing supporting tenor roles at the Metropolitan Opera House for three decades, died March 24 at his home in Italy, according to word received in New York.

Appearing at La Scala, Milan, Bada was brought to the Met by the late Giulio Gatti-Casazza when the impresario came to direct the Metropolitan in 1908. Making his New York debut as the messenger "Aida," he eventually achieved a repertoire of more than 150 operas.

Though Bada chiefly sang Italian roles, he often appeared in French and German operas as well. Specializing in dramatic characterizations, he was the dean of the Met's personnel in point of continuous service at the time of his retirement.

GEORGE H. BRYANT

George H. Bryant, 54, of the Bryant-Grant Productions, Cedar Rapids, Ia., producers of "Cornhusker News," "Adventures of Jane Arden," "Rural Odities" and other radio-folios, died in Indianapolis Saturday (29) of a heart attack in a downtown hotel. Bryant had spent the day previous making the rounds of prospective sponsors with Walter Beadell, a salesman for WFBM, and had complained of illness, asking Beadell to

drive his car. He had an appointment with Beadell the next morning. Beadell arrived at the Lincoln hotel at the appointed time and could not rouse Bryant. With the help of an assistant manager of the hotel, the door to Bryant's room was forced open and he was found dead on the floor.

GEORGE T. MEECH

George T. Meech, 73, who appeared on the stage for some 40 years in such plays as "Mrs. Wiggs of the Cabbage Patch," "Sherlock Holmes," and "The Squaw Man," died March 29 in Jamaica, L. I.

Usually cast in supporting roles, Meech was active in Chicago and started his theatrical career at the age of 14. From 1905 to 1915 he won his greatest success playing in "The Marriage Market," "Resurrection," and "Deep Purple."

In recent years engaged in the real estate business, Meech leaves his widow, Anna, and a daughter, Mrs. Robert Johnson of New York. Funeral services were held in Flushing, N. Y., Monday (31).

VALENCIA E. EICHEN

Valencia E. Eichen, 53, retired vaude performer, who trouped on the Keith and Pantages circuits and appeared on radio with Sophie Tucker, Fred Allen and Bill Robinson, died March 25 at his home in East Hampton, L. I., after a long illness.

Eichen, born in Lincoln, Mich., began his career as a speller for an amusement park sideshow depicting the famous Johnstown flood. Later,

he acted in vaude until illness caused his retirement in 1918. Since then he confined his interests to raising German Police dogs.

Funeral services were held in East Hampton Friday (28). Leaves widow, Mae, and a sister and brother, both of Detroit.

WILLIAM M. STRONG

William M. Strong, 42, a vice-president and director of the Batten, Barton, Durstine & Osborn ad agency, died March 23 in Pasadena, Cal.

Born in New Britain, Conn., Strong joined the agency immediately after his graduation from Princeton 20 years ago. Among the accounts he handled were those of the N. Y. Herald-Tribune, Red Book, McCall's Magazine and The Saturday Evening Post.

Surviving are his widow, Josephine; a son, David; his parents and a sister.

WILLIAM H. HARDER

William H. (Will) Harder, 68, one-time stage star and theatre executive, died Friday (28) in the St. Francis, Mich., hospital. He was the operator of 25 film theatres in the midwest

IN MEMORIAM HERMAN WHITMAN April 4, 1928 FROM HIS FRIENDS IN PHILADELPHIA

and the east, including houses in Indianapolis, Milwaukee, Paterson, Trenton, Passaic, Bayonne and New Brunswick, N. J., and Fort Richmond and Niagara Falls, N. Y.

After playing with numerous stock companies throughout the country, Harder retired in 1929 to devote himself to his theatre interests. Burial was at Fort Hanco.

JAMES F. DEVINS

James F. Devins, 66, former vaude performer and a v.p. of the old White Rats actors' union, died of a heart attack March 30 at his home in New York.

While in vaude Devins was known as "The Tall Tale Teller." After the White Rats disbanded, he left the stage and became a theatrical agent. For a time he also was in the insurance business.

He leaves a son, James, and three daughters.

WILLIAM S. CHERRY

William S. Cherry, 73, owner of WPRO, and a philanthropist, died suddenly in Jane Brown Hospital, Providence, March 29.

Cherry headed a group of five Cherry & Webb Co. branches in various New England cities. A son, William S. Cherry, Jr., was associated with him and is expected to carry on his father's business.

Other survivors are four brothers, a sister, a daughter and six grandchildren.

ARTHUR GARRETT

Arthur Garrett, 73, London theatrical manager, died at his home in Brighton, England, Feb. 20.

Garrett toured with the D'Oyly Carte Opera Co. and for Sir George Alexander and in 1900 joined Fr. Terry and Julia Nielson as manager and stayed with them for 32 years. Later, he became business manager for Sydney Carroll at the Ambassadors theatre, London.

ALICE GALE

Alice Gale, 82, retired actress who last appeared with Henry Miller and Blanche Bates in "Mollers" some 20 years ago, died March 27 at her home in New York after a three-week illness.

A widow, Miss Gale had roles in many Charles Frohman and Belasco productions.

CLAIRE BECKMANN

Claire Beckmann, 29, dancer in many Broadway productions, died March 28 at the Will Rogers hospital in Pittsburgh. Her last engagement, immediately prior to her breakdown, was at the International Casino, New York.

Surviving is her husband, Henry, connected with Paramount Pictures in New York.

MRS. GEORGE ALISON

Mrs. George Alison, 69, actress and long a stage player, died March 29 at her home in Duxbury, Mass.

Widow of George Alison, prominent stock company actor a generation ago, Mrs. Alison debuted under the management of the late Danie Frohman. Of recent years she had appeared on Broadway chiefly in supporting roles.

LEE MORRISON

Lee Morrison, theatrical producer, died at his home in New York, March 30. Morrison was at one time company manager for the Shuberts. He was associated in production of several plays, notably dramatic versions of Elinor Glyn's "Three Weeks" brother and sister survive.

WILLIAM VOLLMAN

William Vollman, 67, president and treasurer of Strand Enterprises, Inc., Cincinnati, died March 28 in General Hospital, Cincin., several hours after he shot himself. Shooting occurred in his office in the Strand theatre, downtown subsequent run house.

Suicide was attributed to ill health and financial stress.

FRANK A. WELLS

Frank A. Wells, vaude performer, who was a partner in a show known as Wells and Fusher, died March 24 in New York.

Burial took place in Kensico Cemetery, N. Y., under auspices of the Will Rogers Memorial Fund. Widow and two daughters survive.

MANUEL TAMES GARCIA

Manuel Tames Garcia, 52, veteran Mexican stage comic, died at his home in Mexico City, March 22. He quit the stage three years ago and became an alcohol inspector for the Ministry of Finance.

Burial was in Mexico City.

MAUDE E. RICHARDS

Maude E. Richards, 61, retired concert pianist and music teacher, died March 23 in Gilman Hot Springs, Cal., following a heart attack. As a prodigy she sang in the United States, Canada and England before the turn of the century.

CLARA SYLVESTER

Mrs. Clara Sylvester, 70, former stage actress, died March 23 in Hollywood. After a long career on the eastern stage, she retired and moved to California 16 years ago.

JAMES TAFT

James Taft, 41, arranger and bass player with Ray Noble's band, died March 23 in Hollywood.

THOMAS BURKE

Thomas F. Burke, film player, died March 25 in Los Angeles.

Father, 66, of Walter Bunker Jr., assistant program director for NBC in Hollywood, died March 24 in Oakland, Cal.

Sam Rich, 62, father of Louis Rich, secretary and arranger for Horace Heidt, died March 25 at his home in Milwaukee.

BIRTHS

Mr. and Mrs. King Kauffman, son, in Hollywood, March 24. Father is assistant cameraman at Metro.

Mr. and Mrs. Carl Zipper, son, in Detroit, March 22. Father is a booker in Detroit for Producers Releasing Corp.

Mr. and Mrs. Leland Hayward, son, in Hollywood, March 27. Mother is director Sullivan, screen player; father is the talent agent.

Mr. and Mrs. Albert Bein, daughter, in Hollywood, March 27. Father is a screen writer.

Mr. and Mrs. J. L. Butler, son, in Hollywood, March 27. Father and mother (Jean Rouverol) are screen writers.

Mr. and Mrs. Charles Shannon, son, in Pittsburgh, March 21. Father's manager of WB's Whitehall theatre, Pittsburgh.

Mr. and Mrs. Anthony Mungello, daughter, in Pittsburgh, March 15. Father's an indie exhibitor in tri-state area.

Mr. and Mrs. Ed Schaughency, daughter, in Pittsburgh, March 24. Father's announcer at KDKA, Pitt.

Mr. and Mrs. Ned Weaver, daughter, March 18, at Greenwich, Conn. Father is New York radio actor. Mr. and Mrs. Roy Dodge, daughter, in New York. Father is dance director.

Mr. and Mrs. Willard (Buck) Seale, son, in Spokane, March 22. Father is manager of the Orpheum theatre, Spokane.

Mr. and Mrs. Lavance Westlin, son, in Spokane, March 25. Father is manager of the Rose theatre, Colfax, Wash.

Mr. and Mrs. Robert Clarkson, March 29 in New York, a son. Father is aide to general manager Bill Schudt at Columbia Transcription service.

House Reviews

Continued from page 41.

TOWER, K. C.

reminiscent of Eleanor Powell's work, and finishes with a fast "Darktown Strutters' Ball." Harding follows with his singing of "Hush on a Windy Hill" as a main entry and encores with the oldie "Just Friends." Harding has extra bit in a slanting ballet school, with Loretta Thornhill featured as the prissy teacher, and number got a full encore from the audience.

In closing spot Bee Ho Gray shows some skillful rope tricks and amusing comedy. He gets some aid from femme stooge, Esther, plunks out a cowboy hymn on an old-time five string bango, and runs on a genuine coyote to howl in derision at his whiney vocal for a close. Line is on briefly to end the bill. **Quin.**

EMBASSY, N. Y.

(NEWSREELS)

Dominating theme of the week's newsreels was the national defense, and while there's nothing spectacular about any particular item, the material is so documented that it gives a comprehensive and clear-cut picture of the all-out effort. Paramount's editors again take the palm with their pictorial summary of the effect of strikes have on these industrial efforts. The presentation is not only put forth with sharp and dramatic precision but it avoids any blench of fault-finding or impartiality.

Among other things the Paramount item introduces the various members of the War Relocation Authority, a board, offers Secretary of War and his dictum that "speed is the watchword" and the strikers cutting losses at the Bethlehem steel walkout and, turning to the brighter side of the pictures, reports the settlement of the Aluminum Co. strike and the no-strike pact signed between master painters and the painters international union. Somewhat unusual for this spot was lack of audience reaction, either pro or con, to the entire pictorial narrative.

Assigned No. 2 position in the week's celluloid recital is Wendell Willkie's recent Canadian visit and speech in Ottawa (Pathe). The speech itself for this spot was one in a big way as happened somewhat later with the Paramount report on the signing of the \$7,000,000 aid bill. Lord Halifax's assurance by way of Pathe that England would resist any invasion successfully follows the Willkie clip.

Other contributions to the defense canvas include Universal's clip on the induction of James Stewart, film star, into the U. S. Army, and a U. S. speed bomber in action, sooty women, smudged and all, driving Army trucks at Fort Sheridan, Ill., and Pathe's import from Hawaii showing that outpost in full military panoply. Pathe also accounts for a quickie of the Fifth Reserve division on review at Camp Center.

Aside from war and defense there's an impressive panorama of the recent U. S. Navy fleet, Fox's views of Earl Browder on his way to the penitentiary for passport fraud (Par), the destructions of 17 U. S. battleships in a booker of the postal authorities in San Francisco (Fox) and Broadway legit stars at work in behalf of British relief.

MARRIAGES

Iona Massey to Alan Curtis in Hollywood, March 26. Both are screen players.

Myrna Bay, with NBC music rights in Hollywood, to Al Compumate, with music production contacts, March 28 in Yuma, Ariz.

Abner J. Greshler to Vi Lewison, March 26, in New York. Greshler is actor.

Lillian Corsover to Sol Zalt, April 2, in New York. Bride is in the publicity department of WMCA, New York; he's on the staff of Billboard. "Ole" Watson to Jerry Dody, in New York, March 30. Bride is the daughter of Joseph K. Watson, of the Coogan and Watson vaude team; he's the son of Sam Dody, former burlesque dancer.

Esther de Werner to Lionel Royce, March 29, in Las Vegas. He's a film actor.

Janet Lavis to Richard Irving. New York usual. Both are members of the chorus of "Pal Joey," Broadway musical.

Milton Rosen and Everett Carter completed six songs for "Sing Another Chorus at Universal Numbers" are "Dancing on Air," "Two Weeks Vacation With You," "We'll Have a Good Time," "Boogie Man," "Yankee Doodle" and "We Too, Can Sing."

Vaude Helps Greeks

Continued from page 3

all affiliated theatres in the N. Y. area be asked to dispose of four tickets each at \$1-2-3-5, this maneuver resulting in \$12,000 of the potential capacity \$25,000 ticket sale. An additional \$10,000 was realized from the program.

Thus Vogel, John J. O'Connor, RKO's general manager, and Harry Brandt, who, with A. A. Hovell, composed the executive committee for the benefit, insisted the boxoffice, headed Marvin H. Schenck, former head Loew's booker and now Metro's eastern talent scout and general theatre exec, chairman, handle the entertainment committee and produced the show, and Leon Leondoff, M. H.'s producer, handled the stage direction of the benefit.

Dull First Hour

While the Greeks may have a word for courage, it's doubtful if they have one for the dull first hour of the Greek benefit. Slowness of Deems Taylor and lack of punch in the initial talent had the benefit floundering badly up to the end of the first hour, when the audience, which had been being lulled to sleep, from this point on the galaxy of stage and screen names was a good entertainment. It was significant that the S.R. audience remained roused to their seats from the opening American, Greek and Yugoslavian national anthems right to the "God Bless America" pageant.

From the standpoint of names, this benefit was superior to the recent British Relief event, which grossed close to \$40,000 at a higher scale. From the screen came Madeleine Kahn, Susan Hagan, Edna Lovett Young, for speeches, and Judy Garland singing, while the advertised Louise Rainer failed to show. Legit provided Vivienne Segal and Gene Kelly, (Pat) Joyce, singing and dancing bits; Philip Merivale topping a fine supporting cast in a sketch from "Valley Forge," Jane Cowl in an excerpt from "The Sign of the Cross," Betty Hunter, Hyman and Pat Harrington doing "Fresh as a Daisy" from "Pamela Hattie," Monty Woolley ("Man Who Came to Dinner") for an m.c. chore; Carol Beane ("Louisiana Purchase") singing and Irving Berlin medley; James Barton, first for a song-dance act on his own and then joining Taylor Holmes, Will Geer and Charles "Slim" Trimblin, all of whom have a song-dance act in "Tobacco Road," singing the "We're the Lazy, Lousy Lingers," specially written by Howard Dietz; Arthur Treacher in a bit from "Panama Hat," and finally, the show closing with a ring in view of the occasion, Raymond Massey doing the gripping farbre to Springfield address from "Abe Lincoln in Illinois."

Cafe Stars' Glick

Opera gave the show Grete Stueckgold and Nicolai Moscona, while the night club fielded the Carmen Amara (Beachcomber), whose flamenco dancing was a sharp click, and Danny Kaye (La Martinique and "Lady in the Dark"), with Sylvia Lee (Mrs. Kaye) singing and dancing virtually tied up the show. From radio came Major Bowes, as an m.c., and news commentators George Hamilton Coombs, Jr., as m.c. of this particular act; Johannes Steel, Major George Fielding Elliott, and Wythe Williams. Gabriel Heatter, H. V. Kallenborn and Raymond Gram Swing were advertised, but failed to appear, with Coombs, Jr. making a surprise and outstanding substitution.

Richard Rodgers was the music world's only representative, playing the piano for Benny Fields, who sang a medley of Rodgers and Hammerstein plus Fields, vaudeville also contributed J. C. Flippen, as an m.c., and can take partial credit for Ed Sullivan's "Daily News columnist, who introduced the last part of the show. The M. H. per usual, provided two clicks via his ballet and Rockettes, and royalty clipped in with the appearance of Archduke Felix of Austria, who made a short speech, the gallantry of the Greeks and how their resistance to aggression had given heart to all the peoples of Europe. Up ahead of him, and repeating his stint for the British show, managing director W. G. Van Schmus of the Music Hall made the opening address welcoming the audience.

Frem's Gross for Greeks: Entire proceeds of the world premiere of Republic's "His Hopkings" at the Fox St. Louis, April 2, will go to the Greek War Relief. In addition to Judy Canova and Jerry Colonna from the east of the picture, John Wayne, Ona Munson and others

will make personal appearances at the opening.

William Saal, special sales representative for Rep. is in St. Louis in charge of the details.

Call It \$125,000

Hollywood, April 1. Collections in California theatres for Greek war relief are nearing \$125,000.

Fox West Coast contribution is expected \$60,000.

Taxing Benefits

Continued from page 1

ment ruling, TA expressed itself as being in accord with the Government's stand, i.e., that at least some portion of monies garnered especially by war relief agencies should remain in this country.

Greek Shows Also?

On a scheduled hearing some time this week will depend whether the current Greek Relief drive for funds, sponsored by Spyros Skouras, should pay the 10% amusement tax on all the benefit stage shows involved in the drive, claimed to total at least \$250,000. Greek Drive's Amusement Division, chaired by Adolph Zukor, claims that its shows should be tax-exempt, having been arranged prior to the ruling. A. F. Waxman, who is running the campaign, which expects to raise \$1,000,000 and was topped by the big benefit at Radio City Music Hall early Saturday morning (29). This show grossed \$125,000, while one of the first free-ticket sale shows to \$10, with an additional \$8,000 or so being derived from program sale.

Another big Greek Relief Benefit is scheduled for tonight (Wed.) at the Civic Opera House, Chicago. Jack Benny coming in from the Coast especially to m.c.

Thus far there have been only scattered returns reported from the great number of special stage shows in the Greek Drive. In all there are 7,400 theatres participating, via lobby and audience collections, benefits and special screenings. The Poll, Hartford, for instance, got \$2,475 in the midweek stage show; the Palace, Meriden, \$633; 20 shows in Skouras' New York area averaged around \$1,300 each, a benefit at the Shrine, Minneapolis, got \$2,800; the show in Chicago, with auctioning off of film stars contributed personal articles, is expected to get around \$20,000.

Along with the Government, the Greek Drive is also ironing out a situation with Theatre America. Greek Drive signed with TA only after Harry Brandt ensured the deal, promising the actor union charity setup 10% of the grosses from benefit stage entertainment. The war relief agency, however, claims only 5% benefit performances, while TA claims the total is at least 10%. In fact, many instances actors were bicycled from one show to another, with the second performances not being counted.

Kenny Baker

Continued from page 3

cle, Baker insisting it was his right to refuse and theatre men saying it was his duty. Later finally resorted to threatening tactics, which would consist of bad reports on his behavior to Hollywood and bad word-of-mouth locally. Show finally went on without Baker.

In self defense, Baker said that he had willingly given his services at benefits many times in the past. Said that he had done the British War Relief and Canadian War Relief shows recently. Claimed that the end of a benefit show there isn't any thanks.

Told the local press, which played his side of the story, that four shows he had done, consisting of some 19 or 20 songs, plus the benefit, was too much of a strain on him. It was pointed out by his manager and accompanist, Leslie Maloch, that Baker had been forced to cancel several scheduled concerts because of throat strain caused by additional work at a benefit.

Local managers handling the affair were John Cohen, of Loew's Poll; Walter Lloyd, of the Allyn; Fred Greenway, of Loew's Poll Palace; James F. McCarthy, of the Strand; and Rudy Frank, p.a. of the State.

Pure Journalism

Chattanooga, Tenn., April 1. Tom Branham, Times Reviewer, almost scored with the shortest film pan on record here, writing: "Tobacco Road—Detestable!"

His managing editor, however, while considering it good, insisted that Branham stick to the who, where and why formula.

Bills Next Week

Continued from page 4

Kirk & Madelyn
Lolla Moya
Hotel Fort Pitt
Ken Baller
Johnny Mitchell
Jeanette Wheatley
Harry Walter
Irma Guthrie

Hotel Henry
(Silver Grill)
Billy Tracer
Nancy Davidson
Marjorie Davis
(Gay Room)
Paula Brown
Donna Williams

Hotel 17th Avenue
Rea Saunders
Iola Jola
David Hayden
Betty Donahoe
Evergreen Gardens
Red Clarke
Eddie Schaefer
Paula Brown

Hotel Roosevelt
Ted Blake
Owen Miller
Hotel Schenley
Billy Hinde
Ella Seaman
Bobby Baker

Hotel Van Pelt
(Chatterbox)
Nancy Davidson
Owen Miller
Marjorie Davis
Paula Brown
Donna Williams

Hotel Van Pelt
(Chatterbox)
Nancy Davidson
Owen Miller
Marjorie Davis
Paula Brown
Donna Williams

Hotel Van Pelt
(Chatterbox)
Nancy Davidson
Owen Miller
Marjorie Davis
Paula Brown
Donna Williams

Hotel Van Pelt
(Chatterbox)
Nancy Davidson
Owen Miller
Marjorie Davis
Paula Brown
Donna Williams

Hotel Van Pelt
(Chatterbox)
Nancy Davidson
Owen Miller
Marjorie Davis
Paula Brown
Donna Williams

Hotel Van Pelt
(Chatterbox)
Nancy Davidson
Owen Miller
Marjorie Davis
Paula Brown
Donna Williams

Hotel Van Pelt
(Chatterbox)
Nancy Davidson
Owen Miller
Marjorie Davis
Paula Brown
Donna Williams

Hotel Van Pelt
(Chatterbox)
Nancy Davidson
Owen Miller
Marjorie Davis
Paula Brown
Donna Williams

Hotel Van Pelt
(Chatterbox)
Nancy Davidson
Owen Miller
Marjorie Davis
Paula Brown
Donna Williams

Hotel Van Pelt
(Chatterbox)
Nancy Davidson
Owen Miller
Marjorie Davis
Paula Brown
Donna Williams

Hotel Van Pelt
(Chatterbox)
Nancy Davidson
Owen Miller
Marjorie Davis
Paula Brown
Donna Williams

Hotel Van Pelt
(Chatterbox)
Nancy Davidson
Owen Miller
Marjorie Davis
Paula Brown
Donna Williams

Hotel Van Pelt
(Chatterbox)
Nancy Davidson
Owen Miller
Marjorie Davis
Paula Brown
Donna Williams

Hotel Van Pelt
(Chatterbox)
Nancy Davidson
Owen Miller
Marjorie Davis
Paula Brown
Donna Williams

Hotel Van Pelt
(Chatterbox)
Nancy Davidson
Owen Miller
Marjorie Davis
Paula Brown
Donna Williams

Hotel Van Pelt
(Chatterbox)
Nancy Davidson
Owen Miller
Marjorie Davis
Paula Brown
Donna Williams

Hotel Van Pelt
(Chatterbox)
Nancy Davidson
Owen Miller
Marjorie Davis
Paula Brown
Donna Williams

Hotel Van Pelt
(Chatterbox)
Nancy Davidson
Owen Miller
Marjorie Davis
Paula Brown
Donna Williams

Hotel Van Pelt
(Chatterbox)
Nancy Davidson
Owen Miller
Marjorie Davis
Paula Brown
Donna Williams

Literati

Rio's Death Blow

New and drastic Brazilian press laws obliging all papers and magazines to be printed in Rio, have caused the death of several English-language publications in Rio de Janeiro, Santos, Sao Paulo and other cities. Among these is the Brazilian American, a weekly which devoted much attention to entertainment, his activities in Rio. The paper, which was born in Santiago, Chile, where founders were working for the U. S. Committee of Public Information. When in 1919 the Committee was put out of business because competition of its free cable service was feared by U. S. Press Association, paper's founders decided on a half-English, half-Spanish magazine. It got across in Chile, however, and paper was moved to B. A. and re-established as the River Plate American. This also flopped and the owners moved to Santos, Brazil, later to Sao Paulo, and finally to Rio, where it did extremely well. Paper had support of a majority of American firms and by 1922 had its own plant.

Time, Inc. and Guild Snag

Newspaper Guild and Time, Inc. management have hit an impasse on a flat 10% salary increase being demanded by the Guild. "T-11, being according to the Guild, to compensate for the increase in cost of living, is the principal demand in new contract being negotiated for employees of Time, March of Time, Life, Fortune and Architecture. Current pact expires April 25.

Rep. of mahatma Henry R. Luce told the Guild at a negotiating meeting last week that Time would not agree to the increase on any basis. Another Guild demand is for a modified closed shop. "It's strictly an open shop now, with about 500 of a potential membership of 800 in the union. Guild wants a provision that all new employees join within a reasonable period.

Moss Hart's Story Book

Moss Hart's sabbatical from playwrighting this year consists of doing a personal pronoun book, more of a commentary on the past decade's passing scene than a strict autobiography. The work is titled "Every-thing Happens to Me," the playwright will kiddingly review his decade in the theatre (starting with "Once in a Lifetime," his first play with George S. Kaufman).

Idea is for series of anecdotes, along the lines of the Gertrude Lawrence piece he did in the N. Y. Times recently, detailing the travails that went into finally signifying that "Yes, I'm in the Dark." Random House will publish in the summer or early fall.

Mark Barron Bedded

Mark Barron, drama critic and columnist at the Associated Press, has been ordered to bed by his physician. His condition is described as a recurrence of a jungle fever he contracted when covering the Iraq-Newman collapsed camp. His New York office recently after a particularly busy period.

Barron is wed to Erin O'Brien-Moore, film, legit and radio actress.

'Digest Rights' Claimed

"Digest rights," once unheard of, with increase recently in digest-type magazines have assumed great importance. As a result, agents selling material to mags are virtually all being ordered to bed by their physician. His condition is described as a recurrence of a jungle fever he contracted when covering the Iraq-Newman collapsed camp. His New York office recently after a particularly busy period.

Cosmopolitan for many years had an arrangement with Reader's Digest whereby the latter paid \$15,000 a year for rights to anything in Cosmo. Inasmuch as about one piece a month was picked up from Cosmo it was getting approximately \$1200 for stories for which it had paid as a rule no more than \$500. Hearsay mag management is now off, and though several publications said they would have some form of modified agreement.

Sam H. Harris' Biography

Simon & Schuster will publish the biography of Sam H. Harris, who, with Luther (Davis) and John Cleveland are fashioning now, as house-guests of the producer in

Palm Beach. Will be brought out the fall. Work on the book was interrupted by Harris' recent operation, which for a time took a serious turn.

Davis and Cleveland, relatively newcomers, have been doing pieces for Collier's and their "Mayor of 44th St."—a claquo-leader who cheers the live bandmen at the Broadway Paramount—was bought by RKO for pictures.

LITERATI OBITS

Harry F. Powell, 68, associated in various editorial capacities for more than a half-century on newspapers in Boston and Baltimore, died March 24 at his home in the latter city. Prior to becoming ill several weeks ago, he had been an active editorial writer for the Baltimore News-Paper. He was a long-time editor of the Paris edition of the N. Y. Herald Tribune until publication was suspended due to German occupation of the former French capital, died there March 26 after a long illness. A former Washington correspondent, he went to Europe in 1919 to cover the Versailles peace conference for the N. Y. Sun and in 1924 became editor and general manager of the European edition of the Herald-Tribune.

J. Allan Dunn, 65, explorer, author and lecturer, died in New York March 25 after a week's illness. He leaves his widow, Loyal Lee Sanford, an authors' representative.

Fritz Henriksson, author and journalist, formerly head of the press bureau of the Swedish Foreign Office, died in Stockholm March 30.

CHATTER

Steve Fisher sent his new novel, "Winter in Paris," to Dodd-Mead for publication.

Franklin Gregory, Phil Record rewriter, has sold a whodunit to Random House.

Sidney Marshall, Chicago radio writer, signed by Morrow for publication in the fall of his first mystery novel, still untitled.

Stuart Palmer's new book, "The Pavlov of the Happy Hooligan," Crime Club selection for the month, hits the stands April 5.

Street & Smith launching a new motion picture publication, "Your Motion Picture," with a new charm, with Elizabeth Adams as editor.

Frank Tresselt finished the first half of his book, "A History of American Music," which will be a Guide for Musical Research in Motion Pictures.

McGraw-Hill Publishing Co., Inc., New York, changed its capital stock structure from 750,000 shares, 100,000 preferred at \$50 par value, and 650,000 common at no par value, to 700,000 shares, no par value.

Allegany County District Attorney's office, has rejoined Pittsburgh Post-Gazette as assistant city editor, and William C. Fay, news-letters editor, has resigned to join Chi Trib's sports department.

Former Pittsburgh Post-Gazette music critic Harvey Gaul honored at citywide celebration of his 50th birthday, and proceeds of concert in which only his own compositions were played and sung, being used to establish several musical scholarships.

U. S. Weapon

Continued from page 1

by order of the Federal Court when Sherman Billingsly sued. The Bum and the spot have been in trouble with the Feds before. Benny was forced to shutter his Broad street spot because of failure to meet the Government's demands for payment of excise and amusement taxes on that spot.

The State Liquor Board is continuing its drive on after-hour holding, last week citing three spots for hearings before the board examiner. Nailed by the State agents were the 1323 Club, Park Casino and the Ridge Cotton Club.

The nitky boys are slaking their thirst for the repeal of the passage of a bill now pending in the Legislature which would allow them to keep open until 2 a.m. Sunday morning. Committee hearings on the measure, held last week in Harrisburg. It was opposed by Blue Sunday and anti-Saloon League forces.

Charlie

"King of the Saxophone"

BARNETT

- **3RD RETURN ENGAGEMENT—NEW YORK
PARAMOUNT—IN
11 MONTHS... THANKS
TO BOB WEITMAN
AND HARRY KALCHEIM
... CONCLUDING
CURRENT TWO WEEKS
APRIL 8th**
- **FLATBUSH — BROOKLYN
APRIL 10th**
- **WINDSOR — NEW YORK
APRIL 17th**
- **OPENING COLLEGE INN,
SHERMAN HOTEL, CHICAGO
MAY 2nd**
- **EXCLUSIVE VICTOR-
BLUEBIRD RECORDING
ARTISTS**

and his Orchestra

Exclusive Management

MUSIC CORPORATION OF AMERICA

LONDON • NEW YORK • CHICAGO • SAN FRANCISCO • BEVERLY HILLS • CLEVELAND • DALLAS

COMPLETE UNIT IN THE

SCREEN

RADIO

MUSIC

STAGE

VARIETY

Published Weekly at 154 West 46th Street, New York, N. Y., by Variety, Inc. Annual subscription, \$10. Single copies 25 cents. Entered as Second-Class Matter December 22, 1935, at the Post Office at New York, N. Y., under the act of March 3, 1974. COPYRIGHT, 1941, BY VARIETY, INC. ALL RIGHTS RESERVED

VOL. 142 NO. 5

NEW YORK, WEDNESDAY, APRIL 9, 1941

PRICE 25 CENTS

PLAYERS CLUB AIR SHOW

BMI Has Sold 1,165,000 Sheet Music

Broadcast Music, Inc., which celebrated its first anniversary last week, asserts that it has disposed of around 1,165,000 sheets of piano music within that time.

Following is how BMI reports the sheet sales of its top tunes:

'I Hear a Rhapsody'	190,000
'There I Go'	150,000
'You Walk By'	110,000
'I Give You My Word'	90,000
'So You're the One'	80,000
'High on a Windy Hill'	70,000
'It All Comes Back to Me Now'	70,000
'Practice Makes Perfect'	70,000
'May I Never Love Again'	60,000
'Wise Old Owl'	50,000
25 other BMI songs	225,000

Total

Of comparative interest is what three ASCAP firms did in popular music during 1939. Shapiro, Bernstein & Co. had a turnover of 3,000,000 copies; Bregman-Vocco-Conn, 1,750,000 copies; and Santily-Joy-Select, 1,250,000 copies. Total sales that year were estimated at 10,000,000 copies.

REORGANIZING OF ASCAP IS READY

New bylaws for the reorganization of ASCAP, as required under its consent decree with the U.S. Government, have been completed by the special bylaws committee and the data is now in the hands of the Society's general counsel, Schwartz & Frolich.

As soon as the lawyers have put the material into proper legal phraseology, ASCAP's prez, Gene Buck, will call a general meeting of the membership for discussion and adoption of the bylaws. Also to elect five new writer and six new publisher members to the board of directors.

Rio Nitery Clipping Eddy Duchin; 1st U.S. Name Band Booking

The Copacabana, Rio de Janeiro casino-nitery, is flying its first U. S. name band to the Brazilian capital June 13 from Miami, to open June 20 for eight weeks at \$5,000 a week. Eddy Duchin is the band. He closes in Akron, O., June 12, hence the enforced clipper route for the entire ensemble from the Miami airport.

Merriell Abbott Dancers (8) will be the only other unit at the Copacabana with Duchin.

Paging Hobby Lobby

Boston, April 8. Connie Love, Viennese nitery-horus girl, was formerly a glass blower in a carnival show and has all her equipment with her. In her spare time she blows ornamental figures for her colleagues in her line.

NAME-LOADED ACTORS, AUTHORS

Walter Hampden and Otis Skinner to Emcee Roster of Theatre's Who's Who—Not Charity Proposition; Club Treasury to Collect Profit

13-WEEK CYCLES

'The Players Theatre of the Air,' a packaged dramatic radio program based on star names in adaptations of stage plays and 'tryouts' as well as originals written specially for the series, has been put before sponsors by The Players, famous Gramercy Park actors club of New York. Besides offering some of the top actor names of stage and films, the series would have available the works and active co-operation of numerous well-known writers, composers, directors and conductors.

As tentatively set up, 'The Players Theatre of the Air' has several novel aspects. One would be that artistic control of the show would remain

(Continued on page 45)

JAS. ROOSEVELT'S FILM PROD. PLANS IN DOUBT

Whether James Roosevelt will continue in film production—at least in the near future—appears in doubt. United Artists is listing no pictures from him on next year's slate. President's son, who planned to the Coast Monday (7) after weekending in New York, declared he has no property in mind now as a picture possibility.

It was said, however, that this should not be taken as an indication of disinterest in future production. Roosevelt is serving as a captain in the Marine Corps. He recently took a leave of absence to undergo an operation from which he is now recovering. His initial film as a producer, 'Pot o' Gold' premeed last week at the Roxy, N.Y.

He leaves Thursday (10) from Hollywood for Mexico City to take in the 'Pot o' Gold' prem and spectacle.

Lynn Fontanne's Discs

An album of the first recordings ever made by Lynn Fontanne will be marketed next week by Victor Records. Miss Fontanne has out 'The White Cliffs of Dover' by Alice Duer Miller, inspired on three double-faced 12-inch Red Seal platters. Ronald Colman owns the film rights to the poem, high on the list of best selling poetry books.

Army Stage Shows Gain Momentum In U. S. Desire to Build Morale

R.A.F. Theme Song

Pittsburgh, April 8. Song written by Bud Hoffman for last year's University of Pittsburgh Cap and Gown show has just been adopted as the theme melody of an RAF bombing squadron, according to word recently received by tune's publisher, Thornton Allen. It is 'Goodbye 'Til Breakfast'.

Stage shows in Army camps throughout the U. S. are gaining momentum with the Government's realization that it must build and preserve soldier morale.

Legit shows may appear in Army camps sooner than anticipated and plans for such performances from an unforeseen source are claimed to be well formulated. Two laymen, identified as being officials in plants engaged in turning out defense and war materials, are the sponsors. Neither is familiar with show business, but are agreed that diversion for men in training is essential to camp routine and are said to be financing the proposed shows without thought of profit. Any money earned over expenses will be turned over to camp service activities.

Idea of private backing for shows was proposed by an 'Equity' commit- (Continued on page 44)

Met Op Grosses Record \$204,000 in Break Away From Shuberts in Hub

Boston, April 8. Metropolitan Opera Assn. broke all records of previous engagements here in the 10-day run which ended Saturday (5) at the Metropolitan theatre, grossing around \$204,000. Use of the firm house (4,387 seats) this season instead of the Boston Opera House afforded thousands of extra seats during the run and practically every performance was a sellout (except for a few \$6 pews). Annual luncheon of local sponsors last week clearly indicated the de-light over the experiment, which was precipitated by a disagreement about rental and other details at the Shubert-owned Opera House. Record take for similar run at the Opera House is said to have been around \$140,000.

Paul Draper's 100% Tap Ballet at Legit Scale

Paul Draper, chief exponent of the art, is formulating plans for a presentation of a 100% tap ballet to be played at legit theatre prices along the lines of the Ballet Russe. Bunice Healey and Betty Bruce, tap dancers, are being invited into the ballet motif, which will be in Draper's production, if and when.

'Abbott-Costello', Pic Title

Hollywood, April 8. 'In the Navy' was retitled 'Abbott and Costello in the Navy' to cash in on the two comics as result of their work in 'Buck Privates'. Picture rolled yesterday (Mon.) at Universal, with Arthur Lubin directing.

INVITATION TO CENSORSHIP OF PRESS?

The N.Y. Daily News, which was among the few U.S. dailies to 'break the story' of the arrival of the British battleship *Malaya* in N. Y. Harbor Sunday (6) for repairs at the Brooklyn Navy Yard, took cognizance of criticism the following day by Secretary of the Navy Frank Knox, himself a newspaper publisher (Chicago Daily News). N.Y. News, in an editor's note, explained that it printed the story and pictures of the warship anchored off Staten (Continued on page 44)

Swastika Sidewalk Ballyhoo Jams Ga. Theatre Manager

Dublin, Ga., April 8. R. H. Hightower, local Ritz manager, got himself into a peck of trouble last week and was fined \$5 in police court and given a 30-day suspended sentence for stenciling the Nazi swastika sign on streets and sidewalks in bally for sketched show- (Continued on page 45)

Metro's Record Advance Royalty of \$50,000 On Legit; Abbott to Do It?

George Abbott, it is reported, will direct and probably act as nominal producer for Metro of Frederick Hazlitt Brennan's new play, 'We Fought At Arques'. Metro on Monday (7) gave Brennan an advance royalty in excess of \$50,000 for the drama, astounding to Broadway as advance royalties are usually not in excess of \$500.

Brennan will share in the profits to the extent of 60%, usual author's (Continued on page 44)

Maurice Evans Is His Own Best Advance Man

Milwaukee, April 8. Maurice Evans, on tour with Helen Hayes in 'Twelfth Night', is trailblazing himself much in the manner of picture theatres. The Shakespearean star, on his Sundays off, flies to one of the towns he is to play later on, there to give readings (for a fee) from Shakespeare's works, whetting prospective playgoers' appetites for the blank verse drama. Proceeds of lectures go to British War Relief. For instance, Evans will fly here from St. Louis for a solo matinee appearance on Sunday, April 20, in the Davidson theatre, with the house sold from \$6c to \$2. Ten days later (April 30) he and Miss Hayes open an engagement at the Pabst theatre.

High Mass Pic Grosses \$16,000 in 2 Shows, \$3 Top

Chicago, April 8. Picture of the High Mass taken under the sponsorship of the Order of the Servite Fathers was shown for the first time last week in the Civic Opera House, tickets at \$3.30 top. In two performances picture, titled 'The Eternal Gift', grossed \$16,000.

America's Greatest Variety Attraction
EARL CARROLL VANITIES
Starring BERT WHEELER with HANK LADD
The Unit of Perfection! BUFFALO NOW — BOSTON NEXT

15 Best Sheet Music Sellers

(Week ending April 5, 1941)

Ampola	Marks
Wise Old Owl	BMI
Oh Look at Me Now	Embassy
Do It Worry	Southern
San Antonio Rose	Berlin
Walkin' by the River	BMI
Number 10 Lullaby Lane	Warren
Because of You	BMI
You Are My Sunshine	Southern
"Dolores" (Las Vegas)	Paramount
High on a Windy Hill	BMI
There'll Be Some Changes Made	Marks
Georgia on My Mind	Southern
Intermezzo	Schubert
Java Jive	Advance

*Filmsucal.

Ringling Show, Strong on Patriotic Theme, a Top Production Effort

By JACK PULASKI

Last year they talked about Ringling-Barnum & Bailey circus being streamlined, whatever that meant. This season they are billing the Big Top as having been restyled, which is somewhat more close to the fact. It is quite evident that during the winter the heads of the outfit have been masterminding ways of dolling up the Big Show and the circus is the strongest on production ever, plenty of money having been expended on a new pageant, costumes for all hands and a myriad of trappings. As new acts from Europe were virtually impossible to secure, it was logical to make the performance a sight show. Now it looks more a spectacle than a circus. Norman Bel Geddes designed most of the changes and innovations and through him emphasis is placed on color and lights. John Ringling North, top executive, worked with Geddes, and his brother, Henry (Buddy) North, has been one of the chief aides. Result is more Broadway in the Ringling show than heretofore.

Madison Square Garden, where the show will play four weeks, has been virtually transformed. The motif is blue, but the general effect runs to the combination of American patriotic colors. That is following.

(Continued on page 47)

LIONEL STANDER AS CBS SATURDAY SHOW

New half-hour comedy-drama series, "The Life of Riley," with Lionel Stander in the title part, premieres Thursday (12) morning at 10 o'clock on CBS. Robert Slocane and Leonard Berocvici are the authors, with Sidney Harmon supervising on the script. Marx Loeb is mentioned as possibility for director.

Slocane and Berocvici have each authored Broadway plays and various radio programs. The latter is currently author-director of the "Betty and Bob" recorded serial. Slocane's last stint was author-director of U. S. Army Air Corps programs over WHN and WMCA, New York. Harmon directs "Honest Abe," Saturday morning series about Lincoln, on CBS, and recently sold two originals to Hollywood.

Jessel's Chi Musical

George Jessel is reading a new musical, tentatively titled "High Kickers," scheduled to open in Chicago in August. He will star therein and is currently dickering with Sophie Tucker, Chas. Chase, Sarah Anne McCabe, Yorke and King and others for the cast.

Book is based on a story by Sid Silvers.

Jessel Enterprises, Inc.

Albany, April 8. Jessel Enterprises, Inc., has been chartered in New York City stock \$50,000, \$5 par value. Directors are Sam Carlton, 309 West 57th street, and attorneys Martin J. Desmond and Ruben Schwartz, 1501 Broadway, N. Y. City.

NUGENT'S NEW PAR DEAL

Hollywood, April 8. Elliott Nugent inked a contract to direct three pictures for Paramount after he finished his present job, "Nothing But the Truth."

Deal spaces the pictures over the next two years.

Buildup Goes On

Hollywood, April 8.

Memory of Warner players called to military service is to be kept alive among film fans. Studio publicity department will plant copy about draftees wherever possible so that way will be paved to their return.

ANN PENNINGTON CAN BE RICHER BY \$9.50

Albany, April 8.

Dancer Ann Pennington has failed to cash a \$9.50 check, refund on her 1933 state income tax, N. Y. State Comptroller Morris S. Tremaine announced in Albany.

She is one of 200 persons who have not cashed income tax refund checks, ranging from 20c to \$300, and she has only until April 30 to do so.

N. Y. to L. A.

Robert Buckner.
Merian C. Cooper.
Bette Davis.
Herbert Drake.
Howard Dietz.
C. S. Forester.
Richard Halliday.
Mary Martin.
Arthur Mayer.
Ed Pasky.
James Roosevelt.
George J. Schaefer.
Murray Silverstone.
Howard Stern.
Teresa Wright.

SAILINGS

April 5 (Los Angeles to Honolulu), P. J. Wolfson (Lurline).
April 4 (New York to Los Angeles), Mr. and Mrs. Arch Oboler (President Garfield).

Spyros Skouras 'Disappointed' At Non-Greeks' Support of War Fund

OSCAR CREDIT

Denied Credit on Academy Winner, \$50,000 Suit Charges

Los Angeles, April 8. Jack O'Donnell, writer, demands \$50,000 because a couple of other fellows got an Academy award for the Paramount picture, "Arise My Love," which he claims he wrote. Suit filed in Superior Court, is directed against Paramount, which bought his yarn in 1936 for \$3,000, he declares, with the understanding that he would get screen credit.

Instead, the action charges, the credit went to Benjamin Glazer, and John S. Toldy (a non-de-plume), which he claims he wrote the best original story.

Geo. Fisher's Unit

Hollywood, April 8.

George Fisher, film air gabber, goes vaude touring in July with a group of film players.

Route will be through the mid-west and east.

LAHR TO H'WOOD FOR 'DUBARRY', 'HATTIE'

Hollywood, April 8.

Bert Lahr is slated for two pictures in Hollywood this summer, one at Metro and the other at Paramount.

First "Dubarry" Was a Lady on the Culver City lot and second is the Far film version of "Panama Hatlie."

London Personalities

Beam by DX on U.S.A.

Next Monday, Tuesday

"Starlight" series of shortwave radio entertainments to the U. S. from the British Broadcasting Corp. (nighly at 8:15 EST on 11.75, 9.58 and 6.11 megacycles), will include two programs of special theatrical interest next week. They are:

Monday (14th)—Players of S. N. Behrman's "No Time for Comedy" at Haymarket. London, in interviews and excerpts. Included will be Diana Wynyard, Rex Harrison, Lilli Palmer, Elizabeth Welch, (Behrman donates his London royalties to Red Cross).

Tuesday (15)—Stunt quiz with Beatrice Lillie, Harriet Cohen, Joyce Grenfell, Carroll Gibbons, Manning Sherwin and the Countess of Jersey (Virginia Cherrill, of Hollywood).

Merian C. Cooper Back

With 'Eagle Squad' Data

Merian C. Cooper returned to New York yesterday (Tuesday) aboard the Dixie Clipper from Lisbon and planned right out to the coast. He came back to the United States from two months in England where he was gathering material on the Eagle Squadron, organization of American flyers now serving with the RAF.

Material will be used as basis for Walter Wanger's film, "The Eagle Squadron." Cooper, in addition to his film production and writing activities, is a flyer.

L. A. to N. Y.

Mort Blumentstock.
Leo Devaney.
Frank Donovan.
Douglas Douglas.
Herbert Drake.
Happy Felton.
John C. Flippen.
James J. Geller.
Arthur Kelly.
Gregory La Cava.
Cal Leserman.
John MacDonald.
Ed Pasky.
Ray Milland.
John Nicholson.
George Repp.
Tom Revere.
Stuart Robertson.
J. Robert Rubin.
Phil Ryan.
Sam Schneider.
Graciell Sears.
Herbert T. Silverberg.
Nate Spingold.
Sidney Strotz.
Dan Topping.

THE BERLE-ING POINT

By Milton Berle

Hollywood, April 8.

Was Toastmaster at the Jackson Day Dinner here. Postmaster-General Walker didn't have enough money to tip the waiter, so he put the man's picture on a new 3c stamp.

Dorothy Lamour and I were guest-stars at Ciro's Sunday night. The bar was so crowded people had to drink sidecars sideways. When my freckles get together, will I have a tan!

Bought a new 1941 Cadillac. It's built so close to the ground, the only way you can get into it is to come up from a manhole.

Jack Oakie is very happy—he struck oil yesterday. Was riding in his new car and ran into a gas station.

John Payne and I went to the Brown Derby yesterday and had quickie producer's lunch—six phone calls and a cup of coffee.

Finally hung my picture in the Brown Derby. It's nice of them, but I don't like the caption: "Berled Ham."

Broadway Dept.

Sherman Billingsley wires that the Stock Club has a new innovation. They have trained goldfish in the fingerbolls so they can bite off your cuticles.

Harold Minsky saw the picture, "Arise My Love," and went out and sent his girl a dozen cakes of Fleischmann's yeast.

Alexander Woolcott asked George Kaufman, who was coming out of a theatre, how he liked the show. George replied, "I wouldn't say the show was bad. Go and see it—but go quick!"

Wall Street has a stock exchange, cotton exchange, coffee exchange—and 64th street has its old-joke exchange.

Pete Wells, president of the Actors Union, won't eat alphabet soup unless it spells A. A.

Joels Shorr is trying to manage a wrestler who has been thrown out of the ring so many times he has 300 flying hours in his credit.

Hollywoodiana

Orson Welles has just signed a new contract to make a picture not to be released this year, with an option for two pictures not to be released the following year.

Louis Shurr has a new racket, smuggling comedians into Bette Davis' pictures.

Saw "Fantasia." What's Walt Disney got that Frank Buck didn't bring back?

Not that Jimmy Stewart has been drafted, his stand-in is thinking of suing the Government for non-support.

Harry Joe Brown has a racehorse who is so conceited he puts on makeup in case of a photo finish.

The real reason why China opened the Burma Road was to give Paramount a chance to use advance publicity on the next Bob Hope-Bing Crosby picture.

Buddy DeSylva has three smash hits to his credit and a big Paramount job. I've written a new song called "DeSylva Treads Among the Gods."

Music Dept.

Do you think BMI songs will bring back Paper-Tearing acts?

The music business is at such a standstill Irving Mills is shelving the words in place of songs.

Big-hearted Richard Himber opened at the Palladium and as souvenirs gave away cigars—one puff and you write love letters to Broadway Rose.

Radio Dept.

Dennis Day likes Hollywood so well he's decided to settle here—10c on the dollar.

A certain radio comedian has so many gold teeth that Death Valley Scotty staked a claim on his mouth.

Heard a band on the air the other day that played "There I Go" so badly the sponsor sent the leader a travel folder.

There's No Truth to the Rumor That Bing Crosby bought his horses open-toed shoes for the Easter holidays.... That Leon and Eddie were found sleeping on their cash register after a big night.... That Oscar Levant loaned his I.Q. to Maxie Rosenbloom for an after-dinner speech.... That Olsen and Johnson are splitting—their second million.

Hangnail Descriptions

Betty Grable: Hear. Ratf-sody.... Alice Faye: Harris in the Spring.... Fred Astaire-Rags Ragland: Nijinsky-Minsky.... Cesar Romero: Roseland Romeo.... Hedy Lamarr: Tall, Dark and Thensome.... Bela Lugosi-Peter Lorre: Gruesome twosome....

Observations

Hollywood has its own menagerie: Leo the Lion, Mickey the Mouse, Donald Duck and the Wolves at the Brown Derby.

Earl Carroll says the most beautiful girls in the world come from Hollywood.... George White says they come from New York.... And I say the most beautiful girls in the world come from the Maternity Ward.

Years ago my brother didn't have a cent in his pocket. Today he has a cent and no pocket.

Eavesdropped at Coconut Grove: "I don't mind you calling me a rat—Mickey Mouse is doing ok."

Eavesdropped at Radio Room: "She's as pretty as a picture—a B-picture." Eavesdropped at Tropics: He got tired of living alone, so he adopted a snake.

Definition: B-picture: Eight reels in search of an audience.

There's a hamols out there who is so conceited he has a stand-in for his X-Ray pictures.

Whatever Became of... Charles Olcott and Mary Ann Greenway.
William Ebbs.
Evans & Perez.
Donovan & Lee.
Schicht's Manikins.

Afterpiece

It's funny. When you're in pictures you want to be in vaudeville. When you're in vaudeville you want to be in pictures. Doesn't anybody want to be in opera?

Would-Be Suicide May

Have Been in Show Biz

Detroit, April 8.

Police here were trying to trace the identity of a blonde, about 27, who inquired about theatrical rates and then registered at the Detroit hotel under the name of Toby Lee. She was in a serious condition after taking overdose of sleeping tablets and slashing her wrists with a razor. She was found nude in the bathtub in her room. She left note addressed to "Birdie" and in it worried about her dog, Ike, asking it be given a good home.

Farwell note wound up with request to be cremated, and "this will for the National A.A.U. contests in Boston and a host of the town's re-long, old top, old kid, old thing." The note was unsigned.

COL'S ASTAIRE FILM

A \$1,000,000 BUDGETER

Hollywood, April 8.

Columbia is figuring on a \$1,000,000 budget for Fred Astaire's musical, "He's My Uncle." Cole Porter is writing the score and Bob Alton, choreographer for Broadway musicals, will collaborate with Astaire on new routines.

Sidney Lanfield directs with Rita Hayworth the femme lead.

RKO is also after Astaire for a straight role, music dancing. Story is being prepared by Ben Hecht.

Gene Tierney as Belle Starr.

Hollywood, April 8. Gene Tierney gets the most tested part of two-gun Belle Starr at 20th-Fox.

Film is to be made in color.

SUNDAY LEGIT HELPS B'WAY

N.A.B. Studies Oscars for Radio

National Association of Broadcasters is studying the system of the Academy of Motion Picture Arts and Sciences preliminary to possibly adopting a similar set of awards for the radio industry. The N.A.B. apparently proposes to restrict the nominating of candidates and the actual voting for annual award winners to those engaged within the broadcasting industry, which is the arrangement that prevails for the film awards.

The mechanics of nominating and balloting will be so arranged as to embrace the widest representation of executives and workers in the industry.

New Law Curbs N. Y. Mgrs. From Barring Critics; Debate Cites Shuberts

Albany, N. Y., April 8.

Among the welter of new bills passed by the N.Y. legislature before it disbanded last week and sent to Governor Lehman for signature is a measure that prohibits managers from barring drama critics if they hold tickets. The bill was introduced by Irwin D. Davidson, assemblyman from New York, who fought unsuccessfully to have a similar law enacted last year.

Broadway showmen evidently were not aware of the bill. In the past few managers have barred reviewers. The Shuberts have indulged in that practice now and then, when annoyed by adverse notices and currently there is one columnist to whom courtesies are not extended by them, Leonard Lyons on the N. Y. Post.

Shuberts were mentioned during debate on the bill and their row with Alexander Woolcott, when he was critic for the N. Y. Times was cited. Some showmen also in later years (Continued on page 46)

ILLNESS HITS SEVERAL BROADWAY SHOWMEN

A wave of illness has put a number of persons out of action within the past two weeks on Broadway, those affected being mostly on the executive end rather than in acting ranks. Brook Pemberton is ill at home, but reported virtually recovered from pneumonia. Last year he was hospitalized for an extended period with a virulent type of the same ailment.

Harold Kaufman, showman and ticket broker, was operated on at the New York hospital Friday (4) and an intestinal growth removed. His condition is reported "as well as could be expected." Patient was given several blood transfusions before taken to the operating room.

Dixie French, general manager for John Golden, is under treatment at his Bayides, L. I., home. He is being given injections for a glandular irregularity. Kermit Bloomer, general manager for Herman Shumlin, was downed with a streptococci throat but was on the job last week. Al Golden, of the A. L. Berman office, is in the Bronx hospital for an appendectomy. Al Rosen, Loew's State manager, who was seriously ill last year, is again under the doctor's care but has been at the theatre for limited periods daily.

Al Knight, who operated the elevator to the Shubert offices for more than 20 years, suffered a nervous collapse, a well-liked colored man being removed to the Roosevelt hospital.

Lombard Demands Own Directors on RKO Deal

Hollywood, April 8.

Carole Lombard and George Schaefer have been making passes about a new contract at RKO and nothing has happened except a clinch about directors. Studio has several stories on hand but actress wants to be piloted by Gregory La Cava or Alfred Hitchcock.

Meanwhile, Miss Lombard is said to be willing to work at Columbia if that studio will hold back the starting date on "Bedtime Story".

TIMES SQ. INFLUX AID TO CINEMAS

Class Trade, If Disappointed, Sees Pix, or Takes in a Feature, Before or After—Mild Dent on Nabs, But Not Enough to Matter

5 MOS.' FINDINGS

Broadway filmhouse managers now believe that, after exactly five months of Sunday legits, they have helped the picture b.o.'s except in the neighborhoods where there may have been a slight dent in business.

In the downtown Times Square sector the theory is that the average persons drawn to the legits are not film fans ordinarily but figured that a certain group attracted downtown by legits, and unable to get in, go to a legit instead in order to kill the evening. Managers note that a sprinkling of a different type of theatergoer is being drawn to the film showings on Sundays, some of these no doubt being among persons unaccustomed to buy tickets to the legits they want.

It is also believed that some come into town earlier for the legits and knock off a picture show first, while others, observation would indicate, come into some of the film houses for the last run of the feature after they have attended a legit.

So far as the better-class nabes are concerned, it is felt they may be losing some Sunday business because people go downtown and are thus lost.

On the other hand, all film houses stand to benefit some from the fact that legits giving performances on Sundays are closed down Mondays, while one gives no Thursday show. Legits on the Sabbath started Nov. 10. Of recent weeks the number giving matinees has run from six to a total of eight last Sunday (6), while in the evening it has been 10 to 12, not including several benefit performances.

COMIC MET BASSO'S \$5,000-A-WEEK IN PIX

Salvatore Baccaloni, comic basso of the Metropolitan, has been signed to a contract by Jules Levey to play a lead in "Hold On to Your Hat." Baccaloni will receive \$5,000 weekly on a four-week deal.

He starts work in June or July in the picture, and will then go to San Francisco to appear in "Barber of Seville" and "Daughter of the Regiment".

Ted Lewis, Andrews Sis Added to A. & C. Film

Hollywood, April 8.

Scenes costing around \$25,000 are being tagged on to the recently completed Abbott-Costello film, "Oh Charlie at Universal." In the new Charlie will be Ted Lewis' band and the Andrews Sisters.

Studio decision to build up the picture is prompted by boxoffice response to Abbott and Costello's "Buck Privates".

Upon completion of "Oh Charlie" Lewis will make a two-reel short at Universal.

Anna Held, Jr., Closing Inn

Anna Held, Jr., is giving up the inn at Peckskill, N. Y., which she operated and where she exhibited many relics of her mother's heyday. She's going to the eastern shore of Maryland to live.

Inn, on 10-acre plot including swimming pool and skating rink, is for sale.

Unofficial Opinion Is That U. S. Has Yet to Prove a Criminal Case Against Schenck and Moskowitz

SOS Enables Hitchhiking Playright See Own Play

Fort Worth, April 8.

George D. Batson, former bus boy of New York, got the thrill of a lifetime last week, when he saw on the stage for the first time his own play, "Treat Her Gently".

It was the third presentation of the show, the two previous ones being at Amarillo, far into the Texas Panhandle, but Batson couldn't make it to Amarillo. Press agents said he was en route to the Texas town by airplane. Actually he was hitchhiking, or attempting to. When he failed to get a hitch near Baltimore, he wired Harold J. Kennedy, one of the producers, who sent train fare to Fort Worth.

Whorf Goes to WB; Will Familiarize Self With Prod. Technique

Richard Whorf, actor-scene designer with Thier, Shall Be, No Night, goes to the Coast on an actor-director deal with Warners when the show closes May 4 in New Haven. Contract hasn't been signed, but Whorf has been notified he's going and is planning to leave May 5 with his wife and three children.

Only uncertainty is over the question of what his first picture will be. He is to have been in "King's Row," but that is already in preliminary production, so the studio is now seeking a part for him in a subsequent film. Deal calls for him to do camera work, cutting and otherwise familiarize himself with various production angles so he can take over direction assignments at the end of about a year.

Besides playing one of the leads in "Night," Whorf designed the sets for the show. He has been associated with the Lunts on every production for several years. He has directed and done the settings on various other legit plays and several seasons ago appeared in one film, "Midnight," with Chester Erskine. "Night" is laying off this week, but resumes its tour next Monday (14) at the Forrest, Philadelphia.

CONEY ISLAND DRAWING SHOWMEN FROM B'WAY

Coney Island, which, despite the hoopla of the N.Y. World's Fair in 1939 and 1940, came out very much more in the black than the highly publicized "Flea" in Flushing Meadows, is hopping on the bandwagon this year with extra showmanship in the belief that the Brooklyn beach, more than ever, is a surefire attraction.

A number of legitimate actors and showmen are in the Coney Island scene, this season with fancy wrinkles, floor shows, intimate cafes and nighteries, and not merely as side-showmen.

Monte Prover, Ben Rubin, who was with Mike Todd at Gay New Orleans, Bill Miller, Billy Jackson, Will Morrissey and others will be at Coney this summer. Part of the ballyhoo now tags Luna Park as the "World's Fair of 1941," predicated on a moveover of some features formerly at the N.Y. expo.

Versailles, N. Y., Books Sablon, 'French Crosby'

Jean Sablon, the French Bing Crosby, has been set for the Versailles, New York nitery, opening May 15 for two weeks.

Last appearance by Sablon in N. Y. was in "Direct of Paris," the French varieties star then going to South America.

With five weeks already consumed, and at least two more to go, court observers are reported to be inclined unofficially to the view that the Government's trial in New York of Joseph M. Schenck and Joseph H. Moskowitz has thus far failed to conclusively prove criminal intent. The 20th-Fox chairman of the board and the company's eastern representative are charged with defrauding and conspiring to defraud the U. S. out of \$412,000 in income taxes. At best, according to these onlookers, Government counsel Mathias F. Corra has made out a case, and even this may be weakened by a brilliant defense, as already indicated by Moskowitz's clear-cut testimony to date.

While it is felt that the court procedure has thus far uncovered few "sensational" angles to the detriment of Schenck and Moskowitz, the general public can't be kept to that because of the way some dailies have "circused" the story.

On Broadway, among certain showfolk, there's been some anti-Schenck talk, but that hasn't been coming from any intimates. "Latter have been wholly sympathetic and point to Schenck's general good-fellowship and philanthropy as bellying the Government's charge that Schenck would defraud anybody. The latter doesn't logically tie up (Continued on page 47)

ZANUCK INCEPTS NEW PACT AS 20TH HEAD MAN

Hollywood, April 8.

Back from his Sun Valley vacation, Darryl F. Zanuck started work under the new contract he signed last autumn, continuing as v.p. in charge of production for five more years.

His first chore was to supervise the cutting of "Band of Sand," Tyrone Power starrer.

TRADE MARK REGISTERED
FOUNDED BY SIMS SILVERMAN
Published Weekly by VARIETY, Inc.
415 West 41st Street, New York, N. Y.

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

Vol. 142 No. 5

INDEX

Bills	40
Chatter	45
Exploitation	8
Film Booking Chart	18
Film Reviews	16
House Reviews	39
Inside—Legit	42
Inside—Orchestras	34
Inside—Pictures	20
Inside—Radio	22
International News	14
Literati	41
Legitimate	41
Music	45
New Acts	36
Night Clubs	36
Night Club Reviews	36
Obituary	46
Orchestras	32
Pictures	4
Radio	21
Radio Markets	24
Radio Reviews	30
Unit Reviews	38
Vaudeville	36

VARIETY RADIO DIRECTORY
(Published in N. Y. annually)
Unit Reviews..... \$10
Daily Variety
(Published in Hollywood by Variety)
\$10 a year—\$12 foreign

HAYS' S. A. PIX WORRIES

Selznick and Korda, Among Other UA Producers, Not 100% in Accord With Kelly's Proposed Sales Plan

New United Artists sales plan advocated by Arthur Kelly, v.p. in charge of distribution, is understood to be meeting with not quite unanimous approval of the producers. Kelly's failure to return to New York from the Coast on Monday (7) as scheduled, after several weeks in Hollywood endeavoring to sell the idea to the producers, is said to have been the result of the disapproval of the plan by several members of the UA stable whom the sales chief still hopes to sway.

Delay in getting this unanimous approval, it is understood, will likely cause postponement for a week of UA's regional conventions which had been announced to start with a huddle in New York next Monday (14) and Tuesday.

Kelly's scheme envisages selling most of the UA output on a sliding scale basis. He is said to see in it a major step toward exhibitor good will, and a more equitable payoff to the producers. They'll get percentages commensurate with the proven quality of their films.

What several of the producers object to, among them David O. Selznick and Alexander Korda, is said to be Kelly's plan to limit to two pictures the allocation in top or 40% bracket. Majority of the producers are hoping that the dissenters can be persuaded to go along on the plan.

Not Blockbooking

They make it plain that the new system is not blockbooking, as the company has generally sold pictures individually. Idea is to give the exhibitor a minimum product assurance without making him feel that he is buying a package of UA pictures.

New Kelly plan is said to resemble that of Metro. Percentages for important films are fixed in advance of sale, but on performance. First step is determination of a house's overhead including film cost (done by a formula) and then for all gross over percentage goes up or when under it goes down. Not all deals are made this way, however.

Attorneys Checking Plan

Hollywood, April 8. Arthur Kelly, United Artists sales chief, said yesterday (Monday) that nothing definite has been done yet on the new sales plan, as attorneys are still checking various phases for each producer. He said he hoped to have a concrete plan acceptable to all producers before leaving for New York.

UA chieftain Murray Silverstone arrived here yesterday from New York for confabs with Kelly and UA producers on product to be announced at the series of regional sales conventions scheduled to start shortly. After conferring at her home with UA-owner Mary Pickford this morning (Tuesday), Silverstone went into session with the producers.

He also will talk to John M. Stahl concerning group picture deal financed by Stahl and released through UA. Similar proposal also may be made to Clarence Brown, whose Metro contract recently expired. He rejected an offer by Bill Shapiro in New York a few weeks ago to produce a film co-starring Mae West and John Barrymore.

METRO'S 'DESERT SONG' REMAKE WITH EDDY

Hollywood, April 8. Metro is understood to be making a deal with Warner Bros. for remake of 'The Desert Song.' Latter studio planned to make the operetta, but called off tests when Metro showed interest.

It is slating Nelson Eddy for the pic.

Can't Take It, Eh?

Hollywood, April 8. Studio exec, recently lunched, got a taste of his own medicine and plenty of taunting from former underlings whom he had given a routine deal in firing previously. Many of them called him up, chiding him, 'Well, how do you like it?'

Exec was forced to have his phone number changed to a private listing.

Now They Blame Bad Pix Titles As B.O. Scarers

Philadelphia, April 8. Philly exhibs are making their periodic beefs against inane pix titles. They claim that much good product is falling by the wayside because the customers are scared away by the names on the marquee.

Pointed out as examples of pictures that keep away patrons are: 'Under Age,' 'Break the News,' 'Hurry, Charlie Hurry,' 'Sleepers West,' 'Double Date,' 'Here Comes Happiness,' 'Reaching for the Sun,' 'Meet the Champ,' 'The Great Nobody' and 'Inspector Goes to It.'

'How can they expect people to pay out good money to see pictures with names like that,' wailed one veteran exhib. 'Some of these films are good entertainment but you couldn't bring anyone to the theatre to see for themselves with titles like these. They spend lots of money making a picture, then lose things up with a title that keeps people away from the boxoffice.'

20TH-FOX TO PICK 12 DIRECTORS APRIL 15

Stockholders of 20th-Fox are scheduled to elect 12 directors at the annual meeting scheduled for next Tuesday (15). Those nominated for directorate posts are Joseph M. Schenck, Sydney Towell, Seton Porter, Hermann G. Place, William P. Phillips, William C. Michel, Sidney R. Kent, Felix A. Jenkins, Daniel O. Hastings, Wilfred J. Eadie, John R. Dillon and H. Donald Campbell.

Corporation proxy statement indicates that the extent of ownership by various directors. For instance, it cites that H. Donald Campbell and Hermann G. Place are officers of the Chase National bank of New York and that on March 1 this bank was the beneficial owner, directly or indirectly, of approximately 231,157 1/24ths shares of common and 871,915 6/12ths shares of preferred of 20th-Fox (approximately 33 1/3% of the presently outstanding held in various trust accounts in an aggregate of about 1,000 shares of common and 450 shares of preferred of the corporation).

Proxy statement also reveals that Joseph M. Schenck owned 110,042 15/24ths shares of common and 8,783 9/12ths shares of preferred. That Darryl F. Zanuck held 62,128 12/24ths shares of common and 1,945 6/12ths shares of preferred. That William Goetz held 178,342 15/24ths shares of common and 55,283 9/12ths shares of preferred. Additionally, there were 30,000 shares of common held in certain irrevocable trusts for the benefit of members of Zanuck's family. The approximate aggregate holdings of Schenck, Zanuck and Goetz are 19% of the presently outstanding voting stock.

RUSHES TO COAST ON LABOR ALSO

'Billy the Kid' and 'The Outlaw' a Couple of Problem Children to the Purity-Seller — Hughes Pruning the Latter

DIVERS SQUAWKS

Will Hays' sudden departure for the Coast late last week was linked with labor disputes in the studio and trouble over 'Billy the Kid' and 'The Outlaw.' No Haysian purity seal had been issued the latter up until early this week, according to information in N. Y. Also reported that the Motion Picture Producers & Distributors Assn. production code officials were not satisfied with the completed version of 'Billy the Kid,' with assurance of the fact reportedly held in abeyance until revisions are made.

While any appeal from the PCA decisions must be made direct to MPDPA directors, Hays is reported as anxious to smooth out difficulties at the source if possible without going to the extreme of having an appeal made.

Recent action of the Hays office directorate in pleading support to Joseph I. Breen, who has discussed the need for more rigid observance of the MPDPA code, indicates that the directors would back up the Production Code staff. Theme of the two pictures in question are reported similar and required brushing up the rough edges in both instances.

Spoliating a Decollete

Hollywood, April 7. Howard Hughes is pruning scenes in 'The Outlaw' held objectionable to Hays office purity seller. Nix was put on shots showing Jane Russell's groin cut too low in front.

San Antonio Groups Beef on 'Immoral' Pix

San Antonio, April 8. Protesting that this city's method of motion picture censorship is 'impractical and ineffective' a delegation of 30, headed by Floyd D. James, local attorney, asked the city council Thursday (3) for passage of stricter censorship ordinances and creation of a censorship board. The same group appeared before the council on March 13 for a similar request and were referred to the city's legal department.

The delegation listed several pictures recently shown here which they considered 'immoral, irreligious and unpatriotic.'

James listed 'Strange Cargo' and 'Philadelphia Story' as immoral. 'If we don't have an ordinance to protect ourselves, we will continue to be subjected to unpatriotic, immoral pictures and the flunks and duds of the motion picture industry.' The Hays method of censorship is lot of bunk, stated James. He also called 'Tobacco Road' and 'This Thing Called Love' as objectionable.

Mayor Maverick and the council informed the group that they would take the matter and study it.

'DuBarry' Nixed, 'Eve' OK

St. Paul, April 8. Local Legion of Decency, headed by Rev. Rudolph G. Bandas, wound up with a 500 battling average this week, banning a musical comedy and failing to ban a flicker.

In nixing 'DuBarry Was a Lady,' Axel Peterson, commissioner of education who winds the big stick because roadshows play the Municipal Auditorium, under his aegis, kept a St. Paul-born star from trotting her talents before the home folks. She's Frances Williams, born Frances Jelinek, who was to have appeared in the 'DuBarry' title role. Her

RKO Exec Realignments Include Mallard, Donovan Resignations; Nolan, Youngman, Ullman Shifts

Keep Us Clean!

Hollywood, April 8. War widened Hollywood's leeway in depicting foreign heavies, but American professional groups are exerting pressure against villainous portrayals of their members. Motion Picture Committee on the Portrayal of Lawyers is keeping in touch with the Producer Code Committee to soft-pedal felonious attorneys on the screen.

Medical associations are doing the same for doctors and other professions are busy along the same lines.

Two resignations and a number of switches in personnel of the RKO-affiliated companies have followed a meeting of the board last Friday (4). Those leaving the outfit are William Mallard, v.p. of RKO Radio and general counsel, and secretary of Radio-Keith-Orpheum, and Frank R. Donovan, operating head of RKO Pathe News, Inc.

George Schaefer, president of Radio-Keith-Orpheum, the parent holding company, as well as of RKO Radio, the picture producing company, has added to his titles the position of chairman of the board of the latter organization. Post had previously been held by Richard C. Patterson, Jr.

J. J. Nolan, Ex-V.P.

J. J. Nolan, v.p. in charge of production of RKO Radio, lost that title and became an assistant secretary of the corporation. His salary and status will remain the same, however, as he continues to be Schaefer's liaison man in the studio. In addition to acting as coordinator between Harry Daxington, Lee Marcus and the indie production units, Change in title results from Schaefer's determination to spend more time on the Coast and keep a personal eye on production.

Gordon E. Youngman, member of the legal department and assistant secretary of Radio-Keith-Orpheum, becomes general counsel of the corporation, succeeding Mallard. He also succeeds to Mallard's place on the RKO Radio board.

J. Miller Walker, likewise a member of the legal staff and an assistant secretary of Radio-Keith-Orpheum, becomes secretary of that corporation, succeeding Mallard.

Frederick Ullman, Jr., returns to Pathe News as operating head following Donovan's departure. Ullman left the post for transfer to a producership at RKO on the Coast about a year ago. Ullman's recall again places him in charge of both newswell and shorts production for Pathe.

There was no explanation from the company for the series of shifts. It is well known, however, that Schaefer and the board have been struggling to bring the entire RKO setup to peak efficiency and earning power after the bad years the companies went through while under 775 reorganization. Switches, it is said, were in the interest of efficiency.

Reports that Schaefer's contract is up in July and that he is negotiating a new pact, without which he will be out, are untrue, according to highly reliable sources. It is said that Schaefer's term has almost two more years to run and there has been no talk within the board of his leaving the company.

PHIL. GOLDSTONE BACK AS A FILM PRODUCER

Hollywood, April 8. After a long period of inactivity in film producing, Phil Goldstone is returning with a major releasing deal being arranged.

Initiator will be a comedy of the sir service being scripted by Edmund Lowe.

4 'Foxes' Into Pic

Hollywood, April 8. Four members of the touring legit cast of 'The Little Foxes,' which closed a couple weeks ago, are en route here for role in Samuel Goldwyn's production.

Tosca Wright, who was in 'Life With Father' on Broadway, leaves New York on Thursday (10) for the Coast. Film, with Bette Davis starred, goes before the cameras Monday (14) under William Wyler's direction.

'Milking' Pix In First Runs Irks Min'polis

Minneapolis, April 8.

Wave of loop holdovers has local independent neighborhood exhibitors plenty bothered. During past several months there have been two and three a week on the average. The indies claim that the pictures not only are being 'milked' in the first runs, but they fear a product shortage later in the year. In a number of instances, it's charged, the grosses haven't warranted the holdovers, and such cases particularly irk the indies.

Aside from the 'B' and lower classification pictures which are dual-billed at the Astor at 10 up to 12 p.m. and 2nd, thereafter for five-day run and which the indies, for the most part, sluff or use on midnight twin feature shows, there have been only two new films a week released for first-runs downtown during the past fortnight.

Two loop pictures, 'Gone With the Wind' and 'Buck Privates,' are in their fourth week, and another 'Lady Eve,' in its second currently.

H'WOOD PREVIEWERS' DEMANDS ON STUDIOS

Hollywood, April 8. Organization of Hollywood news correspondents made demands Monday (7) on a publicity directors' committee for previews before eastern showings and requested more leeway before the release of films.

Critics are asking for an immediate solution to the problem so they can report back to their membership at a meeting scheduled for next Tuesday (15). Reviewers are also asking for a spread of previews to avoid catching more than one a day.

Other problems of correspondents, looking to better relations between scribes and the studios, will be worked out as they arise, spokesmen for studio publicity heads promise.

WB Holds David Lewis

Hollywood, April 8. Warners renewed its producer contract with David Lewis for another term.

Currently Lewis is preparing 'King's Row,' slated to start April 14 with Sam Wood directing.

mother, Maude Jelinek, appeared here for many years as a stock company character actress.

Move to bar 'Lady Eve' failed when a policewoman assigned to view the film reported she found nothing indecent or lewd about it.

Minn. Anti-Consent Bill Virtually Law Now; Majors to Appeal to U.S.

Minneapolis, April 8.

Passage of Northwest Allied's anti-consent decree bill this week is virtually assured and it will become a law with the governor's signature, but the major film companies which have opposed it—Metro, Warner, Fox and United Artists—are prepared to fight its enforcement. Alleging that it is unconstitutional, they will seek a temporary restraining order. If the injunction is issued, as expected, Minnesota independent exhibitors undoubtedly would have to operate under the consent decree until the courts finally pass on its validity. It is necessary to carry the case to the U.S. Supreme Court, this might take two years.

The bill went through the Minnesota state legislature lower house with flying colors, only three negative votes being cast against it, as compared to 104 in the affirmative. It is expected to have almost equally clear sailing in the state Senate, where it also carries a favorable committee report.

Contravening the consent decree bill's groups-of-five selling plan, the bill would compel exhibitors to offer their entire season's product, the same as at present, and to grant a minimum 20% cancellation privilege and to refrain from forced selling of shorts or other films. Rather than operate under its provisions, at least one company, 20th-Fox, has declared that it would discontinue selling in Minnesota, except to the Paramount-affiliated circuit, which has a franchise running for several years.

At public hearings in the state legislature Fox representatives have asserted it would be impractical to set up a separate and different selling plan for Minnesota. The local branch, however, would be maintained and other parts of the territory would be serviced from here, it has been explained. United Artists also declared it couldn't operate in Minnesota under the anti-consent decree bill.

Distributors Want Showdown as Colo. Indie Withdraws His Complaint

Denver, April 8.

The first arbitration hearing here resulted in dismissal of the exhibitor's request. J. J. Goodstein, owner of Goodstein Enterprises, Inc., made the motion after the hearing had gone four days and entered the fifth. Goodstein was making more product than he could handle in Colorado, the case being against Loew's, Paramount and 20th-Fox. Goodstein has RKO, WB and Republic with which he could operate allegedly when he took the house back from Fox. Mountain, which has built a new theatre in Longmont.

In objecting to the dismissal Albert J. Gould, Jr., attorney for the defendants, declared that the hearing had gone on they would have shown that the arbitration demand was made for the purpose of forcing Fox to take another lease on Goodstein's house.

testimony in the case ran back 10 years, to the time one of Goodstein's companies went through bankruptcy. On the final day testimony was taken Joe Ashby, RKO exchange manager, testified Goodstein had run "RKO's" Foyle, a 40% film a day ahead of booking, on same day "Little Men," a 30% film closed, and made a return based on "Men," and although the closed branch of contract was being in January, failed to report same to the RKO exchange until after the matter had been brought out in the arbitration proceedings. Ashby said he told Goodstein the matter had already been reported to the home office.

Defense Stand

In the opening statement Gould declared the defense hoped to prove that Goodstein was the "guilty and responsible" party as defined in the decree, and that also because of the "minimum standards of theatre operations," also in the decree, exchange managers were not bound to deal with Goodstein unless they so wished.

In opposing the dismissal Gould blasted at exhibitors who start pro-

Mich. Too Pops Up With Surprise Anti-Consent

Detroit, April 8.

Coming as something of a surprise to the State's exhibitors, a legislator has Michigan has popped up with the introduction of an anti-consent bill similar to those of Minnesota and Georgia for enactment at the current session. Groups here have started scurrying around to have their victories scrutinize the proposed law to determine what action and pressure they care to bring.

Seemingly blowing up out of nowhere, the fact that State Legislature elsewhere have come up with a bill of similar nature, Rep. Raymond J. Snow, of Flint, Mich., already has started through the mill. The bill which he says will "free" film picture exhibitors from the rigidity of distributors' releases and the sameness of programs. It also will give the exhibitors options on all features and allow each one to be his own program maker.

Provisions of the proposed law carry a clause for a 20% rejection privilege, prohibits the forcing of features, newsreels, shorts or religious and the requirement that all distributors be put under a State license which automatically would force concurrence with the proposed law. It also would prohibit releasing product in Michigan. The law can only be interpreted as aimed at destroying the operation of the consent decree here, establishing a new run and clearance setup.

Those in the trade insist they had no finger in the bill and it must be solely Rep. Snow's idea to accomplish the purpose of the anti-consent bill in Minnesota and Georgia. He is an influential member of the legislature and his introduction of the bill will carry plenty of weight with his colleagues no matter what action the exhibitors take. They maintain no regular lobby at the State capital but send up representation on legislation which effects exhibitors.

Exposing Himself

Philadelphia, April 8.

During the cross-examination of Robert Lynch in head of the Metro exchange, in an arbitration case here, he was asked to read the terms of the contracts of the two houses involved in the dispute. As he finished there was a buzz of conversation from the other distrib reps who were attending the hearing.

Counsel for one of the majors arose and said to Arbitrator Robert J. Callaghan:

"Sir, you probably don't understand, but this man's competitors are here and they're learning the secrets of his business for the first time."

DOC CRONIN'S 'TOUGH' PIX TERMS

Dr. A. J. Cronin has completed a new novel but is playing coy with film companies. Despite strenuous efforts of story departments to see galleries of the book, which will be published by Little, Brown & Co., author refuses to give them a gander. He claims it is his best, superior to "The Citadel," and has stated he expects a "record" sale for several rights. Therefore he'd rather wait until publication, when the film companies can see how the public takes to the novel, before showing it.

Meantime, Cronin's agent, Richard Halliday, is negotiating sale of major serial rights. Author wants \$30,000, virtually an unheard-of price. Halliday and his partner, Martin, returned to the Coast from New York last week after the agent confabbed with Cronin at his New York Harbor, Me. home.

Another Sliding Deal
Metro's purchase last Friday (4) of "Drivin' Woman" by Elizabeth Chevalier was another in the series of deals struck last year by which final price for screen rights to a book is determined by number of copies sold. Top to which the figure can go is \$150,000. Metro made a down payment of \$10,000 and plunks down a similar amount when it is published in the fall. After that it pays \$2,500 for each 10,000 copies sold, after the first 100,000 are reached.

Yarn which hasn't yet been published, had studios in some doubt, despite the admitted quality of the plot. A success fight of a woman against the tobacco trust in an effort to aid tobacco farmers. Studios feared squawks from tobacco interests.

Other Story Boys

Hollywood, April 8.

Republic purchased "Devil Dogs on Parade," a Marine yarn by Lester Miller.

Metro bought "Joe Smith, American," by Paul Gallico.

Harold Turner sold his naval tale, "Gobs in Blue," to Republic.

Paramount acquired screen rights to "Out of the Frying Pan," Broadway play by Francis Swann.

Don Hartman sold his yarn, "The Road to Moscow," to Paramount as a Ring Crosby-Bob Hope-Dorothy Lamour comedy.

David O. Selznick bought the screen rights to "Drake's Drum," a story of modern England, by Peter Viertel.

Studio Contracts

Hollywood, April 8.

Helen Gilbert drew a player contract at Paramount.

Arthur Winkler inked a writer pact, with David O. Selznick.

Warner inked its actor's option on Anthony Quinn.

Leah Baird handed acting ticket at Warners.

Joseph Cotten inked two-picture acting pact with RKO.

William Keighley signed Howard Moonie to a personal acting contract. Richard Webb drew a stock player contract at Paramount.

Metro handed Harry Ruskin a new writer ticket.

Marcia Ralston inked player pact at Universal.

Donna Mullenger signed to acting contract with RKO.

Dennis O'Keefe's two-picture deal with RKO converted into term contract.

Lefty Thinks Jukeboxes May Cue Comeback of the Penny Arcade

By Joe Laurie, Jr.

Coalacres, Cal., April 8.

Dear Joe:

Well, my old friend Jack Bernstein, who was assistant props at the Temple in Rochester, passed through here with the Rochester Symphony and he gave me a good idea that has been used in some spots around the country and did well. It is to put jukeboxes in the lobby, which I did, and am cleaning up. In fact, there is more dough in my lobby than there is in the theatre these days, which proves there's dough to be made outside the theatre. Of course, the machines make an awful racket, but I bought myself a bottle of 100 aspirins which has lasted me over two weeks. When I got a bad run of pictures, I used to use that many aspirins in one week. Some customers have complained that when the doors open, the noise from the jukeboxes drowns out the talk on the screen, but I tell 'em they don't know how lucky they are.

The younger generation sure go for these jukeboxes. It's funny; they'll spend their dough listening to 'Frenesi' and 'I Hear a Rhapsody' when they could go home and hear it on their radios nearly every 15 minutes. Some of the kids dance in the lobby, and if it keeps up I think I'll enlarge the lobby and cut down the seats in the theatre. It reminds me of the time years ago when Aggie and me would go in one of them store shows when the phonograph first came out, and we'd put on an earphone, a piece to our ears and for a cent we could hear some guy throw up a ballad that sounded like he was singing with a cellophane in his nose. Maybe the penny arcades are coming back? I'm thinking of putting in "peep shows"—you know, where you stick a penny in the slot, turn the crank and see 'A Night in a Sultan's Harem' or 'Maybelle Takes a Bath.' At least in a penny arcade when a guy sees a bad picture he don't tip off anybody he don't want to let his neighbor to know he got stung for a penny; but in a picture show they all squawk if the picture happens to be even medium-lousy—everyone becomes a critic.

The soldiers in camp here are my best customers. Aggie's brother found out there was a camp here and wrote me that he would like to come out and start a dice game if I could get the Chief of Police to okay it. I wrote him back I would have nothing to do with it and anyway the Chief said there wasn't a chance as he is one of the Deacons of the Church, and anyway he is afraid the Federal authorities would get after him. It's funny, as soon as the draft comes in there's a lot of guys starting out ways and means how to pass out. Pays from their \$21 a month. I know when I was in the Army we were to be taken by our own buddies, and didn't like no outside dice. If some of those boys in camp could only hit the target like they used to hit seven, we'd have the greatest marksmen in the world. Of course, guns are loaded, too, but they're not as easy to handle as dice.

These Two Hibernians

In your letter to me that my old pals Smith & Dale of the Avon Comedy Four were the Colliers of the St. Patrick's Day Carnival of the Reads Club and that they put over a great show. I sure would have loved to have been there; you must have had plenty of laughs. And those luncheons you wrote me about given by the Saints & Sinners once a month with their President Harold G. Hoffman as the guy that digs up all the great ideas. I knew him when he was the Governor of New Jersey and he is a great guy. He told me stories once over an hour, and good ones, too—one of them I never heard before. You say that Tex O'Rourke makes the speech of the day at those affairs. Well, he certainly can do it, has plenty on the ball, and has done everything there is to do except being a jockey on mile.

We are still having plenty of rain out here. Junior has learned two new swimming strokes going to school. I see when winter comes out on a Sunday again this year. Aggie and me sends our Spring greetings to the gang. It won't be long now before the seersuckers and Palm Beach suits will get their mothball smell blown off them. SEE

Your pal,

P. S.—Bob Shayon sez: 'War does not determine who's right but only who's left.'

N. Y. Legitter to House 'Citizen Kane' Day-and-Date With RKO Palace, B'way

With the Rivoli apparently out as a running mate to RKO's Palace for the twin opening of "Citizen Kane" in New York within the next four weeks, distributing company has been looking over legit houses. RKO plan is to play the picture in two days reserved that policy, and the other continuous.

Rivoli, which RKO wanted for the two-day, it is understood, will not be available for at least six or seven weeks. This is longer than RKO wants to wait, as it would be unprofitable to delay until present public interest turns cold. John Wright, Riv manager-director, said yesterday (Tuesday) that he is committed to Universal to follow the current "Meet John Doe" with "Flame of New Orleans."

Will Refurbish Palace
RKO will close down the Palace, it is reported, for a short time before the "Kane" opening in order to refurbish it. Shuttered Hollywood theatre, Warner Bros. house, is available as the twin to the Palace, but RKO is not anxious to use it, as films playing there in recent years proved to have been marked by lack of success. Absence of any other grade A theatre is what has brought on RKO's hunt for a replacement. Tremendous interest generated in "Kane" by the lengthy controversy over its release is evidenced by the

demand for tickets for press screenings today (Wednesday) at the Broadway, N. Y., and the Ambassador on the Coast. RKO press aide declared newspapermen were educated seem to be 'climbing out from under every table.'

"Kane," Ned E. Deplinet, RKO sales chief, announced last week, will open within a month in New York and Chicago. In addition to New York, to be followed by engagements in Washington, San Francisco, Seattle and San Diego.

No Fairly Seal

Hollywood, April 8.
Despite press previews and announced intention of releasing the picture as received, the picture office seal, RKO apparently been so engaged in other aspects of the pic it hasn't had the opportunity to present it for official okay by Joe Breen's department. Breen a year ago, did however, approve the script.

'Get Out of Town'

Orson Welles was 'smuggled out of town' yesterday (Tuesday) on orders of his picture. Actor-producer-director was said to be suffering from fatigue and badly in need of at least three weeks of complete quiet and rest.

Here Dr. J. Wells' p.a. left for the Coast yesterday afternoon to take care of Welles' interests there.

SETTLING BEFORE TRIAL

Agnew of Par Keynotes the New Consent-Decree Selling for '41-42; More Authority Out in the Field

Pointing out that "you don't know what the footing is until you take a step," Neil F. Agnew, vice-president in charge of distribution for Paramount, states his company has worked out new contracts and other formal, plus other plans for some changes in the exchange machinery, to practice with as a starter. Experience under the new means of consent decree selling will determine what, if anything, is wrong with the setup and whether any modifications will be necessary.

In spite of the fact many problems will have to be met as they arise and future procedure in sales will be determined by experience under the decree, Agnew inclines to the belief that selling will be much simpler than it was at first thought it would be. It seems to be simplifying itself as distributors get closer to the actual selling in blocks-of-five and under various other provisions of the decree, he says. Agnew also notes that buyers do not appear to be so apprehensive over the new means of merchandising pictures as they were in the past. Par's sales manager points out that selling will be less complicated because, henceforth, it will be much more concentrated in each of the various exchange zones. The decree specifies that each territory must be closed in the exchange territory in which the theatre is located.

Local Viewpoint

Agnew holds that among other things, this will mean that all parties in deals will be closer to them and thus understand them better from a local territory point of view. Analysis of conditions in each territory will be quicker, he adds. Moreover, whereas in the past most circuits, some spread over many states, have made their deals at New York home offices or at their headquarters points, starting with the 1941 product circuits will be doing their buying in the field. Chains which extend over more than one exchange territory will be forced to make their buys in particular two or three branch points with each district's representative.

Among the new forms Agnew and his department have devised is one covering approval of contracts which, he says, has been reduced to simple terms. Also, the policy with Paramount will be to expect approval of contracts submitted by salesman by delegating more authority to the field forces in providing the okay or rejecting the sales application. Under present practice, all contract applications had to be approved at the home offices.

Mistakes Minimized

This was due principally to the fact that deals covered a whole season's product and, many in the field, a great number of theatres, while now the contracts will call for only five pictures or less. Agnew takes the view that the matter of contract approval is thus not so important, because, if the field makes a mistake here and there, it will be minimized because it'll be only for a few films.

Par will have three blocks-of-five ready for delivery starting Sept. 1, when the season officially opens. This will take the company into Christmas on release at the rate of one film a week, and being well ahead on product. Par also will be selling earlier this summer. Studio is already working on '41-42 pictures. Agnew said that the new machinery which lend themselves to special selling may be merchandised singly rather in blocks-of-five.

Distribution chieftain of Par is planning a trip around the exchanges in two weeks, the first Coast visit, and prior to getting into actual selling on '41-42 film he will probably hold a special meeting of some kind. He has laid no definite plans in con-

Roy Warner's Indie Unit

Hollywood, April 8. Roy Warner is here from Charleston, W. Va., to formulate plans for a producing company with Jack Kenney, of Hollywood.

Unit is to make a series of five historical films located in Charleston for state rights market. Many West Virginians financially interested.

MO. BILL WOULD NIX MARATHON PIX SHOWS

St. Louis, April 8. A curb on long film shows in Missouri has been proposed in a bill introduced in the Missouri legislature by Senator Kenney, St. Louis. His bill would limit a flicker program to two and one-half hours unless a 15-minute intermission is given at the start of each hour after two and one-half hours. These double and feature programs are keeping children up too late, Kenney declared. The bill is sponsored by the Better Films Council of St. Louis and supported by schools, civic and professional organizations.

GN Trustee Sues 20th And Lab Over Lost Negatives

Harry G. Fromberg, trustee in bankruptcy of Grand National Pictures, Inc., has filed a \$500,000 suit in N. Y. supreme court against 20th Century-Fox Film Corp. and De Luxe Laboratories, Inc., claiming the loss of some 2,200 negatives of Educational Film Corp., of America in a fire at 20th-Fox's plant in Little Ferry, N. J., on July 9, 1937. Fromberg is the assignee of the rights of Educational.

The negatives were given to De Luxe to store between June, 1935, and time of the fire. Negligence is claimed. Answer denies charge and a counter-suit has been started which states that an agreement, settling the dispute, had been reached, with De Luxe agreeing to make duplicates of the destroyed negatives for nothing. Since the action has been started, the cost of making the duplicates is sought.

By Script Shall He know

Hollywood, April 8. Mark Hellinger has three scribes working on three screenplays to determine which goes into production first.

John Meehan is scripting "Bovary Nightingale." John Balderston is toiling on "Fifth Avenue" and John O'Hara on "Gods In His Heaven."

H. M. RICHEY IN HOSP.

H. M. Richey, suffering a sudden kidney attack, went into the New Rochelle hospital, New Rochelle, N. Y., Saturday (8) for observation. He is exhibitor relations counsel for Metro.

Richey had planned leaving Saturday morning for Washington to confer with exhibitors there.

Meeting with a meeting or two

In connection with new forms and setting up internal mechanics in exchanges, Fred LeRoy, H. distribution executive, leaves Tuesday (15) on a trip to install the new machinery. Accompanying him will be Oscar Morgan, shorts sales head, who will visit each of the 10 district points to lay the groundwork for immediate selling of '41-42 shorts which cannot be 'forced' under the decree. Morgan has already appointed 10 special shorts selling representatives at district headquarters throughout the country.

3 OF 4 MAJORS APPEASE NOISE

First Case in Minneapolis Thus Leaves Fox Alone Battling the White Bear, Minn., Exhibitor—Like-wise Austin (Texas) and Brooklyn Indies Make Peace

IT WAS EXPECTED

Minneapolis, April 8. Without waiting for the hearing, three of the four major distributors involved offered the White Bear theatre, White Bear Minn., deals after it had filed its complaint with Arbitration in a move to obtain some run of the companies' product.

[In the trade, in New York, this was seen as an almost inevitable result of taking complaints to the arbitration tribunals.]

This was brought out at the first Arbitration hearing here, with A. A. Karlins as arbitrator. In consequence, trial agreement to sell five pictures for second run, Metro was stricken from the complaint. Only Fox continues to refuse to make a deal, it was testified.

The arbitrator will decide, however, whether the deals offered by Warners and RKO, which are unsatisfactory to the White Bear theatre, satisfy the consent decree's requirements and whether Fox will have to fall in line.

Dave Ratner, White Bear theatre v.p. and manager, claimed that the prices demanded by RKO for second-runs in the town of \$500-\$100 and \$20 and \$30, according to classifications—for the second-runs were too high, while the Warners' insistence that he buy a minimum of 30 pictures was "unreasonable."

Charges Over-Buying S. P. Halpern, counsel for Ratner, alleged that the opposition house, the Avalon, which entered the proceedings, the intervenor, has overbought in order to deprive the White Bear theatre of product. The Avalon was in White Bear 19 years before Ratner's entrance and during that period had no opposition.

Ratner now only has Paramount for first-run. He makes three changes a week, with double bills on one or two pictures. He testified that he should have at least one other major product first-run and that he was not certain if obtaining second runs would enable him to operate profitably. He testified that it is unusual to sell second runs in so small a town as White Bear and attorney Halpern indicated that there would be a demand for the companies to split the product between his client and the opposition house.

It was brought out that the White Bear theatre has a \$75,000 conspiracy charge suit pending against the Avalon, which is owned and operated by Mrs. J. L. Jensen. The suit alleges that, in restraint of trade, the Avalon is trying to put the White Bear out of business. Ratner also is suing Mrs. Jensen for \$5,000 damages for slander because, it's alleged, she expelled the sister of the White Bear theatre's manager from her household.

Metro Settles in Austin

Austin, Texas, April 8. Metro has been withdrawn from the first Texas arbitration case was that of the Joseph Drive-In here against M-G's 20th-Fox Warners. In the settlement, negotiations have been completed for a deal for products between Metro and the Drive-In.

Hearing against the others will be held in Dallas next week. Brooklyn Indies Make Peace The first arbitration case to come up in New York, instigated by the Regent, Brooklyn, was settled at Arbitration offices prior to going into hearing Monday morning (7). The complaining Brooklyn house

Big Five's Theatre Circuits Can Buy Own Product En Bloc, But None Can Do So With Any Other Co.'s Pix

Par's Intra-Org. Manual On the Decree's Do-Not's

In preparation for some time, Paramount will probably have its special manual on the consent decree for the use of its own people, including all those in sales, within a week or 10 days. It will reduce the highly-technical and legal language of the decree to a layman's terms and will point out what can't be done besides interpretation of various clauses.

Manual will be distributed privately to Par personnel for guidance in dealing with the decree. Austin C. Keough is personally supervising preparations of the guidebook.

5 YEARS EACH FOR 2 IN ST. LOO STICKUP

St. Louis, April 8. Andrew Gruen and Neal Tesson, both 23, were sentenced to five years in the state reformatory at Alton, Ill., after being found guilty of robbing the treasurer of the Fox theatre of \$1,500 last Xmas night. They pleaded guilty to a first degree robbery charge before Circuit Judge Ward who administered the minimum sentence.

After the stickup the youths spent most of the money for an auto and a trip to Florida gambling resorts.

Nab: Milwaukee Gunman

Milwaukee, April 8. An ex-convict, Max Somach, 40, picked up by police in Chicago, had been identified by five employees of the Riverside theatre here as one of the two bandits who held them up Sunday night, March 30, and got away with \$7,645, all but \$300 of which was abandoned in a bullet ridden car after a running gun fight with pursuing police. Somach had been on the job after an attempted theatre robbery in Chicago, and prosecution of the Milwaukee charge against him will have to await disposition of the Windy City case.

After an assault and robbery charge in Racine in 1930, Somach was sentenced to seven years in the state prison at Waupun, Wis.

\$975 Stickup

Boston, April 8. Bandits held up Irwin Miller, assistant manager Metro theatre, Dorchester, Mass., as he was entering a bank in Mattapan Square Monday (7) and snatched \$975 from him. Four gunmen stopped him on the sidewalk, grabbed him out of his hands and escaped in an automobile. Miller was not injured.

beefed against the Apollo, also in Brooklyn and Paramount, Metro, 20th, Warners and RKO. Regent claimed that the Apollo, a mile distant, was getting a clearance advantage in obtaining film of all distributors for seasons ahead. While the Regent sought day-and-date arrangement in going to arbitration, following confabs, the seven parties involved reached a compromise which, according to report, will cut the clearance to perhaps about one-half of what it is now. The exact days remains to be worked out.

The second case before the N.Y. tribunal will come up today (Wed.) when Herbert Scheffel operating the Squire, Great Neck, L.I., will charge all of the Big Five with granting unreasonable clearance over him to the Great Neck Playhouse (Skouras). His complaint states that he is forced to pay picture rentals all companies 20 days behind the Skouras operation in his town.

George A. Spiegelberg, attorney and associate professor of law at New York University, will sit on the case.

The theatres of each major distributor under the consent decree may take the entire product of their companies but not the pictures of any of the others similarly, according to an interpretation of attorneys. They will not be forced to buy in blocks of five but may contract on home ground for the full output in the usual manner.

Thus, all Paramount theatres, numbering more than 1,500, may take the full output of the distributor as in the past. The same will hold true of Loew houses on Metro pictures; National Theatres so far as 20th-Fox film is concerned; Warners on WB product and RKO likewise for its own pictures.

Claimed that although theatres of the Big Five may not be controlled they still will not suffer any restriction when it comes to buying film of their own distributing company. In the Par theatre setup this involves a large number of partnerships in some of which Par has a minority interest. In RKO and WB, there are also some outside ownerships, as well as pools. Although they figure in some pools and operating agreements, for the most part Loew houses are controlled entirely by Loew's, Inc., with many of the theatres, incidentally, completely free of any paper.

While pointed out in legal quarters close to the decree that pictures of one distributor can be bought on a yearly basis within the family, Loew's, for instance, cannot have this privilege on Par, RKO, WB or 20th-Fox product. Also, indicated that the theatres of a consenting distributor may play its own film before it is screened for the general trade or sold.

However, under the decree an exhib in opposition to Par theatres so far as Par product is concerned, may claim discrimination if he feels that he is being shut out from that company's pictures unfairly in favor of one of Par's own houses. In such cases, complaints of this kind are subject to arbitration. Clearance or some run also figures where an outside theatre follows one owned by a consenting distributor.

2006 PLAGIARISM SUIT VS. M-G'S 'NINOTCHKA'

A suit by Stephen Tamas, Hungarian playwright, against Metro Pictures, Inc., for alleged plagiarism of Tamas' scenario, "Moscow, Paris and Return," in "Ninotchka" was revealed Wed. (2) when Tamas filed for an examination of Jesse T. Mills, assistant secretary of Loew's, before trial. Action is in the N. Y. supreme court.

Plaintiff claims the story was submitted to Metro by Tamas in 1938, and rejected. The picture made profits of over \$1,000,000, plaintiff claims in seeking \$200,000 damages and an injunction. Loew's admits the scenario was cleared, but denies all char. of plagiarism.

He'll Be Both of Them

Hollywood, April 8. Douglas Fairbanks, Jr., plays twin roles. "The Corsican Brothers," heavy budget picture to be produced by Edward Small for United Artists release. Star is slated for June 15. Howard Eastbrook is scripting the Dumas novel.

METRO'S 2 LEGIT TESTS

Metro last Thursday (3) made screen tests of two pictures in current release. One was "One Was Adele Longmire of the 'Old Acquaintance' company and the other Richard Quine of 'Arsenic and Old Lace' Both are under option to M-G. One is current run-of-the-play contracts expire.

WB Junkets to New England Town For Bette Davis' 'Great Lie' Pream

By MAXWELL FOX

Littletown, N. H., April 8. Bette Davis celebrated her 32nd birthday and Warner Bros. premeared her newest starlet, "Great Lie," Saturday night (8) in the Premier theatre (900 seats) at \$5 top as part of a civic spree that doubled the usual (4,500) population of this New England town. It was just as much a native party as a Hollywood opening, and because of the alternating domination by these two elements, it was a unique occasion.

Exploitation and anticipation of Miss Davis' personal appearance in a torchlight parade with her husband, Arthur Farnsworth, jammed the burg and hurried the 80 cops recruited from miles around. A special seven-car train imported the press from New York, Philly, Pittsburgh, Washington and Boston.

The Warner publicity crew had paved the way elegantly for the entrance of the tired and yawning visitors. Street banners, holiday decorations and window displays rounded out the gala atmosphere.

After a short rest at the hotel, the scribes were whisked over to Cannon Mountain, 15 miles away, and given an outdoor sugaring-off party (complete with oxen and kettles of boiling maple syrup) and a lunch and skinning exhibition, the party shifted to Iron Mine Inn, close by, where Miss Davis played hostess to the cocktail-sipping press.

Farnsworth, her new husband, assisted Miss Davis in the hospitality department. He was formerly manager of Peckett's, a swank summer hostelry located very near the site of their new summer home on Sugar Hill. Miss Davis has been here for two weeks and returns for work on the coast about April 11.

Gov. Blood, Senator Bridges There. A few hundred paying customers (at \$1.65) jammed into the town hall after the preem for the birthday ball, which was opened by a grand march led by Miss Davis on the arm of Governor Robert O. Blood of New Hampshire. Senator Styles H. Bridges was also prominently cast in the guest list.

A torchlight parade, featuring Miss Davis and a few klieg lights, was the climax of the day for the natives. Miss Davis was interviewed briefly by Ruth Moss over the Colonial Network.

In the streets in the center of town were renamed for pictures starring Miss Davis, and the main drag was tagged "Great Lie." Frances Johnson, local poet, turned out a sonnet "An Hum to the New Englander," dedicated to guess-who and vocaled from the Premier stage. One of the little items that made the Premier's stage show a rich treat was the introduction of Vermont governor by a flustered m.c.: "proud to present Governor Wills, of Vermont, New Hampshire!"

Set by S. Charles Einfeld and Mort Blumenstock, WB exploitation chiefs, the "Great Lie" preem was the first big-time opening ever executed entirely by Warner's eastern publicity office. Mitchell Rawson, as head man of the party, was assisted by William Blumberg, Bob Williams and Phil Engle as advance men; Lee Blumberg, working out of Boston in advance; Ralph Budd, on transportation; Larry Golub, on fan magazines; and Sid Rechetnikoff on trade papers. All these, and Norman Arvay, Boston branch manager for WB pix, converged on Littletown for a special seven-car train.

Ticket set back WB between \$15,000 and \$20,000, with facet support and sundry gratis donations of services from Littletown citizens running to around \$5,000. Proceeds from the preem (\$45 top) for the birthday ball went to local charities.

Salvage Det.'s Pride

Detroit, April 8.

This town, frequently piqued because it hasn't produced much, is background save via dubbed shots of auto plants, finally will have its civic pride restored on April 18 with the premiere of "Reaching for the Sun" at the Michigan.

Picture has secured up plenty of Detroit enthusiasm, since it has for most of its background the automobile factories, being adapted from Wesel Smelter's novel "F.O.B. Detroit."

Ford Strike Hits Det.

Amateur Contestants

Detroit, April 8.

Ford strike here, involving \$5,000 men, even poked a finger into the amusement business. Michigan theatre, in conjunction with its showing of "Strawberry Blonde," was running off an elimination contest of old-time quartets. Matter had settled down to the final eliminations between the two best quartets.

They didn't go on as scheduled for the final contest to decide the winner. "Terror from one quartet was inside the Ford plant barricades. Bass on the other quartet was in the picket lines outside and refused to leave. The finals were cancelled."

\$25,000 Suit Because

Of Thief's Delayed

Release Last Easter

Failure of Alexander Korda to complete "Thief of Bagdad" for release last Easter, as originally planned, has resulted in a \$25,000 suit against the distributors, United Artists, and Bud Fox Enterprises, which handled licensing of extraneous products of the picture.

Bringing the suit is Technisound, Inc., which paid Fox \$1,000 advance royalty for the privilege of selling a radio show, either sustaining or commercial, with title, story and characters of "Bagdad." Deal in release, it is charged, made the rights worthless.

Technisound claims that when it made the agreement in January, 1940, it was promised the film was finished and would be released not later than Easter. Film was not actually released until Christmas.

Delay in production resulted from the picture about as the picture was completed in England and had to be completed in this country.

ONE MANAGER'S BALLY 'IS ANOTHER'S MEAT'

Kearney, Neb., April 8.

An exploitation stunt which backs to feed the opposition is not the usual happening, but George Monroe, of the New Empress here, found himself doing that very thing when he spotted two potato peelers on the sidewalk in front of his house, to bally 'Buck Privates'.

He offered to give the peeled potatoes to first callers. Who should show up, with a gunny sack in each hand, but Maynard Nease, head of the competing World, across the street.

Finally Got Around To

It—Preview In a Camp

Hollywood, April 8.

First picture to be previewed in a military camp is the Paramount comedy, "Caught in the Draft," slated for an unveiling junket at Fort Ord, near Monterey, Cal. May 20. Program, calls for a camp holiday, with baseball, boxing and parades to entertain the Hollywood critics and film names.

Players include: Bob Hope, Dorothy Lamour, Lynne Overman, Eddie Bracken, Phyllis Ruth, Clarence Kold and Paul Hurst, all of whom appear in the film, and a number, of other Paramount notables.

'Wire, Don't Write' Plugs

Canned greetings for Father's Day which Postal Telegraph will offer this year have been written by Robert Benchley.

It's a team with Paramount, which is basing its campaign for a Benchley short, "The Forgotten Man," around Father's Day. Each of some 500,000 Postal blanks bearing the suggestion will carry a direct plug for the picture.

Deep Down

Hollywood, April 8.

Warners is aiming at a new 'low' in its world premiere for "Underground." Picture is slated for unveiling in the Carlsbad Caverns, New Mexico, late next month.

Studio is arranging a junket of film names, execs and newspaper and magazine scribes.

Mex. Pot o' Gold' Pream Develops So.-of-Border Handshake With H'wood

Hollywood, April 8.

James Roosevelt's world premiere of "Pot o' Gold" has developed into an international handshake between the government of Mexico and the film industry of Hollywood. Originally slated as a preem on April 12 in Mexico City, it has been expanded into a three-day national motion picture festival.

As a result of an invitation from President Machado, of Mexico, to Y. Frank Freeman, president of Motion Picture Producers Association, a delegation of Hollywood personages representing the industry as a whole will supplement the entourage originally arranged by Roosevelt, who has been retained as a member of the arrangement committee.

Working in close touch with the committee is John Hay Whitney, director of the motion picture division for the office of the United States Co-ordinator of Commercial and Cultural Relations Between the American Republics.

ST. L. GETS 'SIS HOPKINS' FOR 1ST WORLD PREEM

St. Louis, April 8.

Film producers finally got around to tossing a world preem in this burg, and Friday (4) the first showing of Republic's "Sis Hopkins" at Fanchon & Marco's 5,000-seater Fox drew a mob of 6,000 to see the picture and visiting screen celebs. An admission fee of \$1 per head was charged, with the entire receipts donated to the Greek War Relief fund. Bill Sael, Republic's chief publicity head, directed a corps of exploiters.

Jerry Colonna, Judy Canova, Mary Beth Hughes, former localite; John Wayne, One Munson, Don Barry, Lois Ranson and Jimmy Ellison put in an appearance.

Scher in Uniform

George Scher, field exploitation man for United Artists in the New England territory, has been claimed by the Army.

Bernie Kamber, who has been doing special exploitation for UA, has been named permanently to Scher's place by David E. Weshner, UA's exploitation chief.

Harold Marshall, Metro exploitation rep in Indiana and northern Kentucky territories, has volunteered for a year's service with the army. He is currently in N. Y. for visit with his family, before leaving for camp.

'Last of the Sweaters'

Detroit, April 8.

Taking advantage of the Hays' office ruling on no more sweater art one name here rushed out, quick lobby display to catch plenty of attention.

Using various stills from past pictures it captioned them "Last of the Sweater Art."

AMPAS NET \$5,000

Estimated that around \$2,000 will be netted for the Associated Motion Picture Advertisers through the silver jubilee dinner-dance held Friday night (4).

It was the first annual affair of the organization in five years.

RKO Realigns Denver and Salt Lake Zones; Theatre-Exchange Briefs

In preparation for the new selling on the 1941-42 product, RKO has narrowed its far western territory by creating a new district to embrace the Salt Lake City and Denver exchange zones. Both offices were formerly in the Coast district.

L. S. Greenberg, St. Louis salesman, becomes exchange head at Salt Lake. Numerous other promotions have been worked out. Bernie Krantz, Albany manager, shifts to Dallas. Important Cleveland office: Max Westebbe, former Holland manager for RKO, takes over at Albany; B. J. McCall, salesman in Buffalo, goes to the Denver branch; Clarence B. Wilson, Dallas booker, moves up as a salesman in that office and Ed J. Smith, Des Moines seller, transfers to Buffalo as a salesman. George Lefko, who has managed the Cleveland office since 1935, was named to head the Denver office, have both resigned.

Mercer Sells Out

Silverton, Texas, April 8. Joe Mercer has sold his Palace here to Walter Smock. Smock operates the important Centre, Texas. The Texas in Edens, has been sold by O. B. Woods, Jr., to Joe Tom Block, of the local Texas. House will be renamed the Rocky.

Fred Frick replaces Marshall Rooks as manager of the Texas in Troup. Rooks has joined the Army. Frick manages the Strand and Honey Grove, Texas. Marvin Bell replaced Curtis Puckett who resigned as manager of the Kalamazoo in Kalamazoo, Texas. Houses are owned by Jake and Dave Lutzer.

George H. Likens, rep for Alexander Film Co., is working on building a new house in Abilene; completed in two weeks. City has long been a theatre stronghold but due to the dust storms, Phil Isley has built the Bobby Walker here and Billy Morrow the Star.

Carl Johnson has bought the Gem, competitive house in Florence, Texas, from Gidney Talley. Johnson operates the Arcadia here and will continue operation of both houses.

Huffman's New Spot

Lincoln, Neb., April 8. R. W. Huffman, for more than three years city manager of J. E. Cooper's Lincoln Theatres Corp. here, takes over city managerial duties from George Goodale, pairing (Sterling and Park). New city boss will be Ralph Ayer, now at the Ute, Colorado Springs. Huffman, the Greer, will have his old second in command, Ed Vaughan, who is now with the L. L. Dent-Westland theatre.

Frank Keller, the Altec man, who has a reserve commission in the army, is expected to be called to duty any time.

New RKO exploitation man for the territory is Ed Rivers. He replaced the Altec-Rivers blurb, Bill Scholl, who is now operating out of Cincy.

Leo Abrams Inducted

National Screen Service yesterday (Tues.) opened its new streamlined New York exchange and officially installed Leo Abrams for 20 years with Universal in sales, as its manager.

Head of branch manager for Abrams is newly-created. Up to now N. Y. exchange activities have been in direct supervision of George Dembow, general sales manager.

Sloan's Interest

Detroit, April 8. Turning from theatre building after putting up a score of houses here, Sol Sloan will have an interest in the new Mercury, 1,500-seat nabe located at the corner of the development, going up in the populous northwest section of Detroit. New company will be competition for United Detroit's big house in the same vicinity.

By the end of this summer, the house will have for its manager Ashley Shaw, who a short while ago retired as a district supervisor for United Detroit.

Feeling Bernie Krantz

Albany, N. Y., April 8. Bernie Krantz, promoted from manager of RKO's Albany exchange to a similar position in Cleveland, will be testimonial-dinnered at the new Kenmore Hotel here April 28. Krantz's successor is Max Westebbe, formerly in charge of RKO operations in New Netherlands.

Committee for the Krantz dinner includes St. Fabian, Lou Golding, Fabian division manager, Moe Silver, chief manager of Warner theatres, Westebbe, Moe Grassberg, 20th-Fox, Herman Rippes, Metro, Artie Newman, Republic, Joe Miller, Columbia,

Clayton Eastman, Paramount. Paul Krumenacker, Warner, J. J. Spandau, Universal, and Nate Sodikman, Grand National, are also managers. Sol Edwards, formerly sales manager of old Grand National Pictures and erstwhile executive of other independent companies, is now Albany salesman for United Artists. He succeeds Harold Sugarman, who held the position for more than a year.

Dervin's Promotion

Harry L. Gold, v.p. and eastern sales head of United Artists, named John J. Dervin district manager for the southern territory in charge of Dallas, New Orleans, Atlanta and Charlotte. Dervin for a number of years managed UA's Boston exchange. A. L. Weiner, Pittsburgh exchange manager, succeeds Dervin in Boston, and Nat Beier, sales supervisor in N. Y. exchange, succeeds Weiner in Pitt.

McGinley to Indianapolis L. McGinley manager, Universal's Seattle exchange, transferred to Indianapolis, following death of H. H. Kline, former UA salesman in Los Angeles branch, promoted to manage Seattle.

Carolinas Meet June 29-30

Spartanburg, S. C., April 8. North and South Carolina theatre owners hold annual convention June 29-30 at Myrtle Beach, S. C. Ed Kuykendall, prexy, MPTOA, will preside. Film exhibitors, Rocky Mount, N. C., is president.

Clark Young Retires

Bowling Green, O., April 8. Clark M. Young has signed a long term lease with the Belpix Theatres company, holding an option to buy as manager of the Cla-Zee and Lyric theatres here. Schine has been operating the Belpix for the last 18 months, with Young as manager. They are the city's only houses.

Cyril Waites Re-elected

Edmonton, Alta., April 8. Cyril Waites re-elected prez of National Film Exchanges, Inc., Edmonton branch. Secretary H. Brown and treasurer E. Skinner also re-elected.

Fyle's Own Theatre

Regina, Sask., April 8. Walter Fyle, owner of the Regal at the Olympia, Assiniboia, Sask., for years, will operate his own theatre at Rockton, Sask., after the opening of his place at the Olympia and John Hajnik is apprentice.

Karp Closes Syracuse House

Buffalo, April 8.

Robert H. Gunther, manager of the Jefferson for the past two years, has been appointed manager of Basil Brown's new opening of the Apollo, scheduled for this month, has been postponed due to additions in construction.

Testimonial dinner to George Beardsley at Scranton, in celebration of his promotion to branch manager for Paramount in Philadelphia, was attended by Buffalo branch managers.

Sin's Buffalo will lose two of its staff to the colors. Ted Gallagher leaving via draft before summer and Ed Pierrot already assigned to Fort Benning.

Roxie M. Morris, newest member of the Martina Circuit, is open under the management of Angelo Scura. A. M. Worden's Palace at Wolcott responds this week after remodeling and renovation. The Walden closed by J. Luzzak indefinitely for repairs following recent damage by fire.

Rabino theatre, Niagara Falls, is now operating under the management of J. Canaris.

April finds numerous members of the local theatre colony still in Florida. At the George C. Gammet, Charlie Hayman, Joseph Schuchert, Irving Fried, Daniel Perriello, of Clyde & Naples; Bud Shaffer, of American Seating Co., and George Biehler, of Hamburg.

Philly's Savoy on 24-Hr. Sked

Philadelphia, April 8. Stanley-Yonow now operating on 24-hour schedule in place of the wrecked Family.

Bill Solomon of 20th-Fox exchange cited by Showmen's Club prior to entraining for Army camp. Ditto Dave Cooper, Vitaphon staffer.

Ward C. Middlefield, Aiden, back from Florida jail.

Jack H. Greenberg, re-riding his house in Avalon, N. J., for summer opening.

Perry Leszy resigned as manager of the Stanley-Warner Lindley. Ward C. Middlefield, Aiden, back from Florida jail.

Frank McNamee, ex-chief of RKO exchange, now associated with Jay Emanuel indie circuit.

'Men Boys Town' (M-G). I
pointing in ace house that mo
up with original. Maybe av
\$15,000. Last week 'Tobacco
(20th), poor \$11,000.

'Bad Man'-Blackstone Fair 15G, Pitt.

Pittsburgh, April 8. — The biggest and most profitable draft going to Warner, where 'Arldardy's Private Secretary,' on move-over from Penn, is going great guns. The big draw is the one with the blackstone, the magician, doing very nicely, too. Gross may not be so hefty, but it's an inexpensive layout. 'Fantasia' still slipping at Fulton and although tickets are now selling through April 19, it may stick at the bottom. The W. B. is bringing a noticeable improvement. Nothing at all for 'Topper Returns' at Penn, which is just marking time. Re-issue of 'The Vivacious Lady' at Knickerbocker, still Ritz, only doing fair, too. At Senator, 'Adam Had Four Sons' and 'The Great Gatsby' are both doing some. Golden Hoofs are splitting some days to ordinary showing.

Minneapolis, April 8.
This is the traditionally bad Holy Week, and Minneapolis undoubtedly is one of the black spots on the

theatrical map. Nevertheless, two screen attractions, 'Gone With the Wind' and 'Buck Private,' are in the lead. 'Gone With the Wind,' with 'Lady Eve,' is in its second canton, and one of the only two 'A' newcomers, 'Andy Hardy's Private Secretary,' is in its third canton. Blindfolded. So there's still some life in the local boxoffice.

For the red hounders and the absence of any stage entertainment, aside from the Alvin's stock burlesque, limit the local public's choice to the two big attractions. The two boxoffice heights. Film is delivering in a big way.

Of the two, the miracles, 'Buck Private' is its third week at the Ziegler, ran almost neck and neck with 'Gone With the Wind,' scaled its second week, and is still going. This week, too, takings will not be far apart. Both finish their long and prosperous engagements, giving way to the newcomers.

Well-liked and endorsed generally,

Footsteps in the Dark" (Orpheum) has been the most successful of the new shows. It takes to overcome the various adverse handicaps.

There's no word in prospect until April 25 when Wayne King comes into the Orpheum. DuBarry Was a Lady is on the Lyceum. The new season ends Sunday and the subsequent nights.

Estimates for This Week

Artist	Shows	Estimate
Artie Shaw (S)	29	\$200,000
"Streets Car" (U) and "Girl News" (20th)	dual first runs. Satisfactory	\$500 in five days.
Joe Bonomo (S)	29	\$100,000
Col. Coe (S)	20th	also \$100,000
Joe Bonomo (S)	29	dual first runs, probably fair \$1,000,000 for five days.
Invisible Woman (U)	20th	also \$100,000
Bob Hope (S)	29	first runs, probably (10th). Last week, Shadow Stairs" (WB) and "The Great Dictator" (MGM), okay \$1,100 in five days.
Century (Far-Singer)	1,800; 44	also \$100,000
Has had highly profitable stay		

but slipped last fortnight and bows out Thursday. Light \$3,000 in prospect. Last week, \$4,800, satisfactory after \$9,600 and \$11,000 preceding weeks.

Gopher (Par-Singer) (998; 28)—
'Buck Belugas' (HA, 4th wk.) First

picture, but the odds are against it. The picture is expected to hold over at third house, it has remained not two, but three, four weeks. Still rolling, but going out Thursday due to previous commitments. Big \$4,000 foreseen after a fine \$4,100 last week, on top of the nearly \$5,000 the preceding fortnight.

Orpheum (Par-Singer). (2,800; 28-39-44) "Footsteps" (WB). Well liked picture, but the odds are against it. Will be lucky to reach mid \$3,800.

Last week, 'Come Live' (M-G) with the
 "Truth or Consequences" and vaudeville
 big \$13,000.
 State (Par-Singer) (2,300: 28-39: 28-39):
 State (Par-Singer), Secretary (M-G) (1,200:
 Cheers for this one and consider that
 that it's Holy Week and local con-
 ditions are none too glowing, return-
 are notable. Also it virtually has
 field to itself so far as new offerings
 are concerned. Stretching toward
 big \$9,000. Last week, 'Eve' (Par-
 \$6,800, pretty good.
 "The Good War" (1,200:
 "The Called Love" (28-39):
 neighborhood showing. Hitting fair
 \$2,500 place. Last week, 'Santa Fe'
 (WB), first nabe showing, okay.

World (Par-Steifes) (35d; 28-39-44)
55) 'Eve' (Par) (2d wk). Move
here from State. Satisfactory \$1,800
indicated. Last week, Tobacco Road
(20th) (2d wk), \$1,700, okay.

Pichel's Shake-a-Leg
Hollywood, April 8.
'Dance Hall,' long on the shelf a
20th-Fox, is being dusted off for
early production with Irving Pichel
as director.
Carole Landis and Cesar Romero
draw the leading parts.

Milland Blown In

Considine's War Cargo
Hollywood, April 8.
Next production for John W. Considine, Jr., at Metro is 'Cargo of Innocence,' war story dealing with British destroyer.
Commander H. J. Haislip and C. Sheriff are doing the script.

Considine's War Cargo
Hollywood, April 8.
Next production for John W. Considine, Jr., at Metro is 'Cargo of Innocence,' war story dealing with British destroyer.
Commander H. J. Haislip and C. Sheriff are doing the script.

Philly Okay; 'Knockout' - aude 24G, 'Town' \$16,900, Durbin \$14,800

Philadelphia, April 8. (Best Exploitation: Stanley)

Biggest Easter shopping crowds since '28 boom days, with a good portion of the bit of gauding, is reported up and down the line. Another factor that makes the figures so respectable is the rainy Pan Sunday which kept in tens of thousands who ordinarily make a trek to Atlantic City for the Boardwalk Parade.

Checking in with the top coin for this sesh is the Earle, where Bill Robinson and Jimmie Lunceford are appearing on stage and 'Knockout' holds down the screen. 'Men of Boys Town' (WB) is also doing well. Other film making its bow-in is 'Nice Girl' doing big below these others, but nevertheless satisfactory.

Best ballyhoo stunt was for 'Night in Rio' which opens tomorrow (Wednesday) at the Stanley. A special screening was held in the auditorium WCAU two weeks ago to which all consular officials for Latin-American countries were invited. The preview proceedings were broadcast over WCAU and its adjunct short-wave station to Atlantic City for the Boardwalk Parade.

Estimates for This Week
Aldine (WB) (1:30); 35-48-\$11.4-
14.8-15.2-16.8-17.4-18.0-18.6-19.2-19.8-20.4-21.0-21.6-22.2-22.8-23.4-24.0-24.6-25.2-25.8-26.4-27.0-27.6-28.2-28.8-29.4-30.0-30.6-31.2-31.8-32.4-33.0-33.6-34.2-34.8-35.4-36.0-36.6-37.2-37.8-38.4-39.0-39.6-40.2-40.8-41.4-42.0-42.6-43.2-43.8-44.4-45.0-45.6-46.2-46.8-47.4-48.0-48.6-49.2-49.8-50.4-51.0-51.6-52.2-52.8-53.4-54.0-54.6-55.2-55.8-56.4-57.0-57.6-58.2-58.8-59.4-60.0-60.6-61.2-61.8-62.4-63.0-63.6-64.2-64.8-65.4-66.0-66.6-67.2-67.8-68.4-69.0-69.6-70.2-70.8-71.4-72.0-72.6-73.2-73.8-74.4-75.0-75.6-76.2-76.8-77.4-78.0-78.6-79.2-79.8-80.4-81.0-81.6-82.2-82.8-83.4-84.0-84.6-85.2-85.8-86.4-87.0-87.6-88.2-88.8-89.4-90.0-90.6-91.2-91.8-92.4-93.0-93.6-94.2-94.8-95.4-96.0-96.6-97.2-97.8-98.4-99.0-99.6-100.2-100.8-101.4-102.0-102.6-103.2-103.8-104.4-105.0-105.6-106.2-106.8-107.4-108.0-108.6-109.2-109.8-110.4-111.0-111.6-112.2-112.8-113.4-114.0-114.6-115.2-115.8-116.4-117.0-117.6-118.2-118.8-119.4-120.0-120.6-121.2-121.8-122.4-123.0-123.6-124.2-124.8-125.4-126.0-126.6-127.2-127.8-128.4-129.0-129.6-130.2-130.8-131.4-132.0-132.6-133.2-133.8-134.4-135.0-135.6-136.2-136.8-137.4-138.0-138.6-139.2-139.8-140.4-141.0-141.6-142.2-142.8-143.4-144.0-144.6-145.2-145.8-146.4-147.0-147.6-148.2-148.8-149.4-150.0-150.6-151.2-151.8-152.4-153.0-153.6-154.2-154.8-155.4-156.0-156.6-157.2-157.8-158.4-159.0-159.6-160.2-160.8-161.4-162.0-162.6-163.2-163.8-164.4-165.0-165.6-166.2-166.8-167.4-168.0-168.6-169.2-169.8-170.4-171.0-171.6-172.2-172.8-173.4-174.0-174.6-175.2-175.8-176.4-177.0-177.6-178.2-178.8-179.4-180.0-180.6-181.2-181.8-182.4-183.0-183.6-184.2-184.8-185.4-186.0-186.6-187.2-187.8-188.4-189.0-189.6-190.2-190.8-191.4-192.0-192.6-193.2-193.8-194.4-195.0-195.6-196.2-196.8-197.4-198.0-198.6-199.2-199.8-200.4-201.0-201.6-202.2-202.8-203.4-204.0-204.6-205.2-205.8-206.4-207.0-207.6-208.2-208.8-209.4-210.0-210.6-211.2-211.8-212.4-213.0-213.6-214.2-214.8-215.4-216.0-216.6-217.2-217.8-218.4-219.0-219.6-220.2-220.8-221.4-222.0-222.6-223.2-223.8-224.4-225.0-225.6-226.2-226.8-227.4-228.0-228.6-229.2-229.8-230.4-231.0-231.6-232.2-232.8-233.4-234.0-234.6-235.2-235.8-236.4-237.0-237.6-238.2-238.8-239.4-240.0-240.6-241.2-241.8-242.4-243.0-243.6-244.2-244.8-245.4-246.0-246.6-247.2-247.8-248.4-249.0-249.6-250.2-250.8-251.4-252.0-252.6-253.2-253.8-254.4-255.0-255.6-256.2-256.8-257.4-258.0-258.6-259.2-259.8-260.4-261.0-261.6-262.2-262.8-263.4-264.0-264.6-265.2-265.8-266.4-267.0-267.6-268.2-268.8-269.4-270.0-270.6-271.2-271.8-272.4-273.0-273.6-274.2-274.8-275.4-276.0-276.6-277.2-277.8-278.4-279.0-279.6-280.2-280.8-281.4-282.0-282.6-283.2-283.8-284.4-285.0-285.6-286.2-286.8-287.4-288.0-288.6-289.2-289.8-290.4-291.0-291.6-292.2-292.8-293.4-294.0-294.6-295.2-295.8-296.4-297.0-297.6-298.2-298.8-299.4-300.0-300.6-301.2-301.8-302.4-303.0-303.6-304.2-304.8-305.4-306.0-306.6-307.2-307.8-308.4-309.0-309.6-310.2-310.8-311.4-312.0-312.6-313.2-313.8-314.4-315.0-315.6-316.2-316.8-317.4-318.0-318.6-319.2-319.8-320.4-321.0-321.6-322.2-322.8-323.4-324.0-324.6-325.2-325.8-326.4-327.0-327.6-328.2-328.8-329.4-330.0-330.6-331.2-331.8-332.4-333.0-333.6-334.2-334.8-335.4-336.0-336.6-337.2-337.8-338.4-339.0-339.6-340.2-340.8-341.4-342.0-342.6-343.2-343.8-344.4-345.0-345.6-346.2-346.8-347.4-348.0-348.6-349.2-349.8-350.4-351.0-351.6-352.2-352.8-353.4-354.0-354.6-355.2-355.8-356.4-357.0-357.6-358.2-358.8-359.4-360.0-360.6-361.2-361.8-362.4-363.0-363.6-364.2-364.8-365.4-366.0-366.6-367.2-367.8-368.4-369.0-369.6-370.2-370.8-371.4-372.0-372.6-373.2-373.8-374.4-375.0-375.6-376.2-376.8-377.4-378.0-378.6-379.2-379.8-380.4-381.0-381.6-382.2-382.8-383.4-384.0-384.6-385.2-385.8-386.4-387.0-387.6-388.2-388.8-389.4-390.0-390.6-391.2-391.8-392.4-393.0-393.6-394.2-394.8-395.4-396.0-396.6-397.2-397.8-398.4-399.0-399.6-400.2-400.8-401.4-402.0-402.6-403.2-403.8-404.4-405.0-405.6-406.2-406.8-407.4-408.0-408.6-409.2-409.8-410.4-411.0-411.6-412.2-412.8-413.4-414.0-414.6-415.2-415.8-416.4-417.0-417.6-418.2-418.8-419.4-420.0-420.6-421.2-421.8-422.4-423.0-423.6-424.2-424.8-425.4-426.0-426.6-427.2-427.8-428.4-429.0-429.6-430.2-430.8-431.4-432.0-432.6-433.2-433.8-434.4-435.0-435.6-436.2-436.8-437.4-438.0-438.6-439.2-439.8-440.4-441.0-441.6-442.2-442.8-443.4-444.0-444.6-445.2-445.8-446.4-447.0-447.6-448.2-448.8-449.4-450.0-450.6-451.2-451.8-452.4-453.0-453.6-454.2-454.8-455.4-456.0-456.6-457.2-457.8-458.4-459.0-459.6-460.2-460.8-461.4-462.0-462.6-463.2-463.8-464.4-465.0-465.6-466.2-466.8-467.4-468.0-468.6-469.2-469.8-470.4-471.0-471.6-472.2-472.8-473.4-474.0-474.6-475.2-475.8-476.4-477.0-477.6-478.2-478.8-479.4-480.0-480.6-481.2-481.8-482.4-483.0-483.6-484.2-484.8-485.4-486.0-486.6-487.2-487.8-488.4-489.0-489.6-490.2-490.8-491.4-492.0-492.6-493.2-493.8-494.4-495.0-495.6-496.2-496.8-497.4-498.0-498.6-499.2-499.8-500.4-501.0-501.6-502.2-502.8-503.4-504.0-504.6-505.2-505.8-506.4-507.0-507.6-508.2-508.8-509.4-510.0-510.6-511.2-511.8-512.4-513.0-513.6-514.2-514.8-515.4-516.0-516.6-517.2-517.8-518.4-519.0-519.6-520.2-520.8-521.4-522.0-522.6-523.2-523.8-524.4-525.0-525.6-526.2-526.8-527.4-528.0-528.6-529.2-529.8-530.4-531.0-531.6-532.2-532.8-533.4-534.0-534.6-535.2-535.8-536.4-537.0-537.6-538.2-538.8-539.4-540.0-540.6-541.2-541.8-542.4-543.0-543.6-544.2-544.8-545.4-546.0-546.6-547.2-547.8-548.4-549.0-549.6-550.2-550.8-551.4-552.0-552.6-553.2-553.8-554.4-555.0-555.6-556.2-556.8-557.4-558.0-558.6-559.2-559.8-560.4-561.0-561.6-562.2-562.8-563.4-564.0-564.6-565.2-565.8-566.4-567.0-567.6-568.2-568.8-569.4-570.0-570.6-571.2-571.8-572.4-573.0-573.6-574.2-574.8-575.4-576.0-576.6-577.2-577.8-578.4-579.0-579.6-580.2-580.8-581.4-582.0-582.6-583.2-583.8-584.4-585.0-585.6-586.2-586.8-587.4-588.0-588.6-589.2-589.8-590.4-591.0-591.6-592.2-592.8-593.4-594.0-594.6-595.2-595.8-596.4-597.0-597.6-598.2-598.8-599.4-600.0-600.6-601.2-601.8-602.4-603.0-603.6-604.2-604.8-605.4-606.0-606.6-607.2-607.8-608.4-609.0-609.6-610.2-610.8-611.4-612.0-612.6-613.2-613.8-614.4-615.0-615.6-616.2-616.8-617.4-618.0-618.6-619.2-619.8-620.4-621.0-621.6-622.2-622.8-623.4-624.0-624.6-625.2-625.8-626.4-627.0-627.6-628.2-628.8-629.4-630.0-630.6-631.2-631.8-632.4-633.0-633.6-634.2-634.8-635.4-636.0-636.6-637.2-637.8-638.4-639.0-639.6-640.2-640.8-641.4-642.0-642.6-643.2-643.8-644.4-645.0-645.6-646.2-646.8-647.4-648.0-648.6-649.2-649.8-650.4-651.0-651.6-652.2-652.8-653.4-654.0-654.6-655.2-655.8-656.4-657.0-657.6-658.2-658.8-659.4-660.0-660.6-661.2-661.8-662.4-663.0-663.6-664.2-664.8-665.4-666.0-666.6-667.2-667.8-668.4-669.0-669.6-670.2-670.8-671.4-672.0-672.6-673.2-673.8-674.4-675.0-675.6-676.2-676.8-677.4-678.0-678.6-679.2-679.8-680.4-681.0-681.6-682.2-682.8-683.4-684.0-684.6-685.2-685.8-686.4-687.0-687.6-688.2-688.8-689.4-690.0-690.6-691.2-691.8-692.4-693.0-693.6-694.2-694.8-695.4-696.0-696.6-697.2-697.8-698.4-699.0-699.6-700.2-700.8-701.4-702.0-702.6-703.2-703.8-704.4-705.0-705.6-706.2-706.8-707.4-708.0-708.6-709.2-709.8-710.4-711.0-711.6-712.2-712.8-713.4-714.0-714.6-715.2-715.8-716.4-717.0-717.6-718.2-718.8-719.4-720.0-720.6-721.2-721.8-722.4-723.0-723.6-724.2-724.8-725.4-726.0-726.6-727.2-727.8-728.4-729.0-729.6-730.2-730.8-731.4-732.0-732.6-733.2-733.8-734.4-735.0-735.6-736.2-736.8-737.4-738.0-738.6-739.2-739.8-740.4-741.0-741.6-742.2-742.8-743.4-744.0-744.6-745.2-745.8-746.4-747.0-747.6-748.2-748.8-749.4-750.0-750.6-751.2-751.8-752.4-753.0-753.6-754.2-754.8-755.4-756.0-756.6-757.2-757.8-758.4-759.0-759.6-760.2-760.8-761.4-762.0-762.6-763.2-763.8-764.4-765.0-765.6-766.2-766.8-767.4-768.0-768.6-769.2-769.8-770.4-771.0-771.6-772.2-772.8-773.4-774.0-774.6-775.2-775.8-776.4-777.0-777.6-778.2-778.8-779.4-780.0-780.6-781.2-781.8-782.4-783.0-783.6-784.2-784.8-785.4-786.0-786.6-787.2-787.8-788.4-789.0-789.6-790.2-790.8-791.4-792.0-792.6-793.2-793.8-794.4-795.0-795.6-796.2-796.8-797.4-798.0-798.6-799.2-799.8-800.4-801.0-801.6-802.2-802.8-803.4-804.0-804.6-805.2-805.8-806.4-807.0-807.6-808.2-808.8-809.4-810.0-810.6-811.2-811.8-812.4-813.0-813.6-814.2-814.8-815.4-816.0-816.6-817.2-817.8-818.4-819.0-819.6-820.2-820.8-821.4-822.0-822.6-823.2-823.8-824.4-825.0-825.6-826.2-826.8-827.4-828.0-828.6-829.2-829.8-830.4-831.0-831.6-832.2-832.8-833.4-834.0-834.6-835.2-835.8-836.4-837.0-837.6-838.2-838.8-839.4-840.0-840.6-841.2-841.8-842.4-843.0-843.6-844.2-844.8-845.4-846.0-846.6-847.2-847.8-848.4-849.0-849.6-850.2-850.8-851.4-852.0-852.6-853.2-853.8-854.4-855.0-855.6-856.2-856.8-857.4-858.0-858.6-859.2-859.8-860.4-861.0-861.6-862.2-862.8-863.4-864.0-864.6-865.2-865.8-866.4-867.0-867.6-868.2-868.8-869.4-870.0-870.6-871.2-871.8-872.4-873.0-873.6-874.2-874.8-875.4-876.0-876.6-877.2-877.8-878.4-879.0-879.6-880.2-880.8-881.4-882.0-882.6-883.2-883.8-884.4-885.0-885.6-886.2-886.8-887.4-888.0-888.6-889.2-889.8-890.4-891.0-891.6-892.2-892.8-893.4-894.0-894.6-895.2-895.8-896.4-897.0-897.6-898.2-898.8-899.4-900.0-900.6-901.2-901.8-902.4-903.0-903.6-904.2-904.8-905.4-906.0-906.6-907.2-907.8-908.4-909.0-909.6-910.2-910.8-911.4-912.0-912.6-913.2-913.8-914.4-915.0-915.6-916.2-916.8-917.4-918.0-918.6-919.2-919.8-920.4-921.0-921.6-922.2-922.8-923.4-924.0-924.6-925.2-925.8-926.4-927.0-927.6-928.2-928.8-929.4-930.0-930.6-931.2-931.8-932.4-933.0-933.6-934.2-934.8-935.4-936.0-936.6-937.2-937.8-938.4-939.0-939.6-940.2-940.8-941.4-942.0-942.6-943.2-943.8-944.4-945.0-945.6-946.2-946.8-947.4-948.0-948.6-949.2-949.8-950.4-951.0-951.6-952.2-952.8-953.4-954.0-954.6-955.2-955.8-956.4-957.0-957.6-958.2-958.8-959.4-960.0-960.6-961.2-961.8-962.4-963.0-963.6-964.2-964.8-965.4-966.0-966.6-967.2-967.8-968.4-969.0-969.6-970.2-970.8-971.4-972.0-972.6-973.2-973.8-974.4-975.0-975.6-976.2-976.8-977.4-978.0-978.6-979.2-979.8-980.4-981.0-981.6-982.2-982.8-983.4-984.0-984.6-985.2-985.8-986.4-987.0-987.6-988.2-988.8-989.4-990.0-990.6-991.2-991.8-992.4-993.0-993.6-994.2-994.8-995.4-996.0-996.6-997.2-997.8-998.4-999.0-999.6-1000.2-1000.8-1001.4-1002.0-1002.6-1003.2-1003.8-1004.4-1005.0-1005.6-1006.2-1006.8-1007.4-1008.0-1008.6-1009.2-1009.8-1010.4-1011.0-1011.6-1012.2-1012.8-1013.4-1014.0-1014.6-1015.2-1015.8-1016.4-1017.0-1017.6-1018.2-1018.8-1019.4-1020.0-1020.6-1021.2-1021.8-1022.4-1023.0-1023.6-1024.2-1024.8-1025.4-1026.0-1026.6-1027.2-1027.8-1028.4-1029.0-1029.6-1030.2-1030.8-1031.4-1032.0-1032.6-1033.2-1033.8-1034.4-1035.0-1035.6-1036.2-1036.8-1037.4-1038.0-1038.6-1039.2-1039.8-1040.4-1041.0-1041.6-1042.2-1042.8-1043.4-1044.0-1044.6-1045.2-1045.8-1046.4-1047.0-1047.6-1048.2-1048.8-1049.4-1050.0-1050.6-1051.2-1051.8-1052.4-1053.0-1053.6-1054.2-1054.8-1055.4-1056.0-1056.6-1057.2-1057.8-1058.4-1059.0-1059.6-1060.2-1060.8-1061.4-1062.0-1062.6-1063.2-1063.8-1064.4-1065.0-1065.6-1066.2-1066.8-1067.4-1068.0-1068.6-1069.2-1069.8-1070.4-1071.0-1071.6-1072.2-1072.8-1073.4-1074.0-1074.6-1075.2-1075.8-1076.4-1077.0-1077.6-1078.2-1078.8-1079.4-1080.0-1080.6-1081.2-1081.8-1082.4-1083.0-1083.6-1084.2-1084.8-1085.4-1086.0-1086.6-1087.2-1087.8-1088.4-1089.0-1089.6-1090.2-1090.8-1091.4-1092.0-1092.6-1093.2-1093.8-1094.4-1095.0-1095.6-1096.2-1096.8-1097.4-1098.0-1098.6-1099.2-1099.8-1100.4-1101.0-1101.6-1102.2-1102.8-1103.4-1104.0-1104.6-1105.2-1105.8-1106.4-1107.0-1107.6-1108.2-1108.8-1109.4-1110.0-1110.6-1111.2-1111.8-1112.4-1113.0-1113.6-1114.2-1114.8-1115.4-1116.0-1116.6-1117.2-1117.8-1118.4-1119.0-1119.6-1120.2-1120.8-1121.4-1122.0-1122.6-1123.2-1123.8-1124.4-1125.0-1125.6-1126.2-1126.8-1127.4-1128.0-1128.6-1129.2-1129.8-1130.4-1131.0-1131.6-1132.2-1132.8-1133.4-1134.0-1134.6-1135.2-1135.8-1136.4-1137.0-1137.6-1138.2-1138.8-1139.4-1140.0-1140.6-1141.2-1141.8-1142.4-1143.0-1143.6-1144.2-1144.8-1145.4-1146.0-1146.6-1147.2-1147.8-1148.4-1149.0-1149.6-1150.2-1150.8-1151.4-1152.0-1152.6-1153.2-1153.8-1154.4-1155.0-1155.6-1156.2-1156.8-1157.4-1158.0-1158.6-1159.2-1159.8-1160.4-1161.0-1161.6-1162.2-1162.8-1163.4-1164.0-1164.6-1165.2-1165.8-1166.4-1167.0-1167.6-1168.2-1168.8-1169.4-1170.0-1170.6-1171.2-1171.8-1172.4-1173.0-1173.6-1

From the Producer-Director who gave you "Mutiny"

The story of a glamorous ma'am who turns on the wham ... and captures the town with a kiss ... told in the epic setting of the West's most colorful era ...

The



Produced and Directed by **FRANK LLOYD**

Associate Producer
Jack H. Skirball

on the Bounty"... "Cavalcade"... "Wells Fargo"

FRANK LLOYD PRODUCTIONS, INC.

presents

LADY FROM CHEYENNE

starring Loretta YOUNG

with ROBERT PRESTON

EDWARD ARNOLD

GLADYS GEORGE

Frank Craven • Jessie Ralph

Screenplay by Warren Duff and Kathryn Scola
Based on an original story by Jonathan Finn and Teresa Oaks

NATIONAL
RELEASE
APRIL 11th

A UNIVERSAL PICTURE

Increasing Latin-Am. Taxes on U.S. Pix Irk Major Cos., Mull Problem Of Shipping Films to Brit. Troops

Threat of additional taxation and restrictions in Latin-American countries, and the problem of getting films to British Empire troops, were weighed at the bi-monthly meeting of major company foreign chiefs at the Hays office last Thursday.

While new taxes and restrictions are considered recurring problems in the foreign market today, the situation in Cuba and Puerto Rico were singled out as requiring most immediate attention. Latter has imposed severe new tax proposals that are rated all out of line with the business done by U. S. distributors in the Puerto Rican market. The new law on anti-block booking in Cuba was given a thorough going-over at the session, with new moves to be taken by American distributors in Havana.

Reports from Cuba that it would place no obstacle in the way of showing Latin-American films in that country, if other Latin-American nations would treat Cuban productions in a similar manner, were viewed in New York as not particularly in line with U. S. promotion plans for hemispheric solidarity. In many circles it was viewed as a bid to encourage production of Latin-American films by insuring unhampered distribution in Cuba since Cuban production currently is negligible. Also some felt that it was in direct contrast to plans of Cubans to hamper distribution of U. S. films.

Frozen British Funds. Reported that no moves were outlined to foreign managers regarding the frozen money situation in Great Britain. The unfreezing of presently accumulated profits of U. S. distributors on the British Isles undoubtedly will be worked out through Washington. The British extends credit to Great Britain, then it would be up to the U. S. government, it's understood, to decide if American film companies should be allowed to figure in on any credit deal which would enable them to shift frozen coin to N. Y.

American film companies thus far have stuck to the theory that the normal number of picture prints should be shipped to Great Britain if they keep pace with obvious needs of the British Empire in maintaining high morale among its troops and popularizing the films being released in Great Britain now about 75% are supplied by U. S. film companies. Hence, the urge to get much of the production credit back into this country for use on future productions. Picture companies realize that England is giving all it can now in dollar exchange, but if new avenues of picture production for credit via the lease-lend bill, consent may be secured to reopen the old frozen-coin pact.

The meeting last Thursday outlined means for setting up machinery which would expedite shipment of American films to British troops wherever they are presently located. Constant shifting of British Empire forces makes the various blockades set up against much shipping prompted this action to maintain a steady flow of product.

PUSH B. A.'S COLON AS OPERA HEADQUARTERS

Buenos Aires, April 6. Determination to make "Elmos Aires" municipally owned opera house, the Colon, headquarters for South American opera is indicated by announcement of plans by Florio M. de Ugarde, the Colon's director-general, recently returned from New York.

Shortly after re-confirmation in his post, Ugarde revealed that special commission, named by Mayor Carlos Alberto Pueyrredon, ordered construction of a new outdoor theatre seating 15,000, has already chosen a site at Plaza Intendente Seeber in front of the Monument de Los Espanoles in the Palermo Park section of B. A. Adequate housing for summer season: the Colon has long been demanded by the press. Pointed out that the plan would make B. A. into a kind of S. A. Salzburg, and bring the best talent from all parts of the continent.

2 London Legiters Flop in Premieres

London, April 6. Two potential legit flops opened in the West End during the past week.

"Orchids and Onions" premiered at the Comedy Theatre April 1. It's an anemic revue presented by an indifferent cast.

"After the War," which bowed at the New, Monday (7), is also extremely unlikely. The polyglot Anglo-Polish revue is mostly tedious.

DISPUTE ENDS ON CUBAN PIC SELLING

Havana, April 6. New legislation, to all intents and purposes, ends the prolonged dispute here between film distributors and Cuban exhibitors. Disagreement began last year when some small exhibitors petitioned for government action against the distributors. They claimed the block-booking system kept them from making money, government decree to handle the situation never being placed in force. Mostly U. S. distros are concerned.

New legislation's selling provisions are patterned somewhat after those in the U. S. consent decree. It permits the distributor to sell in blocks of 10, but places no limit on the number of blocks which may be sold. It prohibits the sale of unproduced films, which is a change.

A coordination commission is named to recommend changes deemed necessary. The provision in the law, requiring every film theatre to use Cuban artists two days per month, is expected to cause most difficulty. In the original squabble, exhibitors fought this requirement, claiming there were not sufficient number of worthwhile Cuban acts to play in their theatres without hurting business.

Hutchinson Delayed
W. J. Hutchinson, 30th-Pop foreign chief, who planned to get away to Mexico last week, has postponed his journey through Latin-American play in their theatres without hurrying business.

Postponement attributed to the press of home office details.

Will Hays' Appointment of Durland As S. A. 'Expert' No Unanimous Choice

Appointment of Addison Durland to the Hays production code staff was not greeted with any unanimity of approval by major company foreign managers. They are concerned because of the man's past outspokenness will be the chief consultant and censor at the source on Latin-American films which they must sell. Several foreign chiefs expressed surprise at this addition to the staff because their companies already have elaborate script censoring departments.

One foreign sales chief was so annoyed he talked directly to Will Hays, who made the appointment, asking why a man from the film business wasn't picked. Others were provoked at not being consulted before the appointment was made. Hays is reported to have replied that Durland had something on the ball, and was a good man for the post. In contrast, the most outspoken on the Durland appointment were John W. Hicks, Jr., of Paramount, and Phil Ricks, of RKO, against him and for him respectively. Former said he did not know the new man and would have preferred somebody who's known to the trade if the Hays

Universal Gets Distrib Rights on 'Wedding'

Deal was set last week whereby Universal acquired U. S. distribution rights on "Quiet Wedding," British film made for Paramount as a British quota credit production. Deal includes Canadian distribution. Paramount distributed the film in Great Britain and shared in the financing with Paul Soskin, film's producer.

Far holds option on the picture for worldwide distribution. Paramount probably will distribute elsewhere aside from U. S.-Canada.

Gov't Aid Order May Have Repercussions On British Film Setup

London, March 15. Two new government orders are providing film trade with the headache that is seeny limitation. Most like-sees industry Lupton Order, which is pursuing a stringent shut-down policy on the business not contented grooved for the war effort.

Despite Board of Trade assurance that production is not included at present in the sweep of the new statute, it seems not to be overlooked perfunctorily. Anyhow, a definite threat to pic production is seen in the inclusion within the order of photographic and equipment outfits. Where these don't operate for the Government they're to be nixed.

Labor's eyesight is straining in a minute going-over of Fire Watchers Order, which covers the posting of employees on rooftops for fire-bomb dowsing. Task carries no extra pay to offset dangers and conditions. Reef of union tops is that cinema workers, and the order can be requisitioned for this or any other work they consider as within the defense realm, and there's no chance of kicking. They seek clarification and guarantees workers will be suitably cared for.

COWDIN UNABLE TO ATTEND U PARLEY

Press of business in New York and unfavorable flying weather prompted Cheever Cowdin, chairman of the American film companies, to plan to fly to Cristobal, Panama, to attend final two sessions last Saturday and Sunday of U's Latin-American convention. Originally he planned to bring Fritz, could not be reached in Panama for part of the Saturday session and also the closing day.

Nate Blumberg, Universal president, and J. H. Seidemann, foreign chief, had gone by boat the previous week. They are scheduled to arrive back in N. Y. April 13.

Blumberg, on his return Sunday (13), will head for the Coast after a few days in New York. He'll be in Hollywood for about 10 days on production contacts.

office had to have a new expert. He intimated that the subject of his appointment had never been brought before foreign sales managers and that none had met him. In contrast, the man rated Durland as a happy choice and a selection on which the industry should be complimented. He claimed that he was a man who knows Latin-American customs and habits, and that a man with picture experience was not required.

Arthur Loew, of Metro, said he knew nothing about the appointment or the man. Walter Gould, of United Artists, who formerly spent years in the Latin-American market, claimed he knew nothing about the appointment. Robert Schick, of Warner Bros., was absent in South America but officials said they would have preferred a man with film business knowledge. W. J. Hutchinson, of 20th Century, said he had been but others in his foreign department were not pleased with what they termed "meddling" in the picture business. J. L. Seidemann, of Universal, said he knew the man and would have preferred somebody who's known to the trade if the Hays

Aussie Seeks to Limit Remittances Of Yankee Film Cos. to \$2,000,000

Mexico Nixes Talk Of OK'ing Gambling Casinos

Mexico City, April 6. Rumors to the effect that gambling casinos are to bloom big this spring in Mexico, Tijuana and other spots of Lower California, are nixed in government circles. Reports, more insistent and widespread of late, are to the effect that bigtime American gamblers have obtained very generous concessions from the Mexican government for the reopening of these piches, closed several years ago under the national moralization program, are roundly denied by the government.

The only form of gambling now legalized in Mexico, excepting rights that were recently granted for horse racing at Agua Caliente and some other Lower California tracks, is the National Lottery and drawing of the capitalizing banks and some business firms conduct periodically among stockholders and customers.

JAP PAYOFF DUE ON U.S. PIX IN OCTOBER

The payoff in the Japanese money situation for American film distributors, involving around \$1,000,000, comes next October when the first of three notes held by the Yokohama Specie Bank, San Francisco, falls due. Japan government gave the distributors these notes, payable in American dollars for films released in Japan, with the money held in the San Francisco bank on three-year notes, the last of which falls due in January, 1942. U. S. distributors agreed to the loan arrangement in order to get additional pictures into Japan and because they were otherwise unable to convert Japanese funds into American dollars.

With war talk prevalent in the Far East, American film companies hope the notes would be payable much sooner. Any further trouble between the Japanese government and U. S. naturally might be reflected in the realignment of monetary policy. Freezing of funds has been done by the American government with other nations involved in the present war.

The initial note is due in October, other two being scheduled for payment in January, 1942. Cancellation of future operation of American distributors in Japan likely will be contingent on the full payment of these notes. This is the nearest thing to coin that U. S. companies have had from Japan since the Sino-Japanese conflict resulted in freezing of money there. The notes represent the profits realized by the eight major companies from operations dating from the war's outbreak. No money or subsequent note deals have been made beyond this one.

U. S. distros saved considerable from depreciation in Japanese currency during the note deal, since the yen has dropped from 27c to 23½c on the dollar, latter being the current exchange rate.

MEX CITY TO DEAL HARD WITH FASCIST VANDALS

Mexico City, April 6. More cops on the new police radio patrol, a fleet of 21 cars, have been assigned to put a definite end to disorders, including stench bombings, that have cropped up afresh in local cinemas during exhibitions of pix that offend the fascist sympathizers. The federal attorney general has threatened that all convicted of causing disturbances in the cinemas will be transported to the Tres Marias Islands in Mexico's Colima, or to the toughest criminals, 100 miles off the west coast.

Sydney, April 6. Federal government of Australia is conducting an inquiry of the film industry here. The plan is to increase the present 50% price increase for American distributors immediately and may reduce the importing of Class B films.

Most radical suggestion presented by the government thus far is that distributors establish a film pool which would make available all product to all theatres.

It is intimated here also that Professor Copland, Wartime Prices Commissioner, may be asked to take complete control of the film business in the government's behalf. If Copland is given this authority, he would control and regulate the program of distributors on all product released in this zone. Industry chiefs plan contacting the government to seek easing of contemplated setup.

\$2,000,000 Allowed
The Australian government is attempting to freeze \$1,100,000 more of U. S. distributors' coin under the new monetary agreement now being negotiated, which permitted the eight major American major distributors to take out \$3,100,000 in a year's time, expired last March 1.

Aussie government would allow \$2,000,000 remitted to American distributors in the next 12-month period. However, U. S. film companies are seeking at least \$2,500,000. Situation may be aided by President Roosevelt when he arrives in U. S. shortly. The lease-lend law may become the medium for easing the situation.

Meantime, foreign managers New York are negotiating a new frozen-coin pact which would devalue as little as possible from the first one in Australia. Fact that taxes on the building are continuing under the Anzac territory is being pointed up in talks on the new agreement.

FULLER IN A SPOT FOR FILM PRODUCT

Sydney, April 6. With Paramount's recent product swing to Greater Union Theatres, following the latter's exit on proposed merger with Hoyts circuit, Sir Benjamin Fuller, who is reported to be planning to build a chain of picture theatres in Melbourne in association with Metro and Paramount, now finds his source of product cut considerably.

Meanwhile, in a circuit expansion move current, Metro has taken over Fuller's St. James, Melbourne, thereby assuring it of steady class product.

GU Adds Rep. Col. PRC
Greater Union further fortified itself on U. S. product in the last few weeks by signing long-term pacts with Republic and Columbia, whose pictures it now handles. Also the circuit signed Producers Releasing product for New Zealand.

Reported in N. Y. that the old deal Warner Bros. has with Hoyts circuit, which has several years to run, may be cancelled at former's request, leaving way open for deal with Greater Union by WB.

Havana Grosses OK

Havana, April 6. Havana grosses for the past week were:
Fausto, "Arizona," \$1,900.
Encanto, "Brigham Young," \$1,405.
Radio Cine, "Great Dictator," \$2,980 (repeat).
Encanto, "Los re: Abajo," \$1,700; Argentine-made.
Payret, "Linda Beatriz," \$1,500.
America, "All This and Heaven Too," \$2,000.

Durbini, Grant Tops in Spain

Madrid, March 26. Deanna Durbin and Cary Grant have been named the most popular foreign film players in Spain, according to content conducted by Primer Plano, cinema weekly.

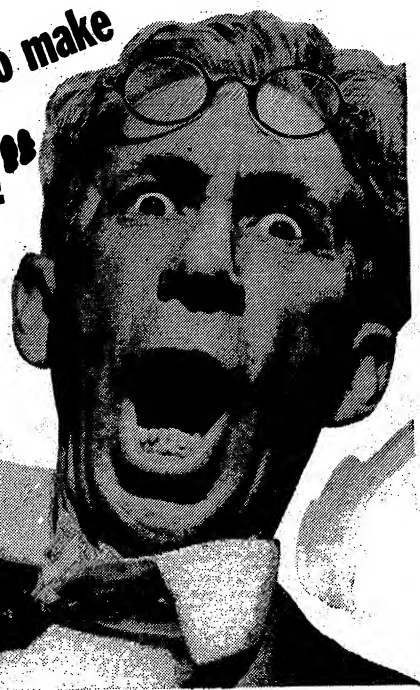
Julio Pena and Josita Hernan are top Spanish thespians.

"THERE OUGHTA BE A LAW!"

Why do the top shows with Action always come from Warners? Why should they have a monopoly on the big Action properties? Now it's 'SEA WOLF' -- and the new 'Drive by Night', 'THE WAGONS ROLL AT NIGHT'! I'm asking my lawyer to see if those other studios can't be forced to learn how to make pictures like Warner Bros!

Editor's Note:

If you think he's excited now, wait til he sees the boxoffice action when Warners' Bette Davis tells 'The Great Lie'!



(Continued on page 16)

A NEW DYNAMIC SERIES OF ONE-REEL
PRODUCTIONS FEATURING FAMOUS
ACTION-JOURNALISTS WHOSE
NAMES ARE BOXOFFICE!

THE WORLD TODAY

PRODUCED BY TRUMAN TALLEY

DISTRIBUTED BY 20th CENTURY-FOX

AS VITAL TO YOUR SCREEN
AS THE HISTORY-MAKING
EVENTS IT PRESENTS!



QUENTIN REYNOLDS,
internationally famous as Col-
lier's war correspondent, author
of the sensational best-seller
"The Wounded Don't Cry" and
commentator of "London Can
Take It," is the noted and heroic
action-journalist who dramatizes
the first two in this specially
significant boxoffice series!

FIRST TWO IN SERIES READY NOW:

"BATTLE OF THE ATLANTIC"

The sea struggle to win the war!

Described by **QUENTIN REYNOLDS**

"WAR IN THE DESERT"

The death of an empire in Africa!

Described by **QUENTIN REYNOLDS**

WATCH FOR ANNOUNCEMENT OF FUTURE RELEASES AND
THEIR FAMOUS "ACTION-JOURNALIST" COMMENTATORS!



**21 MILLION READERS FROM
COAST-TO-COAST SEE M-G-M's FULL
PAGE AD IN THE AMERICAN WEEKLY!**

[illegible]

This ad appears Sunday, April 13th in 4 colors in 21 newspapers!

Just part of M-G-M's barrage of showmanship in behalf of mighty "ZIEGFELD GIRL" in addition to teaser ads in 118 newspapers, full-page ads in all fan magazines, etc. Watch for the full page (above) in the American Weekly in the following newspapers: Albany Times Union • Atlanta Journal • Baltimore American • Boston Sunday Advertiser • Buffalo Courier Express • Chicago Herald-American • Cleveland Plain Dealer • Detroit Times • Los Angeles Examiner • Miami Herald • Milwaukee News-Sentinel • Nashville Tennessean • New York Journal and American • Philadelphia Record • Pittsburgh Sun-Telegraph • Portland Oregonian • San Antonio Light • San Francisco Examiner • Seattle Post-Intelligencer • Syracuse Herald-American • Washington Times Herald

'UNLIKE AXIS'—RADIO IDEAL

Arlene Francis' Crowded Days

In Broadway Play While Continuing on Sundry Air Shows and with Paramount Newsreel

Arlene Francis, who started rehearsing last week in the Theatre Guild's forthcoming production, "The Last Round," is also continuing her various radio activities, which include two live series (one with a repeat, a six-weekly morning series, a recorded serial alternate weekly half-hour programs and a recorded spot announcement series. In addition she does the sound-track commentary on Paramount fashion newsreels.

Rehearsals for "The Last Round" are held from 11 a.m. to 6 p.m. daily, with the management giving Miss Francis time off for her radio assignments. The latter include Macy's "940 Shopper's Club," five-minute series Monday through Saturday on WOR, New York. She also does the "Portia Blake" serial five days a week at 12:15 and 4 p.m., the "Amanda of Honeymoon Hill" serial at 3:15 p.m. and "Mr. District Attorney" at 9:30 p.m., and a repeat at 12:30 a.m. on alternate Wednesdays. Rehearsals for the "Portia" and "Amanda" shows don't require much time, but the "District Attorney" rehearsals run from 2 p.m. to 7 p.m. the day of the broadcast.

The recorded serial, "Betty and Bob," is waxed from 10 p.m. to 2 a.m. one night a week and the spot announcements for "Lydia Pinkham" are recorded every few weeks in a single late-night session. Besides the above regular assignments, Miss Francis appears on various other programs at occasional times and likewise has made several recent audition programs for submission to sponsors. Among her other recent activities was to act as mistress of ceremonies for a show given at a convention of Pepsi-Cola salesmen in New York. As "The Last Round" will open on Broadway without a tryout tour, Miss Francis will not have to be written out of any of her radio shows for that reason.

Ray Collins, another top dramatic actor in radio, is currently playing a leading part in Orson Welles' production of "Native Son" at the St. James, N. Y. He has about as many regular radio assignments as Miss Francis.

MUTUAL PACE 39.7% AHEAD OF 1940

Mutual Network this March had a gross turnover of \$513,774 in time billings, which was 31.5% better than it had been for the corresponding month last year. At that time it grossed \$390,813.

On the first quarter of this year Mutual is ahead by 39.7%. Accumulative figure for the initial three months stands at \$1,461,162, as compared with \$1,046,191 for last year.

PAT BARNES EMBEING

On Noxzema's "Battle" Moving to WABC from WOR, New York

Pat Barnes takes over this week-end as the Manhattan m.c., opposing Neat O'Malley, as the Brooklyn m.c. on the Noxzema-sponsored "Battle of the Boroughs." Teams compete in this New York replica of an inter-city audience participation, which has counterparts all over the U.S.A.

Show has been on WOR, but is shifting locally to the Columbia station, WABC.

Grand Duchess Charlotte of Luxembourg luncheoned and toured through Radio City by Niles Trammel yesterday (Tuesday).

Adding Insult

Hollywood, April 8. NBC artists service sneaked past Columbia's guard last week and set Eric Severeid, latter's war commentator, in the Warner's picture, "Underground."

Now the question is, whose mike will be used in the film.

'Barrel of Fun' One Of Most Costly Air Shows Ever on Transcriptions

San Francisco, April 8. 'Barrel of Fun' (sponsored locally by Acme Brewing) and produced in Hollywood by Britcher-Davis advertising agency, costs \$4,000 a show to record. The 26 half-hour programs in the series contracted for will mean a talent expenditure of \$104,000. It is believed to be one of the most costly entertainments ever put on transcriptions.

Inasmuch as brewer's can't sponsor a live show over a major network, Britcher had no difficulty in selling 'Barrel of Fun,' which offers sponsors a big-time show on major network outlets. Agency is already in the clear on its investment.

'Barrel of Fun' is built entirely for brewers. Charlie Ruggles and Benny Rubin are used with a large supporting cast of players, musicians and singers. Donald G. Wilson is producing the series.

YANK SHORTWAVE WAYS CLARIFIED

Private Business to Continue Operation of International Radio — See Straightforward Advertising Better Method Than Government Propaganda

NEW PLAN DUE

A preliminary meeting has already been held in Washington between Government personages and representatives of the 12 United States shortwave broadcasting units. The purpose of the meeting was to quicken the tempo of shortwave operations, coordinate the efforts, place the technical phases on a scientific basis and take steps to establish a method of consultative exchange within the framework of radio business competition. Apparently Government and industry are to recognize as basic this ideal:

That the United States shortwave system shall be democratic in character, voluntarily cooperative between the Government and industry, based on private enterprise and the whole system deliberately designed to contrast in methods and purposes to Axis propaganda.

As the result of the Washington get-together, blueprint of action is reported now being worked out under which it is likely:

(a) That the right to identify themselves will be retained by all of the (Continued on page 23)

Intensifying Rivalry in Soap Field

Colgate-Palmolive-Peet's Highly Specialized Radio Supervision Department Is Symptomatic

Now, Girls

Hollywood, April 8. Hedda Hopper, signing off her sown Sunkist broadcast at KNX, haunted down the hall to studio C, where her friend, Paulette Goddard, was rehearsing for Louella Parsons' "Hollywood Premiere." Those who know how chilly it gets when Hedda and Louella pass each other, held their breath. But nothing happened.

When producer Charlie Vanda informed her, "Louella won't say another word until you leave," she stalked off without even a glance in the direction of Lifebuoy's "first lady."

Swan Soap Still Has No Fall Radio Show; No Dice on Tibber McGee

Swan Soap, a Lever Bros. product, is still without a network show for the fall. The latest quarry that Young & Rubicam, agency on the brand, has failed to deliver is 'Tibber McGee & Molly.' Chester LaRoche, Y. & R. prez, went out to the Coast to see whether the comedy team could be weaned away from Johnson's Floor Wax and he came away without a deal.

Swan had previously been interested in lining up Jack Benny.

Like the other two members, Procter & Gamble and Lever Bros., of the big three in soap manufacturing, Colgate-Palmolive-Peet has established an elaborate radio department in its home offices. Aggressiveness shown by Lever in exploiting its new Swan brand has caused its competitors to do some re-vamping of their advertising setups and this situation has been no small factor in organizational structure put through by James Adams, C-P-P executive v.p., in his advertising department. Adams some years ago headed the C-P-P account in the Benton & Bowles agency.

Because of the intense competition in the soap field, Colgate-Palmolive has found it necessary to maintain a separate radio organization which would be able not only to maintain supervision over the programs of the account's various agencies but to keep in close touch with time and talent developments, both network and local station broadcasting. The department will keep apprised of good network spots that are about to become available and maintain a policy of open sesame to independent program producers. Hugh McKay is in charge of the department, while his time buyer is Ralph Robertson.

The intent is in no way to freeze out the agencies but rather to put the account in a position of not missing any of the good spots, in either time or shows. The home office radio department will serve as field marshal and information collector, while the agencies will go on carrying out all the details.

TACTICS AND CHARM

Events have progressed in Washington to a point where the radio industry is alarmed for its future and concerned with the question of what to do about it. At the moment the spotlight should be, and presumably is, upon tactics. Under the pitiless self-analysis of a detached scrutiny, with all vanity squeezed out, the industry may well ask itself if past defensive strategy has been (a) smart or (b) successful; and whether future defensive strategy is likely to be (a) smarter and (b) more successful. Because the first 20 years were obviously the easiest.

Against what may broadcasting fairly organize to defend itself? Not the public or the public interest. Not the Government, as such, but threats of an arm of the Government that starts or threatens illegal jostling. Broadcasting may fairly organize to defend itself against the vagaries of cranks and crusaders, against the malicious mischief of radio-hating elements, against bullying and false assertions of authority, against would-be autocrats, against enemies of private enterprise and advertising, against bigotry and incitement of any kind, against unscrupulous legislators and frivolous publicity-seekers.

Most of all it would seem the best defense of American broadcasting would be an intelligent, conscious, permanent offensive campaign to better get across to people and to politicians that American radio is, like the United States itself, one helluva success. It is in line with the spirit of our times to be critical and not to stupidly fight change where change is inevitable or even desirable. But a willingness to admit flaws and errors should not silence a legitimate gratification that, somehow, partly by design and perhaps partly by accident, the competitive, privately supported, censorship-free, criticism-taking and opposition-guaranteeing American radio industry has been, marked by many virtues, only petty scandal-

and is guilty of only occasional public interest perversions—an infinitesimal percentage compared to what autocratic radio systems, including the BBC, regularly do to public interest.

But, tactically, the emphasis of the future must presumably be upon this need of intelligent, conscious, permanent, defense-by-offense. This radio has not had. This radio needs. And to get it some blunt truths may need to be bluntly stated, some corny methods be unceremoniously deposited in the ashcan.

Some time ago the radio industry united to reorganize the National Association of Broadcasters and to thereby win a victory over Father Coughlin and others who sought to put radio on the spot. Later the broadcasters united to fight its traditional foe, ASCAP. These are omens of radio's ability when properly aroused, to unite. Against these constructive signs may be cited the divisions of interest between clear channel, regionals, locals, affiliates and networks. So nobody would be justified in belittling the complexities of the problem of industry tactics.

And now to come to some—but not all—of the blunt questions:

Has an excess of cynicism weakened radio, as it did France, when the big crisis came?

Has broadcasting as an industry had faith in personality and no faith in principle?

Has short-sighted short-term expediency been the only defensive tactic of the past?

Has the Washington 'inside track' been the great mirage and some of the 'insiders' the great charlatans of the industry?

Has an industry with a splendid record kept its story hidden out of lack of public relations imagination; out of small-minded confidence in small-minded politicians?

In short, tacticians may well ask, has there been a breakdown of charm in Washington?

LADY ESTHER'S CONTINUANCE DUBIOUS

Lady Esther may retire from radio after consecutive 10 years run. Account has already broken off with Guy Lombardo, effective May 5, and several independent drama spots to yesterday (Tuesday) whether it was going to replace Lombardo with another program. Reports around the trade had it that other hands were being auditioned, but this was not confirmed by the Lady Esther agency, Pedlar & Ryan.

The cosmetic started its career in radio in 1931 with a single half hour on NBC and in time this schedule was increased to as many as four half hours a week. Wayne King, who took stock as part of his remuneration, remained on the company's weekly radio drama series, but over a break and Lombardo took over two years ago last October. For years NBC used Lady Esther as a classic success story and it was understood that this was not a pleasant Christmas when the owners of the firm refused to let the bandman extend a holiday greeting to the program's listeners. The sponsor felt that if there was any wishing to be done or any thanks to be extended for loyal listening, such expressions should come direct from those paying the bill.

Alfred Busiel, part-owner and advertising head of Lady Esther, has been in Havana for some time, but on his return to the U. S. he would listen to an audition of Freddy Martin's band with Herbert Marshall doubling from m.c. a weekly radio drama series. There was a report yesterday (Tuesday) that Lombardo had been dickering with Chesterfield for Fred Waring's daily spot on the NBC-red but this was not confirmed by Newell-Emmett, agency on the red account.

Case Up Before New Orleans NLRB

AFRA Collects \$14,000 Back Fees for Off-the-Line Programs—Dickers in Portland and Dallas

Saul Jaffe, law partner-brother of Henry Jaffe, will handle the AFRA case against station WIOD, Miami, at the National Labor Board hearing, tomorrow, (Thursday), in New Orleans. The union charges the station management with unfair labor practice and seeks reinstatement of two announcers, Bill Pennell and John Stinson, allegedly fired for union activity. It not only is seeking the payment of wages for the entire time since their discharge, but seeks reimbursement for commercial fees they are said to have lost in the interim.

Collection of more than \$14,000 in claims for back fees was made last week by AFRA from the sponsors of the "Mr. Keen," "Easy Aces" and "Manhattan at Midnight" programs. Charges were for off-the-line recordings and represent adjustment of fees already paid. Payment winds up a number of such cases, as the sponsors of "Gang Busters," "Grand Central Station" and other programs had already settled. In Portland, Ore., local, represented by State Senator Harry M. Kenin, is negotiating a staff contract with KGW-KEK, and expects to have the deal signed within a few days. The Dallas local is negotiating for a contract with KRLL, with Andrew Patton, former Dallas district attorney, representing the union.

Anderson Promotes CBS Shortwave Branch; Fry Stays in Detroit

CBS' international shortwave department now has a sales promotion division headed by Ernest Anderson, who was previously in charge of the Detroit office but he was brought back to New York after Columbia Detroit promoter, Tom Fry, was granted a deferment by the local draft board.

'WOMAN IN WHITE' GOES TO OXYDOL AND B-S-H

Procter & Gamble has taken the "Woman in White" serial away from Pedler & Ryan and assigned it to the Blackett-Sample-Hummert agency, Chicago. Whereas it formerly plugged Camar, now the show will use B-S-H's supervision carry the Oxydol tag.

This move and the assignment of Ivory Snow to Benton & Bowles the week before are scheduled special advertising juggling routine that P & G has engaged itself in prior to the advent of daylight saving time, April 27.

ROLLS IN THE EASEL

Mutual Shows Its Sales Story to New York Admin

Mutual Network yesterday afternoon (Tuesday) unveiled its latest easel presentation to a group of ad agency men at the Waldorf-Astoria hotel. There will be another showing, plus refreshments again, to a similar group this afternoon (Wednesday). Later on the network will make up 100 copies of this work, but in smaller edition, for distribution among MBS salesmen and outlying agencies.

The presentation describes the rise of Mutual along coverage, business and program lines, tells of the new stations that are about to join the network, and makes a comparison of market representation and rates with the NBC-blue.

Al Pearce's Renewal

CBS last week got a renewal for the Al Pearce show from Camel.

His new time in May will be 10:30-11 Friday nights.

Bob Kaplan Into Army

Bob Kaplan has quit as secretary to Lynn Murray since he's slated to be inducted into the army this week or next. He's the son of Ben Kaplan, radio columnist on the Providence Journal Bulletin.

Jack Beach, former CBS page-boy, is taking young Kaplan's spot with Murray.

Disc Code Pronto

Proposed transcription code, already approved in outline by the American Federation of Radio Artists and the National Labor Union, will probably be signed in a few days. Negotiating committees for the two groups met yesterday (Tuesday) to iron out final details of the agreement.

PRESS LICENSES FOR FM ARE GRANTED

Washington, April 8.

Finally attitude toward newspaper applicants for FM permits has been softened by the Federal Communications Commission although most publishers' pleas for operating papers remain on the hook pending the scheduled hearing on licensing policy. Regulators last week ground out a few of the held-up construction permits.

Following a previous announcement that the authorizations already issued might be followed up with issuance of the papers when it was shown that public interest required early action, the Commission disapproved a certificate to Gordon Gray, Winston-Salem, N. C. (Journal-Sentinel). Six other newspaper applicants will get CP's carrying a provision "That no construction facilities shall be undertaken or completed until the Commission has acted on the general newspaper ownership question" while requests of five other newspapers were placed in pending.

The Milwaukee Journal, one of the group given conditional construction permits, was authorized, however, to operate its present experimental plant commercially for 60 days subject to any rules and regulations that may be adopted later.

The permit for Gray was justified with an informal explanation that the station would serve a different area than that covered by the Journal-Sentinel and also would compete with existing newspapers owned by other individuals. Apparently "public interest" depended upon the identity of the owner rather than on his journalistic connections, for Gray is known to be a good N. Dealer.

Conditional construction permits went to the South Bend Tribune (WSBT), Detroit News (WJBR), Milwaukee Journal (WTMJ), Pittsburgh Post-Gazette (WTWV), Baton Rouge Advocate and State Times (WJBO), Columbus Dispatch (WBNS), Chicago Tribune (WGN), Rockford Star and Register-Republic (WROK), Baltimore Sun, Trenton Times, and New York News.

Farmer-Labor Bloc Cries 'Censorship'

Gammons, of WCCO, Denies Charge—Speaker Banned on Beef Remarks Were Libelous

Minneapolis, April 8.

Because Earl Gammons, WCCO general manager, refused to permit State Senator G. H. Lommen, Farmer-Labor leader, to go on the air to deliver an address scheduled for attacking budget figures which Gov. H. B. Stassen previously had given out over the other waves, a resolution backed by the liberal forces in the state legislature has been introduced into that body, calling for a federal investigation of the CBS station. The incident has kicked up a considerable furore and has been played up heavily in the press, with liberals claiming the right of free speech has been impinged upon.

Gammons, however, explains that he only took action after the governor's office, which had come into possession of the prepared Lommen speech prior to its delivery, notified him that the talk, purporting to show

'LONE RANGER' DIES

Earle Graser, Little Known Actor, Played Famous Cowboy Galahad

Earle Graser, the "Lone Ranger" of radio, was killed instantly about dawn yesterday (Tuesday) in an auto accident near his home in Farmington, Mich., a suburb of the Detroit. He was believed to have fallen asleep at the wheel of his car, which crashed into the rear of a trailer-truck. He was within two blocks of his home when the mishap occurred. Caution while driving has frequently been urged on the "Lone Ranger" programs.

Bruce Beemer, the original "Lone Ranger" when the program started some years ago and who stepped in for Graser has been narrator on the series, will return to the title part for tonight's (Wednesday) broadcast. In conformity with the long-time policy of anonymity for the cast of the show, the change will not be announced.

Similarly, as King-Trendle, Inc., owner-producer of the show and operator of WXYZ, had standing instructions not to publicize him, and his identity was not even revealed to the public. One of the few occasions when Graser received publicity as the "Lone Ranger" was in a Saturday Evening Post article several months ago. King-Trendle was understood to have been irate at the revelation of his identity at that time.

"Lone Ranger" series originates at WXYZ and is heard on the Mutual network Monday, Wednesday and Friday nights, being also recorded for broadcast in Canada, Honolulu, Australia and New Zealand. It is sponsored co-operatively, but will be taken over on WOR, New York, and 42 other network outlets May 5 by General Mills. It was one of the four original programs of the Mutual network when it was formed, and has remained on ever since. It was originally heard before that on WXYZ locally, however. In addition, the "Lone Ranger" character has been the basis of a series of Columbia pictures, a cartoon strip, and more than 50 items of merchandise.

Graser is survived by his wife, Jean, and a one-year-old daughter, Gay.

JOHN ELWOOD BACK TO NBC

John Elwood, former vice-president of the National Broadcasting Co., is returning to the organization as manager of its shortwave division under John Royal. Elwood was a general radio executive, having held various posts in the network prior to his leaving. He will join the NBC staff in the near future.

Post he fills was vacated by Guy Hickok some weeks ago when the latter joined Don Francisco in the radio division of the Nelson Rockefeller Foundation on Inter-American cultural relations.

Elwood is the second former executive of NBC to be re-hired in the past year. Edgar Kobak, head of the blue network sales department, is the other.

Sea-Going Radio Research

The summer sales promotion campaign was officially opened this week by Joseph Creamer, of WOR, New York, with a detailed report on what people who own yachts, cruisers and sailboats do about radio. The data was gathered secretly last August, when amphibious representatives of the American Market Research Corp. hired outboard motor boats and prowled Hudson Park, Echo Bay, Glen Island, Manhasset, Red Bank and other home ports of small pleasure craft. Pulpit researchers megaphoned up at surprised boatmen and discovered that of 175 craft at anchor, 60% were equipped with radio, and of those with radio, 60% had portables. And they listened to WOR 24%.

Proving that the good old summer time is still good radio time is the thesis of 27 pages of Creamer's data. The sea-going survey was just one of many kinds of checking followed.

Inside Stuff—Radio

Two different scripts were in readiness for the repeat broadcast of the "Grand Central Station" program last night (Tuesday) over NBC blue (WJZ). They were dramatizations of the same story, but one was five minutes shorter than the other. Regular program, which went on from 9:30 over the eastern and midwestern NBC blue hookups, had only one script of the normal length.

Repeating the two shorter scripts for the repeat show was the uncertainty of how long the light broadcast for Adams hats would run. Broadcast described the Joe Louis bout, which, if it went the full number of rounds, would run five minutes into the "Grand Central" repeat time, beginning at 11 p. m. However, if the fight ended in an earlier round, "Grand Central" would have the extra minutes to run scripts of 30 minutes and 25 minutes were ready and rehearsed. "Grand Central" is produced as a package by Lambert & Feasley for Lever Bros., through Routhrauff & Ryan. Ira Ashley directs it.

Although Mutual is not slated to take over the fight broadcasts at Madison Square Garden, N. Y., from NBC until June 1, it has already started to ballyhoo the switchover via special sports programs. First of a regular series was aired Friday (4) night when the Lou Nova-Max Baer bout and took the form of roundup of comment from various sports authorities immediately after the conclusion of NBC's description of the fight. Fact that the fights will be carried by Mutual after the June 1 date was prominently mentioned on the show.

No decision has yet been reached as to who will do the blow-by-blow account when Mutual and Gillette razor takes over, although Ted Husing made a sample recording and is understood to be getting consideration for the assignment. Sam Taub, who now does it for NBC and Adam hats, is also a possibility.

Before closing with Pepsi-Cola for the five-minute program series on the blue starting in June, NBC checked with the Independent Radio Network Affiliates on the basis that affiliated stations ought to be compensated for the five-times-a-week setup. The understanding that ensued was that the stations be paid off for the five five-minute periods a week on the basis of a full weekly hour.

According to NBC only a few of the 130 stations tagged for the Pepsi-Cola hookup have protested against the network selling a five-minute unit of time when the program does not consist of news. The station compensation contracts do not make any mention of rates for units less than 15 minutes.

When Haven MacQuarrie was in Des Moines with the Marriage Club program on KRNT he was observed walking up the 13 floors of the Register and Tribune building to the radio station and elevators it used to enter before he was taken to Mike Cowley's office. However, he continued on successive visits to the station to walk down all 13 flights.

The reason for this is that since being locked in a refrigerator when a youngster and being gassed in the world war, he can't take elevator steps—either up or down.

Negotiations by a leading food processor for the radio rights to an adventure strip blew up suddenly when the account received a report that it had ordered on the business habits of the strip's owner. This old conservative firm makes it a practice before signing a contract to inquire into the other's business standing and responsibilities. In this case it found that the "other party" does not maintain a checkbook account nor even a bank account, insists that he be paid in cash and signatures no contracts himself but arranges to have all such obligations assumed for him by a third party.

Eddie Cantor is the last of the stars to hold out against BMI. Original music only has been played last week after his Ipana program. After much grumbling and reluctance, pro-ASCAP Bing Crosby finally yielded and has since sung BMI.

Under Bristol-Myers' contract with Eddie Cantor it doesn't have to act on his option for the second year until Sept. 1. His agreement covers two years and calls for a 30-week season.

Services of George Denny of Town Hall, New York, as a moderator at forums a Town Hall conducted at educational, business and miscellaneous conventions is in demand. In addition to his chore of this description at the May 5 Institute for Education by Radio in Columbus he will officiate May 25 in Boston at the Advertising Federation of America with Hill Blackett, Carl Conway, George Gallup and Hartford Power speaking to the subject "How Advertising Can Best Serve Democracy Today."

Mrs. Betty Reeves, widow of Knox Reeves and still v.p. of the Minneapolis agency leaving for a new job, has published her new novel, "A House for Emily," and has a second novel, "Sweet Air the Days," nearly done, and a third one, "Eva," telling. She writes at night after a full literary day at the office as script editor of "Valiant Lady," "Jack Armstrong," "The Mystery Man" and "By Kathleen Norris."

KSTP, Minneapolis, has launched "new approach" to the sales promotion problem with a four-page folder, explaining the station's new "Planalyzer Promotion" campaign for time-buyers. Linking promotion, merchandising and publicity department, "Planalyzer Promotion" is making a big point of the fact that its service is offered after the contract is signed.

Herb Pettley points out the oddity of the new Low frequency modulation transmitter being located at Paslades park, within a few feet of the original WHN towers being built to 1922. Meanwhile, WHN's 50,000-watt plant for next fall operation will be located in lowlands outside Hackensack, protected against Mexico.

AMERICA'S RADIO PUBLICISTS

'Unlike Axis'—Radio Ideal

Continued from page 21

12 shortwave senders and with it the right to sell advertising sponsorship of programs. This apparently recognizes the theory that advertising support is more democratic, more practical, more congenial to South Americans than would be the counter-method of Government operation and Government programming which assume the character and the odium of propaganda.

Modification.
(b) But in the interests of coordination of effort and exchange of information there may be a modification of present indiscriminate, self-determined operating policies by 12 separate shortwave units.

It is possible that NBC will be the pivotal organization of one grouping including Westinghouse, Power Corp., WJLB of Cincinnati and WRUL, Boston. Columbia in turn would be associated loosely with General Electric which has shortwave transmitting plants in Schenectady and San Francisco.

Democratic.
By thus retaining a minimum of two business groupings within shortwave, Yanks would preserve the principle of private control and freedom of action and offer a democratic-type shortwave organizational contrast to Axis modus operandi. The role of the U. S. Government while group heretofore would be to render the emerging plan presumably remain that of a partnership in the national interest as between Washington and private enterprise. "Coordination would not be a polite name for 'regimentation'."

The recent Washington meeting will probably result in some sort of regular consultative apparatus between the shortwave broadcasters and the Government. Lowell Mellett is expected to be the Administration's spokesman. The radio industry would presumably designate some one individual as its Washington contact. Nelson Rockefeller's Inter-American cultural relations committee would also play a part.

NBC-CBS Would 'Consult'
The consultative principle would bring the NBC group and the CBS group together from time to time. A voluntary sharing of information and a scientific approach to the whole problem within the framework of rivalry are the ideals sought.

The high costs, actual or potential, of international programming with its pitiful income possibilities through semi-advertising sponsorship are fully understood and both CBS and NBC are reconciled to the burden for the good of the United States and is proof of a public sense of duty by broadcasting.

Just now it is Europe—not South America as often commonly supposed—that is looking to the shortwave broadcasting. The voice of the United States is heard in Europe with a moral and morale weight far greater on the whole, it is thought, than the British. It seems clear that in the recent Yugoslav right-about-face Yankee shortwave played quite an important part. One plan for the 12 existing United States shortwave stations now being to foreign lands to surrender individual operation and management to a single corporation which would be set up for this purpose has been abandoned, but seems to have been abandoned.

Signal Gets Weaker.
As the beam widens, the signal becomes multiple, weaker. German and English, therefore, allot each station a narrow territory to which it transmits and by having a number of stations they cover the whole. In the U. S. outlets all overlap each other and, despite the 50,000 watts some now employ, can't be heard well in the southern end of the continent nor in some other spots.

It has been emphasized that no

shortwaver wants voluntarily to broadcast exclusively to some insignificant territory like Haiti or the backwoods of Chile while a competitor grabs for himself Rio or Buenos Aires. All the stations are particularly anxious to hit the wealthy Argentine area.

Most of the 12 U. S. shortwavers do beam to Europe during the day, transferring to their South American antennae during the evening, when the time difference in Europe makes broadcasting to there impractical. European beams are almost as diffused as those pointing southward, while, under unified operation, each station could be allotted an objective.

CONOCO TAKES SPOT FLYER

Continental Oil Co. is placing a campaign of 52 announcements through the Midwest and southern areas. Schedule is to be run off between June 4 and 29 at the rate of two announcements a day.

It's to plug a new Continental brand and the agency is Tracy-Locke-Dawson.

'Jury Trials' Continues Throughout Summer

Williamson's Candy will continue its 'Famous Jury Trials' on NBC-blue through the summer. Beginning April 28 it will occupy the Monday 10-10:30 p.m. spot.

It's now on Mondays but at 7 p.m.

Vic Connors to N. Y.

San Francisco, April 8. Vic Connors, for the past four years local secretary of the American Guild of Variety Artists and the American Federation of Radio Artists, left for the east yesterday (7).

To assume the post of national organizer for AFRA.

Australian Gov't Tightens Control; Editorial Deplores 'Seductive Power'

Canberra, March 28. The Federal government will complete absolute control of the Australian Broadcasting Commission under a bill due for signature shortly. Bill was first introduced by Senator George McLeay, Postmaster-General, who is in charge of both national (A) and commercial (B) stations. Labor Party, in opposition, will sanction the passing of the bill.

New provision gives to Governor General Lord Gowrie, acting for the government, power to upset any decision of the A.B.C., and direct members to take any action he considers advisable. Meantime it's the intention of the government to increase operating board of the A.B.C. from five to seven, including a Labor representative, and to place employees under working conditions similar to those prescribed in the Public Service Act, thus making the A.B.C. virtually a branch of the Public Service.

EX-RADIO EDITOR TO ASSIST KIRBY

Harold Kent, Morris Jacobs, Jack Harris, Brooks Watson, Ross Worthington, Jerome Ross, Robert Coleson, Gordon Hittenmark Among Men From Broadcasting Sources Now Under War Department

PROGRAM IDEAS

Washington, April 8. Under the general direction of Ed Kirby, formerly with the National Association of Broadcasters, a radio publicity bureau within the U. S. War Department is already beginning to function. Its immediate tasks are to organize, coordinate, preside over and supply program ideas and continuities and to facilitate meetings and relations of broadcasters and the publicity officers of America's 188 military camps.

Kirby's rapidly expanding staff now includes:

Harold W. Kent, a captain, former radio director of the Chicago public schools and widely acquainted among broadcasters.
Curtiss Mitchell, for 10 years an editor of various radio fan publications.

Gordon Hittenmark, a captain, a former NBC announcer.

Morris Jacobs, who was a radio program official for the Democratic National Committee in 1936.

Jack Harris, on leave from WSM, Nashville, Kirby's former connection in the industry.

Brooks Watson, on leave from WMBD, Peoria.

Ross Worthington, with Pathe newsreel experience and whilom producer on 'We, The People' program.

Jerome Ross, formerly with Balckett-Sample-Hummert and the New York Post.

Robert C. Coleson, radio official of the San Francisco fair.

American Bounce Bands for NBC Shortwave Under Discussion; McCann-Erickson Seeks Sponsors

How to Start a Riot

Minneapolis, April 8.

Schunemann's, Inc., department store, has new KSTP morning program called 'Finder's Keepers.'

Gal announcer tells about some special item in the store, describes it, gives its approximate location and then comes forth with the info that it's the property of the first Schunemann customer that day who finds it.

NEHI CONTRACTS SET WITH 300

Neih (Crown Cola) is now set with over 300 stations with each of these running five five-minute musical programs a week. The time is bought locally but the shows are produced by B.B.D.-O., agency on the account.

Out of the 300-odd stations only 40 it was found had no local card rates.

CHANGE OF ADDRESS

'Home of Brave' Is Now Care of Benton & Bowles

'Home of the Brave' leaves both CBS and Young & Rubicam in June and moves over to the NBC-red and the Benton & Bowles agency. It will make the 5-5:15 period on the latter network and plug Certo and Sure-Jell. Serial is now tied to Swansdown Flour.

General Foods controls the show and the various brands.

NBC is preparing a series of half hour per day dance band programs from New York hotels which it will shoot shortwave at South America and which it hopes will be sponsored by manufacturers whose products are available in that territory. Net has approached several New York hotels on the idea of picking up bands and has met with affirmative nods because of the advertising spot will derive from the broadcasts. It says it has the okay of Local 802 of the American Federation of Musicians to go ahead on the idea.

Network plans to use six half hours of live dance music a week, emanating from different hotels. It figures that beside the commercial basis of the programs there's a valuable good-will aspect that can't be overlooked. In addition, and one of the points it is using in gathering bands for the work, is that the live music will help to sell American recordings by the bands involved to fans below the equator.

Programs are partly based on story which appeared in VARIETY several weeks ago from Buenos Aires. Story gave an account of the growing number of fans and fan clubs with a soft spot for American swing bands. McCann-Erickson is agenting the idea and reportedly has Standard Oil Co. of New Jersey interested.

2,500 Canadian Radio Technicians Needed in England

Toronto, April 8. Coincident to that recent parliamentary enactment 'freezing' new-model designing in Canada's radio industry for the duration of the war, shareholders in the big Rogers-Majestic Corp. and DeForest Radio Co., here have ratified the agreement whereby their large plants have passed into British hands to become units of a great British Empire enterprise dedicated to the production of special and technical radio equipment for the British air, navy, and army forces.

Corollary to this latest development in radio in this Dominion, Royal Canadian Air Force headquarters are issuing appeals by press and radio for 2,500 radio technicians who will be sent to England immediately. With the age limit from 18 to 45, but preference given to those from 20 to 27, basic pay will be \$1.30 a day, plus maintenance allowances to dependents, with commissions to be granted and remuneration plus family allowance to be based on that sliding scale which obtains in the other-grades of army, navy and air force.

Because of the continuing developments in television, frequency modulation and other radio advancements, small laboratory personnel will be maintained by Rogers-Majestic-DeForest. The well-equipped plants will now be under the supervision of W. C. Thornton Cran, of London, as president. Chairman of the board is Lord Swinton, former Minister for Air of Great Britain. Directors are all outstanding radio figures in Canada, the United Kingdom, the West Indies, and other parts of the Commonwealth. The managing director is American-born Alan Miller.

Ted Enns, national salesmanager for KSO-KRNT, Des Moines, to New York City this weekend for ten days

was tabled in Parliament by McLeay. Report disclosed an advance in finance and radio licenses. Revenue is listed at \$3,095,460, an increase of \$214,928 for the year. Assets are listed at \$2,053,016, being \$320,544 higher than in 1940. Presently there are 1,212,581 licensed set holders in Australia, paying the government \$4 yearly for the right to listen-in. The A.B.C. takes a percentage of each licensee fee for operation costs. Commercial stations do not share in the tax, being supported by advertising sponsorship.

Figures given above are calculated \$4 to the pound.) In radio circles the government's action in taking full charge of the A.B.C. against previously nominal control is being watched with very close attention. Daily Telegraph, a powerful Sydney newspaper, had this to say:

The Broadcasting amendment bill now before the Federal Senate creates some dangerous provisions. . . . This bill is likely to do more harm to the public than to the Commission, unless the Federal Parliament insists that the government insert some check on its power to control what goes on the air over A-class stations. . . . The present government may have the best intentions. It may never be unscrupulous enough to suppress criticism of itself, to organize talks and broadcast commentaries which create an entirely false conception of its activities. It may never be tempted to use the radio stations it controls to promote the political

parties which Ministers belong to. It may never seek to color the news to its own advantage. But we may some day find ourselves under a government which is tempted by the seductive power this bill offers, to do all these things. . . . One thing this country has got to guard against now—the danger of official control of its means of expression. . . . The possibility that a politician may be able to extend his parish-pump influence by compelling the A.B.C. to broadcast some musical prodigy from his electorate is hardly less horrible than the prospect of a government blanket over freedom of expression on the air.

With the more complete control of the A.B.C., private broadcasters figure that some action against them will be taken in due course. Excess have in mind the statement of Senator McLeay that the present radio layout is unbalanced and the government was considering reducing in some areas the number of licenses issued to commercials.

Meantime, Minister for Information (Senator Foll) has announced that his department will stop the distribution of free news service to commercial stations. . . . Exception, however, would be made in the case of a limited number of commercial units in areas where there is no national A.B.C. station.

Foll stated that in place of the free news service his department would offer other free services to the commercials, including speeches by brass hats.

'The Want Shop'—Swappers' Heaven— Sold to Local Tire Co. by KGO

San Francisco, April 8. Biz in all three divisions sailed along on a pretty even keel last week. Only marked change from the previous seven days was the upswing in KFRG's local billings. KGO has made its daily morning eye-opener, 'The Want Shop,' to the Lambert Sales Corporation (tires) on a six-month contract. The program, created and handled by KGO, gives listeners a chance to trade all kinds of merchandise. Lambert is its first sponsor.

KGO: Safeway Stores, Inc. (Kitchener-Craft), 20 spots; 'Home Forum,' through J. Walter Thompson; Cathay House (restaurant), 13 participations in 'Home Forum,' direct; Lambert Sales Corp. (tires), six quarter-hour programs weekly; 'The Want Shop,' through Yeomans & Foote; Moore's, Ltd. (men's clothing), 52 spots, through Brischner, Davis; Walker Remedy Co., 26 spots, through Weston-Sarnett; Marvulous Marin, Inc. (Marin County), 25 spots, through Theodore H. Segall; Golden State Co. (milk products), nine spot, through Ruthrauff & Ryan; Shell Oil Co. (gas), 28 spots, through J. Walter Thompson. KSFO: An-Fo Mfg. Co. (Snail-Foil), 13 50-word spots and 13 35-word spots through Emil Reinhardt; Armstrong Cork Products Co. (Quaker Rugs), three 15-minute programs weekly, through Batten, Barton, Durstine & Osborne; Blue Ribbon Books, Inc., five-minute programs, as ordered, through Northwest Radio; Walter N. Boyesen Co. (paints), 100 50-word spots and 56 35-word spots, through Emil Reinhardt; Chrysler Corp. (Dodge division), seven spots, through Ruthrauff & Ryan; Cluett, Peabody & Co. (Sanforized products), 312 15-minute programs ('Nancy Dixon') through Young & Rubicam; Colonial Dames, Inc. (society), three spots weekly, through Glasser-Galley; Cie Parisienne, Inc., five-minute programs as ordered for 52 weeks, through Northwest Radio; Foreman & Clark (men's clothing), 25 spots, through Milton Weinberg; Gardner Nursery Co. (plants), five-minute programs as ordered for 52 weeks, through Northwest Radio; Gas & Electric Appliance Societies of California, 52 50-word spots and 26 35-word spots, through Jean Scott Frickelton; General Petroleum Corp. of California (gas), 42 chain breaks, through Smith & Drum; Gilmore Oil Company (gas), 48 spots, through H. W. Kastor & Sons; Golden Glow Brewing Co. (beer), 26 30-minute programs; Hecker Products Corp. (H-O Oats), 45 10-minute newscasts; Hulman & Co. (Clabber Girl baking powder), 108 spots, through Polyes; Carolyn Kelsey (women's apparel), 26 spots, through Brischner, Davis; P. Lucillard Co., 39 10-minute newscasts, through Lennen & Mitchell; Langendorf-United Bakeries (Holsum bread), 25 50-word spots and 16 100-word spots, through Henri, Hurst & McDonald.

Comparative Unit Count			% of
	April 5	March 29	Change
Network	10,902	10,887	+0.1
Local	3,215	3,148	+2.1
Nat'l Spots	2,009	2,038	-1.4
Total	16,126	16,073	+0.3
(Included: KFRG, KGO, KJBS, KFO, KSFO)			

KCKN ALL-NITE SESH

Dark to Dawn: Music Sponsored—Unit 80-50

Kansas City, April 8. Biggest news of the week from the commercial side of radio is decision by KCKN of Kansas City, Kansas, to operate all night Saturday. This kept the station on the air from sun-up Saturday morning to midnight Sunday without interruption. All night session was put on after a recent trial following which a survey was made. Sponsoring this new schedule of dance music is a new beverage, Tru-Ade, and Sparkling Life.

Otherwise, radio market experienced only slight changes normally expected during Easter week, with emphasis from clothing and garment concerns.

Comparative Unit Count			% of
	April 5	March 29	Change
Network	9,805	9,790	+0.2
Local	3,133	3,225	-2.9
Nat'l Spots	6,458	6,601	-2.3

SPRING TOURING

KSTP Barn Dance Goes Afield Every Fourth Saturday

Minneapolis, April 8. KSTP has sold another half hour of its Sunset Valley Barn Dance, and will make a 'spring tour' into a number of Wisconsin and Minnesota towns. Purchaser is Reinhardt Brothers, local Norge refrigerator distributor, who bought 9:30 to 10 p.m.

Under new plan, the barn dance will be staged in the St. Paul Auditorium three Saturday nights each month and on the fourth will take a trip outside.

Brown & Williamson recently signed for the 10:15 to 10:45 p.m. period.

90% Radio Count

Washington, April 8. Some 90% of American city-dwellers owned radio on Jan. 1, 1940, according to a special study just released by the National Association of Broadcasters, Columbia Broadcasting System and the National Broadcasting Co.

Ballyhooed as the most comprehensive analysis of this primary radio market ever published, the 40-page booklet presents information gathered in quarterly surveys conducted during the years 1936 and 1939, by Crossley, Inc. It is called, 'Urban Radio Listening in the United States.'

Spring Tonic Buying

McKesson & Robbins is buying minute announcements for Persin, formerly titled Persang, a spring tonic. It's on the basis of a daily announcement, five days a week. H. W. Kastor is the agency.

Jacob Ruppert Brewery Signs For Minimum of 200 Blurbs Via WQXR

Clothing concerns again highlighted the week's sales in New York, with all stations listed below grabbing off at least one such account.

Thirty-three contracts and renewals totaling 23 hours of weekly program time and 287 announcements per week were signed by WHN during the month of March, according to figures just released by that station.

WHN: Chrysler Corp. (Dodge Division), through Ruthrauff & Ryan, spot announcements; Gordon Baking Co., through Barton A. Stebbins, spot announcements; Servus Clothes, Inc., through Klinger Advertising, daily spot announcements, 52-week contract; 'It Happens On Ice,' through Donahue & Coe, spot announcements, 13-week contract; I. J. Fox, Inc., through Lew Kashuk Advertising Agency, spot announcements; London Character Shoes, through Morton Freund Advertising Agency, spot announcements, 13-week contract; Jests, through Joseph Katz, station-break announcements; Ex-Lax, through Joseph Katz, station-break announcements; Gospel Broadcasting Association, through R. H. Alther Co., 'Old Fashioned Revival,' one-year renewal; Franciscan Friars of the Atonement of Graymont, through Donald Peterson, renewal, 'Ave Maria Novena Service,' 28-week contract.

WMCA: Kellogg Co. (Pep), through Kenyon & Eckhardt, 10 one-minute spots weekly, 13-week contract; Crawford Clothes, through Al Paul Leffon Agency, renewal, 12 1/4 hours of time weekly, including spots, news and music; Joseph Patrick Lee Associates (insurance advisory service), through Norman B. Furman, six (Continued on page 26)

In HAMILTON, O.
1/2 hour from Cincinnati by train but part of Cincinnati by WLW
Population, 1940 50,592

"EXTRA BUSINESS—when advertised over WLW"

The Frechting Co. have three men covering six Ohio counties and two Indiana counties.



"The influence of WLW in promoting sales in the food field is certainly a paramount one in our own trading area. Their brands are among our best sellers; their merchandising services for the wholesalers and retailers are certainly helpful in obtaining greatest benefits from the manufacturers' advertising."

"We immediately have our salesmen go after the extra business available when we receive notice of new items being advertised over WLW."

(Signed) Edward P. Frechting
The E. H. Frechting Co.
Wholesale Grocers
Hamilton, Ohio

REPRESENTATIVES: New York — Transamerica Broadcasting & Television Corp. Chicago — WLW, 330 N. Michigan Avenue. San Francisco — International Radio Sales.

WLW THE NATION'S most Merchandise-able STATION

From The Production Centres

IN NEW YORK CITY

Peabody awards were more investigated than celebrated around NBC last week...everybody blamed everybody else for NBC's failure to compete more aggressively with CBS in these little matters...Polly Shvedoff fawned WHN materials for maternity...Don Francisco and Guy Hickok, the radio end of the Inter-American cultural relations committee, have offices in old Rockefeller town house in the 50's...Alberto Dominguez, Mexican composer of 'Fandango', who was brought here for two broadcasts by NBC, will stay in New York on his own for some months...John H. Perry station reps moved offices...Lillian Eichler Watson who used to write those sweet smelling blarbs for Lifebuoy soap is co-author of 'How to Get a Job and Win Success in Advertising'...collaborator Walter Lowen is an employment agency operator...General Electric's C. P. Waggoner pointing to an x on Admiral Byrd's Antarctic map named Mount Waggoner, putting radio press agent in class with Henry Ford, Adolph Ochs...Arch Oboler and wife sailed for Los Angeles Friday (4)...Sid Strotz back at Radio City from Pacific trip.

Constance Collier hosting on Saturday afternoon series of 'Bundles for Britain Backstage' programs over WHN...Ina Claire was guest last week (5)...Krent adding four more stations to its Mutual hookup for Gabriel Heister's Wednesday, Friday and Saturday night shows...WOY now airing five-minute news programs every hour on the air, with Lewis Charles, Laurence Blenheim, William Gordon and Joseph Bole sharing the mike assignment...Bob and Betty White doing a Tuesday night 'People's Playhouse' series over WOR, each playing the lead opposite an amateur emcee in a short drama suggested by an amateur scripter...that's two half-an-hour sketches on each program...Lionel Stander subbing on the Fred Allen program for Teddy Bergman while the latter is touring with the Theatre Guild's 'Hope for a Harvest'...Miriam Hopkins guests tomorrow night (Thursday) on 'War Letters from Britain' over WMCA...the series has been extended another 13 weeks starting May 15...Walter Kahner, formerly with WBKN, doing publicity for WWRL...British War Relief society mapping a new 15-minute weekly dramatic series, 'Sky Over Britain', to start on a local indie station next month.

Ed Fitzgerald doing five-minute series Tuesdays, Thursdays and Saturdays over WOR for Renault wines...he talks about local restaurants...Gray and Rogers, Philly, if the agency...Marty Glickman will sub for Bert Lee (Lebanon) on the Saturday and Sunday 'Today's Baseball' series this season on WHN...Maxine Sullivan guests tonight (Wednesday) on Bruce Wendell's 'One-Two-Three Swing' show on WHN...WWRL has added Yiddish, Greek and Spanish programs to its list of language shows...it already airs Polish, Italian, German, Hungarian and Czech stanzas...Ted Byron authored Tuesday (15) night's script for 'Grand Central Station'...Julia Chandler and the Robert Malaré choral society will sing a special Easter program over WHN, originating the show from the tower of the Empire State building...Bull Dog Drummond, replacing 'Show of the Week' Sunday evenings over WOR-Mutual, will have a name cast including 'George Colbourne, Agnes Moorehead, Everett Sloane, Paul Stewart and Ray Collins...Howard's mother will be local sponsor...Henry M. Neely, back in the 'Pepper Young' series and a regular in 'Home of the Brave', has also played parts recently in the Philip Morris dramatic series, 'Manhattan at Midnight' and 'As the Twig Is Bent'.

Lester Damron and Ginger Jones, the honeycombers, still at Havana...Frank Danzig now directing 'War Letters From Britain' over WMCA...it's being recorded for subsequent airing over various stations throughout

the country...same as was done with WNEW's 'Salute to Britain' series...both shows are produced by Joe Milward, radio director for the British War Relief society...Lynne Thompson no longer doing scripts for 'War Letters', having shifted to authoring 'The Next Is Always a Waltz' over NBC red (WEAF).

George Herman and Owen Jordan added to cast of 'This Small Town' WOR-Mutual now broadcasting shortwave news from Greece every afternoon...Consolidated Radio Productions of America has opened as a program-production office, with Everett Cromwell English, president, and Arthur W. Jones, Jr., vice-pres...Cornelia Ols Skinner doing four shows over WNBC at 5:45 p.m. Tuesdays...first and last will be live, but the intermediate will be recorded...Henry Morgan's mother guested on his program last week, the occasion being his 26th birthday.

William Saroyan's recent Free Company script, 'People with Light Coming out of Them', to be done for the Greater New York fund show April 14 at the Hotel Pennsylvania...Paul Stewart, of the cast of 'Native Son', will produce it, with Kenneth Roberts, Everett Sloane, Peg La Centra and Heister Sondergaard in the cast...NBC is supplying the technical production...The Martins, vocal quartet, have left the Fred Allen program to fill vaude and recording assignments...John R. Poppel, WOR chief engineer, back from Florida vacation...Jerry Danzig, WOR publicity head, back from Caribbean cruise.

Carl Bixby, co-author with Don Becker of 'The Man I Married', back from lengthy stay at Palm Springs, Cal...Carlton Balletti, Jr., music editor of Time mag, has composed a piece which Russell Bennett will do April 27 on his 'Notebook' series on WOR-Mutual...Robert Choquet, French poet who writes the 'La Pension Velder' on CBC for Procter & Gamble, in town for confabs with Compton agency execs...Margaret Sangster, author of 'Ellen Randolph', doing an untitled novel for serialization in Liberty mag and has another one set to start in Good Housekeeping in the fall...last Saturday (5) night ended the Lucky Strike 'Hit Parade' originations from the NBC radio camp.

Kay Kroyer, currently doing his series from the Coast and readying for an RKO picture, comes east in September...Katharine Seymour, author of 'Light of the World', planning to take a Connecticut trip for the summer...Echoes of New York goes off NBC blue with the June 4 show, but is slated to return in the fall...Helene Burton, of WOR publicity department, in New York hospital for three weeks to recuperate from spinal operation...Janet Coulton, formerly of the NBC script department, subbing for her.

Roy Maypole Jr., is on the scripting staff of CBS. He's worked on 'Stepmother' and 'Hobby Lobby'...Hal Leyshon, former general manager of WIOD, Miami, has gone into the public relations business under the tag of Leyshon-Sadler, Inc. He was also an editor of the Miami Daily News.

Norman Corwin may do a 'Radio Primer' spoofing the industry as the first in his '26 by 26' Sunday nights on CBS, starting April 27...there'll be a rib at Variety...Ted Saxe had a name m.c. on 'Easy Does It' on NBC blue (WJZ)...he guests twice this week on the 'Big Sister' serial and is doing a transcription series, 'Ted Steele Varieties', with a 16-piece band, for World Broadcasting...Lyn Murray is now conductor-vocalist-m.c. on 'Meet the Music', which goes from Sunday nights to a Sunday afternoon spot on CBS week after next (20).

Carl Ruff, of WOR press department, on week's sabbatical...Dorothy Lee, former assistant to Bernard Judis, manager of WNEW, now assisting Kent Cooper, general manager of the AP in New York...Hal Moore's 'Start the Day Right' on WNEW now airs 7-9 a.m., instead of 8-9 a.m.

George B. McCoy, who recently was on WEAF with his 'man in the street' rippers, is handling early morning dance parade on WHOM...Frank Cromwell, formerly with NBC and the Yankee networks, is now doing 'The Big Show' on WABC...Walter Art, manager of United Press, WNEW night production manager...WABC Arts, manager of United Press, WNEW night production manager...Radio News department, is in a serious condition in an Indianapolis hospital, where he was rushed from New York. He suffered a relapse after a siege of flu this winter.

Phyllis Dobson, former Broadway legit actress now doing radio in Chicago, in town last week for several days' visit...William Powell and Diana Lewis (Mrs. Powell) will guest on 'Campbell Playhouse' week after next (25) in the 'Do Not Disturb' original whodunit written specially for the show by Ellery Queen (Frederic Dannay and Manfred Lee)...Phillips H. Lord office looking for someone to script a new whodunit series, 'Crime Laboratory', which it is planning for agency submission...A recently-discovered symphony, written by Mozart at the age of 10 and resting unnoticed since then in the archives of the Lambach monastery, near Salzburg, will be played for the first time on the air and the second time in the U.S. via WQXR next Tuesday (15) night...It's known as the 'Lambach' symphony.

IN HOLLYWOOD

Harmon Nelson, production aide on Kate Smith show, and Elliott Lewis, stock entry hitch in the army...Chet LaRoche flew out to Detroit to pick up a car to drive into New York...George Fisher's shampoo sponsor optioned him for another stanza on the Don Lee-Mutual web...Fox Case to Washington as emissary of state agriculturists and CBS. He will confer with officials on participation of the two agencies in the national defense program...NBC will commemorate Jack Benny's 10 years in radio with a banquet in the Biltmore Bowl May 1. Covers will be laid for 600...Sam Moore back in radio after a writing stint for Louie K. Sidney at Metro...Doug Evans, KFI-KECA Barker, got a picture part last week in Universal's 'Too Many Girls'. He was given the character of Don McNamara, which is the 'purely comic-strip' name of an announcer at the radio network...where Evans works...Syd Dixon prowling the northwest for red network biz...Kate Smith and Ted Collins inspected the naval base at San Diego as guests of Admiral C. A. Blackley, commandant...Frank Healy auditioned half-hour variety show for Young & Rubicam titled 'Jack Carson, supported by relatives and vice versa'...Ross Metzger still shopping for talent to spot on the Holland furnace eight-week summer show on NBC out of Chicago...Sidney Strotz aired back to his home base show on NBC out of Chicago...WABC Arts, manager of United Press, after two weeks of confabs on coordinating production setups, east and west...Admish to the 'Hollywood Premiere' broadcasts to be by special invitation throughout the 13 weeks. Four hundred duets got out weekly to a special prepared list...Ken Murray does a guest spot with Kate Smith, his first air job in many months.

Ellis Quits Radio

Montreal, April 8. Chris Ellis, nationally known Canadian newscaster, is giving up the Molson Brewery daily newscast over Canadian Marconi station CFCF, to become book counselor for the T. Eaton Co., department store with branches in Montreal, Toronto and Winnipeg.

Ellis has been with Molson five years. His new assignment will carry him on lectures, before literary clubs, schools, etc. in the city, Ellis was at one time with Brentano's in Paris.

Ellis resignation becomes effective April 30. Gordie Young, Frank Starr, Peck Robinson and others are angling for the assignment.

N. Y. Spot Biz

Continued from page 25

quarter-hour programs weekly, 52-week contract; Hotel St. George, through E. T. Howard, renewal, 10 participation broadcasts in 'Rise and Whine'.

WOR: Continental Briar Co., through Maxon Agency, one-minute announcements, three times weekly, nine-week contract; Lehn & Fink (Hind's Honey & Almond lotion), through Wm. E. East, participation in 'Henry Morgan', 11-week contract; American Chiclo Co., through Badger & Browning & Hersey, participation in 'Henry Morgan', 52-week contract; Beach-Nut Packing Co., through Newell-Emmett, renewal, 35-second station breaks, 13-week contract; Pioneer Division of the Borden Co. (Reid's Ice Cream), through Pedlar & Ryan, station breaks, 20-week contract; Martin Firearms Co., through Craven & Hendrick, renewal, 13-week contract; Howard Clothes, through Redfield-Johnstone, one-hour variety program, 'Adventures of Building Drummond', 12-week contract; Barbasol Co., through Erwin, Wasey, weekly quarter-hour program; Gabriel Heister—news, 52-week contract; American Can Co., through Young & Rubicam, weekly half-hour, 'Amazing Mr. Smith', 52-week contract; General Mills, Inc., through Blackett-Sample-Hummer, half-hour program, three times weekly, 'Lone Ranger', 52-week contract; Axton-Fisher Tobacco Co., through Weiss & Geller, quarter-hour program, 26-week contract; L. N. Renault & Sons, Inc., through Gray & Rogers, five-minute period, three times weekly, 13-week contract; P. Duff & Sons, Inc., through W. Earl Dethleff, Agency, participation in 'Detmold', 13-week contract; Radloff Oil Co., through Harry Feigenbaum Advertising Agency, participation in 'Bessie Beatty Program', 52-week contract; Peter Paul, Inc., through Platt-Forbes, Inc., renewal, quarter-hour program, 'Wythe Williams', 52-week contract.

WQXR: Browning King & Co. (men's clothing), through Morton Fiedler, five-minute period of Transradio Press News, daily except Sunday, 13-week contract; Jacob Rupert Brewery, through Rutherford & Ryan, 200 or more spot announcements.

WWRL: Coleby Tailoring Co. (men's clothing), six nightly newscasts per week; Yalcort, Hostley, three quarter-hour programs weekly.

In Journalism Its Pulitzer Prizes —

In Radio

"THE GEORGE FOSTER PEABODY AWARD"

School children in THE 365 CHICAGO SCHOOLS listen each week, in their classrooms to especially prepared WJJD program broadcast in cooperation with the Chicago Board of Education for their excellence and this service

WJJD RECEIVES GEORGE FOSTER PEABODY "CITATION"

Millions of others listen to WJJD regularly because there is an abundance of programs that are built to satisfy the wishes of the vast majority of average listeners.

WJJD

CHICAGO

"The Nation's Largest Independent Station"
20,000 Watts

Nationally Represented by
THE PAUL H. RAYMER CO.

More Power For You

NOW
DAY AND NIGHT

5000
WATTS

NO ADVANCE IN PRICES

ONLY BASIC CBS OUTLET IN INDIANA

WFBM

National Representatives
THE KATZ AGENCY, INC.

SALES GO SOARING

WHEN YOU USE



WBNS
CENTRAL OHIO'S ONLY
CBS OUTLET.
ASK ANY BLAIR MAN
OR US.

RADIO VALUE TO FARMS IS STRESSED

Washington, April 8.

Farm program directors of numerous stations serving rural listeners huddled with Agriculture Department officials this week, first real recognition of public service rendered the farmers by radio stations. Previous annual parades have been restricted to the rural press.

Representatives of over 30 stations and the major networks were on hand for sessions at which Government executives outlined farm programs and brought up problems of getting educational material over to the villages. The Treasury Department showed up to request help in selling the idea that American defense requires strong sale of defense bonds and stamps.

Morse Salisbury, Agriculture Department information director, and Undersecretary Paul Appleby, headlined the program which included a visit to the Government farm at nearby Beltsville, Md., and the usual sightseeing and cocktailing.

CHANGE HAYES AUTHORS

New Policy of Alternation on Lipton Tea Dramas

Young & Rubicam has set Philo Higley to alternate with Therese Lewis as author of the Helen Hayes program Sunday nights for Lipton's tea. He did 'Stolen Wife' as the March 30 script, has adapted 'Bill of Divorcement' for next week's (13) stunts and will continue the assignment for the balance of the season. John Latouche did several of the scripts, succeeding John Houseman, who started as alternate for Miss Lewis on the series.

Higley, who has authored several Broadway plays, has collaborated with Edith Meiser on a mystery series, 'Another Case for Quest,' patterned as a weekly half-hour show. William Hawes is agenting it. Higley also has collaborated with Elizabeth and James Hart on scripts for two prospective weekly half-hour series, 'Something to Remember' and 'I Never Had Time.'

Ray Nelson Bankrupt

Everett L. Suffens, entertainer, known as Ray Nelson, filed a voluntary petition of bankruptcy in N. Y. federal court, listing assets of \$6,000 (insurance policies) and liabilities of \$1,250. Nelson is employed by NBC. Only creditors are Joseph and Elizabeth Perkins, owed \$1,250 for property damage and personal injuries.

Boswells Win Suit

New Orleans, April 8.

Dismissal by Judge William H. Byrnes, Jr., of a suit for \$7,300 brought by John Davilla against the Boswell Sisters, Martha, Connie and Vet, for alleged breach of contract in 1928, was affirmed Tuesday (2) by the Louisiana supreme court. The suit was brought by Davilla in January, 1935. He contended that the Boswell sisters contracted to appear behind motion picture theatre screens and sing as films taken by Davilla were shown on the screen. This would have given the impression, he alleged, that the offering was a 'talkie.'

The supreme court opinion, by Associate Justice John B. Fourcet, quoted the lower court judgment holding that Davilla failed to show the existence of any contract between himself and the defendants. On the contrary, the Boswell sisters very definitely proved... that at no time had they obligated themselves in any way whatsoever.

Zides, Currier 17th Ann

Boston, April 8.

Hum and Strump, comic harmony duo, were feted during a special half-hour broadcast over WBZ on anniversary of 17th consecutive year working together in radio.

In real life, pair are Max Zides and Tom Currier.

General Mills' Baseball Callers Called Together

Cincinnati, April 8.

General Mills' baseball broadcasters in this section held a pre-season powwow Sunday (6) in the Netherlands Plaza hotel. Brad Robinson, of the Knox Reeves agency, presided at morning and afternoon meetings. Also in from the sponsor's Minneapolis headquarters was Bill Slocum.

At the get-together here were Peco Gleason, Chattanooga, and Lowell Blanchard, Knoxville, of the Southern Association; Bert Wilson, Indianapolis, and Don Hill, Louisville, for the American Association, and Joe Matthews, Charleston, W. Va. Local casters present were Roger Baker and Dick Bray, WSAI, and Harry Hartman, WCPO.

GM started the series of meetings for its baseball announcers on the West Coast two weeks ago. Final session comes off April 10 at the Ambassador Hotel in New York, when the Eastern men assemble.

JACK NADEAU'S QUICKIE

Minneapolis, April 8.

Jack Nadeau, in charge of WCCO transcriptions, left to join the armed forces Saturday, March 29. But the following Monday afternoon he showed up at the station again with the news that he hadn't passed his final physical.

He'd been in the army just nine hours.

IVAN SMITH TO BBC

Australian Reports F.D.R. Speech Repeated Five Times in Sydney

Ivan Smith, who has been a talks director with the Australian Broadcasting Commission, is in New York City between oceanic flying boats. He is bound for London to stay with the British Broadcasting Co. for the duration of the war. Will serve on the Empire broadcasts.

He reports that President Roosevelt's Press Club speech from Washington was carried by the ABC, with the reception and reaction so good talk was repeated from Sydney studios five times in the next two days.

MODERN BOOK LEAGUE TESTS ON KMJ, FRESNO

Modern Book League, Doubleday-Doran project dealing with popular priced reprints, is making a couple mail-order tests. First station picked is KMJ, Fresno.

It will be a five-minute period six days a week. Huber-Houge & Sons is the agency.

Columbia, S. C.—R. T. Allen, with commercial department, WIS, Columbia, six years, resigned to join WRAL, Raleigh, N. C., commercial staff.

Scarcity of Storage Batteries May Affect Shortwave Listening Far Off

Jordan Stays in U. S.; Fred Bate Returning to London Around April 15

Max Jordan, who has been NBC's continental representative for some years, will not return to Europe. Instead he will stay in the United States, and probably be absorbed in the network's organization at some point. Lately Jordan has lived and worked out of Switzerland rather than Berlin, his original headquarters.

He shared with other American radio reps in the Axis countries a certain amount of trouble with the authorities (of which Rome's recent ejection of CBS' Cecil Brown is typical), and it is likely that since the lease-lend bill and the ship seizures the situation is now such that Jordan would be persona non grata.

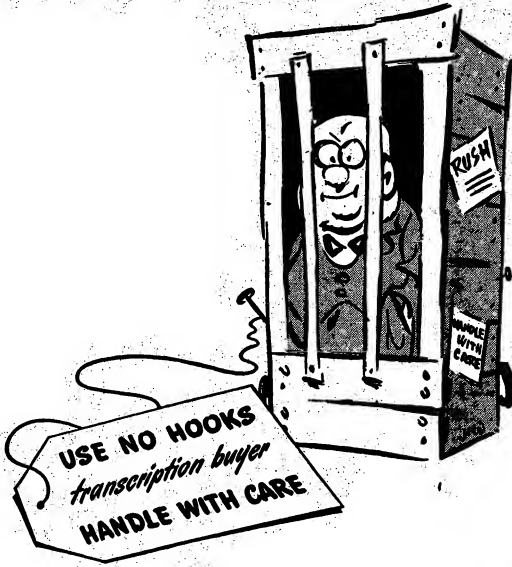
In the meantime, Fred Bate, the NBC representative in London, has returned from a month's holiday in Mexico and will leave New York for England around April 15.

Don Francisco's radio division of the Rockefeller committee on South American relations received its first inkings in the past week of a problem which may eventually have a stultifying effect on shortwaving in all countries.

Committee has been handed letters from remote parts of the world where inhabitants reveal they can no longer receive short wave alicers because batteries have run down and war conditions make it impossible to get others or because tubes or other equipment have worn out and can't be replaced.

Although this situation is by no means acute yet, Rockefellerites feel certain it will be an increasing phenomenon as certain required metals become scarcer because of military demands and transportation of anything but vital equipment is prevented by lack of ships.

New York City.—Frank Crennan, formerly production man for the Yankee network and an engineer at NBC, has been appointed new production manager of WNEW, New York.



THAT'S our motto over here at the new Columbia Transcription Studios. You see, 'way back when our new service was just a gleam in our eye, we went to a lot of men who buy transcriptions and asked: "Supposing you had just one wish, what would you ask for in a new transcription service?"

Back came the chorus: "Put a cap S on the word Service!"

So we went to work. First we built brand-new studios in New York, Chicago and Hollywood and packed them full of the most modern and the best equipment in the world.

Then we set up a control system designed for SUPER SPEED and EFFICIENCY. The moment you call for a recording date, it swings into action clearing the studio, equipment and engineers you need—and keeping them cleared until you're finished with your job.

Next time you want transcriptions in a hurry—give us a ring and see for yourself how our streamlined new service works.

Columbia TRANSCRIPTIONS
MADE BY THE COLUMBIA RECORDING CORPORATION • A SERVICE OF
THE COLUMBIA BROADCASTING SYSTEM



PAYNE SARCASTIC AS HIS COLLEAGUES REVISE STAND ON REV. ULMER CASES

**Texas Stations Were Punished for Law Violations—
Payne Says New Licensees Would Have Re-
quired No Engraved Invitation**

Washington, April 8. License revocation threats hanging over several Texas stations disappeared last week with a provision that Rev. James G. Ulmer unload his interest in the transmitters, but the Federal Communications Commission yanked back the ticket of

another operator, aftermath of disavowing during the chain-monopoly gabfest.

"Sin no more" admonition was given the local interests along with an explanation that the regulators did not want to deny Texas listeners service from about the only stations they can pick up. Any further transgressions, however, will be treated more harshly, the FCC decision said.

The revocation orders nullified were issued more than a year ago against KGKB, Tyler; KRBA, Lufkin; KSAM, Huntsville; KNET, Palestine; and KGFI, Brownsville. Remarkable consensus came after persistent rumors of pressure from individuals high in Administration circles, prominent in Congress, and extremely close to the Commission.

Tough on Stenger. While willing to forgive and forget in the Texas cases, the kilocycle cops turned a deaf ear to the appeals of John H. Stenger, Jr., who has been in hot water before, and made final its proposal that a license renewal application covering WBAX, Wilkes-Barre. This outlet will be gagged July 1 because the Commission decided actual control is vested in the hands of Glenn D. Gulett (engineer accused of having a secret interest in WSAL, Salisbury, Md., also silenced recently) and Marcy Eager, his brother-in-law, the enterprise. The Commission concluded that "the applicant is not financially qualified," referring to "false representations" regarding ownership and control, and declared that control had been transferred without formal consent.

The decision in the Wilkes-Barre case was unanimous, although Commissioner T. A. M. Egan thought it would have been more equitable to invite an application for a license transfer to some qualified individual. Regarding the Texas outlets, the regulators split, with Commissioner George Henry Payne (who presided over the hearings brought about by the revocation order) submitting a blistering dissent and Commissioner Norman S. Case agreeing that the plans (KGKB) ought to be removed.

Payne's demurrer contained harsh words, chiding the other regulators for refusing to renew the Stenger license and declaring that a very bad precedent was set last year when Westinghouse was allowed—when faced with a similar threat—to purge itself by undoing agreements with NBC to "program" their stations. The dissenter said he feared the Westinghouse action "has risen like a ghost to plague the Commission, as I predicted it would." Little fellows cannot be expected to toe the line when the Commission winks at missteps of the mighty, Payne said.

Westinghouse Case. "It is regrettable that the FCC has after whitewashing Westinghouse exonerated these six radio station owners whose licenses were revoked over a year ago... After exhaustive hearings had been held on these cases in Texas and the record was complete, the Commission affirmed the revocation orders—unanimously and after due deliberation," Payne said.

Reviewing the history of the proceedings, Payne inquired "what then, has happened since the issuance of the proposed findings (backing up the original revocation order) to change the mind of the Commission?" Without referring to rumors of political wire-pulling, Payne said he could not see any evidence justifying a change of heart. The majority did not show what accusations were refuted, he said, while every one of the charges underlying the original orders was backed up by "an abundance of evidence." The majority actually admitted, he added, "that solid foundation exists for affirming the revocation orders." Payne termed the logic in the decision involving KGKB "strange and bewildering" and said his colleagues "seemed to feel that after five horses escaped there was no point in locking the barn door on the sixth."

"The Commission seems to be much worried about leaving certain areas

in Texas without broadcast service, if these revocation orders were affirmed. This, in my opinion, is an unnecessary worry. It has been my experience that new stations spring up quickly without coaxing and without the need of sending out engraved invitations," Payne said.

Good Luck. In five of the six cases the majority held that local people of good character and with commendable motives had been duped by Rev. Ulmer. Revocation of the tickets for these outlets would injure innocent people besides depriving the public of radio service, they contended. In the sixth (KGKB) case where Gov. Case loved Payne in dissenting, the majority pointed out that while "solid foundation exists for affirming the revocation order," Dr. and Mrs. Ulmer have unloaded much of their stock and no longer control the station. "Considerations of public interest" caused the majority to change its mind—with reluctance, they said—and permit the station to stay on the air. The majority added that the license corporation has tried to "redeem itself and that any future impropriety will result in sterner treatment."

KCMO PLEDGED TO BLUE STARTING JAN. 20, 1942

Kansas City, April 8. Jack Steward, manager, confirms that station KCMO has signed a contract with NBC to become a member of the blue network on or before Jan. 20, 1942. Deal was consummated in New York March 31 with Tom Evans, prexy, representing KCMO and W. S. Hedges NBC v.p. in charge of station relations.

Date is that on which present contract of WREN, Lawrence, Kan., with NBC blue expires. WREN is 40 miles west of the blue web. Contrary has existed locally for several years over possibility of moving blue directly into K. C. Several attempts of WREN to move to K. C. have thus far failed, most recent one being balked by FCC within the year.

There is a possibility KCMO will hook into the blue before 1942 if agreement can be reached between NBC and WREN. With WDAF on red, KMBC on CBS, WHB and KITE on MBS, new deal will bring all major nets directly into Kansas City.

CLOSING ANY MINUTE

WAGA, Atlanta, Raised Price on Baseball—Part of Station Revamp

Atlanta, April 8. WAGA this year will broadcast out-of-town games played by Crackers, of Southern Ass'n, under sponsorship of local Coca-Cola Bottling Co. Joe Hill will be speller.

Station has trio of nibbles for home games and is hoping to close momentarily. Games, both home and away, last year were sponsored by General Mills (Wheaties), who were interested again this year, but not at WAGA's price.

Scant nine months ago WAGA became No. 6 of Fort Industry Co. (WSPD, Toledo; WLOK, Lima; WHIZ, Zanesville; WWSA, Wheeling; WMMY, Fairmont) chain. Don Isoset, formerly of WLOK, was installed as managing director and has acted as shot in arm for mill. A complete job of redecorating studios has been completed.

Maurice C. Coleman, former manager of WATL, has joined station as commercial manager, and brought with him from WATL Crenshaw Bonner and Julian Flint. His third aide is Joe Robbin.

Fred Kennedy, new to radio, cub announcer, is latest addition to staff. Another new face is that of Evelyn Ambrose, receptionist and singer.

Howard Donahoe, formerly of WHIZ, Lima, and, like Isoset, a veteran in the Port Organization, is program director for WAGA.

Ralph Babenslein returns to Narragansett, Pawtucket, R. I., to broadcast (12) the horse races daily via WAAB-Colonial network.

REJECT BIBLE SCHOOL

Cincy Cult Ready to Invest \$125,000 in Shortwave

Washington, April 8. Evangelizing of the Latin-American countries through an international broadcast station to be operated by God's Bible School and College, of Cincinnati, was frowned on last week by the Federal Communications Commission.

Forces of the school, and Mrs. J. M. Meighen and D. L. Davis, prospective licensees, were dashed for use of chief frequency—21610 kc. A sample of a day's program submitted by the applicants included: "Morning devotion... music, vocal and instrumental... Talk by ministers of different denominations... Also glimpses into many lands by world travelers, missionaries and lecturers... Prayer... Closing devotional hour with 'America Sings'... News... Testimonies—Encouraging people to go back to the church... Telling what the church has meant to them personally, socially and in their own home."

Wile, First Commentator, Dies at Age of 68

Frederic William Wile, 68, American from England, the first across-the-seas commentator, died in Washington April 7 after an illness of three weeks. Wile, who devoted all his life to newspaper work, with many of the years as a foreign editor in Washington correspondent, made his debut at the mike on the day of President Herbert Hoover's inauguration, March 4, 1929, and the following year he went on CBS' "The World," covering the London naval conference, airing weekly summaries of the European situations and introducing personalities in the world of politics and news. He later worked for CBS out of Washington, doing a weekly comment through 1933.

Surviving is his widow, a son, Frederic William, 2nd, who is with the radio department of the Young & Rubicam agency, and a daughter.

Searle Applies to Sell

KMMJ to Newspaper

Grand Island, Neb., April 8. Application for permission to transfer control of KMMJ, Grand Island, from Don Searle, H. A. Searle, Jr., Helen Searle Blanchard, and Hebert Hollister to the Daily Independent publishing company was filed in Washington this week with FCC. Sale includes 350 shares of stock.

KMMJ, formerly of Clay Center, Neb., is a 500-watt, and Grand Island is the state's third market. Move was made from Clay Center to Grand Island about a year ago.

Staff Shifts at WOR

Number of personnel changes took place at WOR, New York, last week. Charles Godwin, formerly production manager, was made manager of the station's new FM outlet, WINSY. Arthur Whiteside, former assistant production manager, was appointed daytime studio manager, while former announcer-producer Carl Warren, became night-time studio manager. Whiteside also handles the spot announcement schedule.

Alwyn Bach and Len Sterling were added to the announcing staff of WINY. Bernice Whitman, formerly in the WOR program department, was shifted to a new assignment at WINY. Her program department place was taken by Beatrice Cramer, who was in turn succeeded by Loretta McEvoy. Tom Slater, announcer, had already been appointed co-ordinator of sports and special events and had been succeeded by Eugene King.

Framers' Double Take

Pittsburgh, April 8. Walter Frammer, announcer and special events man at WWSW, and his wife (Nan Grayson), who conducts an early morning women's program, both London sponsors for their sustaining shows last week.

Mrs. Frammer's program, "Nan Grayson Calling," goes on over WWSW, 15 minutes, six times weekly. It is a "Norge Dealers and Ludwig Hommel & Co., Pittsburgh distributors. Walt Sickels handling commercials.

Frammer's sidewalk interview show entitled "Have You Got It?" sponsored by W. T. Grant quarter-hour six times weekly.

FROM FOREIGN LEGION TO KMBC, KANSAS CITY

Kansas City, April 8. Latest addition to the KMBC Artists' Bureau is Jack Gomez, lecturer, who recently completed seven years of service in the French Foreign Legion.

He begins radio program next week.

Edwin Barrett's New Job

Des Moines, April 8. Edwin G. Barrett, director of the Drake University radio school, has been named public relations head of the university until completion of a permanent setup to replace the office of business manager left vacant by the death of E. C. Lytton Feb. 12.

For the remainder of the school year part of Barrett's teaching assignments in the radio school will be turned over to Edmund Linehan, program director, and Harriet Ristved, continuity writer, both of KSO-KRNT, Des Moines.

TOLEDO A Fort Industry Market

Want Proof?

(Take two—they're delicious)

PROOF No. 1

WSPD pulled five thousand letters (each containing at least a dime) for one advertiser in a special war-map promotion. Length of promotion: three weeks.

Program: News

PROOF No. 2

Thus far, WSPD has pulled over 1100 replies for one advertiser. Each reply contains at least 50 cents, many a dollar, some more than that. The campaign has run ten days and is still going strong. Type promotion: spot announcements.

Cash Registers Sing
a Spring Song for
WSPD Advertisers



WSPD

WCKY
50,000 WATTS
CINCINNATI

CBS

TOPS

in

POWER

in

PROGRAMS

Ask any free & Peters office
for more information about
WCKY, one of the sixteen
CBS 50,000 watt stations.

Wheeler Talks Before Regional N.A.B. Meeting

Cincinnati, April 8.

Senator Burton K. Wheeler's declaration of opposition to government ownership of radio sparked the bi-district Friday (4) in the Netherlands Plaza hotel. Being chairman of the Senate Interstate Commerce Committee, his stand was regarded as important by the 28 members from the district's 39 stations who attended the meeting.

After explaining that he used to think it might be a good thing for the government to own the radio industry, Senator said: 'I have been disabused of that idea, seeing the inefficiency inherent in government in any business. He reminded broadcasters that they have a great responsibility to the country to see that both sides of all important controversies are presented fairly to the public. 'If radio were government owned,' he said, 'neither I nor anyone else really opposed to our entry into the war would be allowed to speak.' The

Senator Wheeler's chief reason for visiting Cincy that day was to open a speaking campaign against this nation's foreign policy. He spoke that night in Tark auditorium. WLW carried 30 minutes of his talk.

N.A.B. sectional meeting was presided over by John H. Ryan, of WSPD, Toledo, who was re-elected a director on the national board. Neville Miller discussed general activities of the association.

In reporting progress for BMI, Carl Haverlin, the organization's station relations head, stated that broadcasting has put \$1,800,000 in its music set-up.

Canadian Travel Show From Toronto Theatre

Columbia's half-hour show for the Ontario Provincial Government this spring and summer will have Ned Sparks, Sair Lee, described as a Canadian actress and artist's model, and Luigi Romanelli's band.

Program will be picked up from the Hart House theatre in Toronto. Sparks quit pictures a year ago after an operation and he's been living since then in his native Canada. Starts April 20, Sunday at 6:30 p.m.

A party consisting of a vice-president and three executives will fly from New York to Toronto to represent CBS when the program starts April 20. They are Larry Lowman, Ted Weber, Thomas D. Connolly, William H. Ensign.

DISPOSSESSED DIPLOMATS

They'll Be Heard on Council For Democracy Special

The Council for Democracy has arranged a special broadcast April 13 on the NBC blue network (6:05 p.m.) including Col. William J. Donovan for the U. S. A., and 'dispossessed' diplomats' representing seven European nations now under Nazi conquest. Program will originate in New York with a switch to Canada for Princess Juliana of Holland.

International talent for occasion will include Charles Courboin (Belgium); Ladislav Klepura (Polish); Yves Tindire (French); Magnhild Fjeldheim (Norwegian).

Program will be shortwaved to Canada and Britain.

Colgate Adds to Red

Colgate has bought another 15 minutes on the NBC-red, which will give that account the 10 to 10:50 a.m. stretch across the board, starting April 28.

Other Colgate moves in the same direction are still in the works.

WFVA's Ex-British Officer

Frederickburg, Va., April 8. Ronald Dawson, production manager of local station WFVA, has joined the Virginia home guard and been assigned to the 12th Company, stationed at Alexandria.

He was once an officer in the British army.

CHILEAN JOURNALISTS BROADCAST AT WGEO

Schenectady, April 8. Special broadcast to South America, via WGEO, General Electric shortwave outlet here, will be made Saturday (12) night by six Chilean newspapermen currently working on U.S. dailies as part of the Pan American goodwill program. They will tell of their impressions of this country.

Those participating will include Manuel Vega, of El Diario Ilustrado, Santiago, now with the Washington Star; Carlos Eastman, of the El Mercurio, Santiago, with the N.Y. Times; Joaquin Muirhead, La Hora, Santiago, with the Washington Post; Guillermo Valenzuela, La Nacion, Santiago, with the Los Angeles Times; Francisco le Dante, El Mercurio, Valparaiso, with the Philadelphia Bulletin, and Louis I. Silva, La Union, Valparaiso, with the Boston Globe.

Jacksonville Meeting

Jacksonville, Fla., April 8.

Sales managers of the fifth district of the National Association of Broadcasters will meet at the George Washington hotel here this Friday (11), while the broadcasters of the same district will hold their gathering over the ensuing weekend.

Norman MacKay is the chairman of the sales managers group.

MURROW'S BOOK OUT

Elmer Davis Edits CBS' Rep's 'This Is London'

Broadcast talks by Edward R. Murrow, representative of the Columbia Broadcasting System in England, has been gathered into a book and edited by Elmer Davis, his New York colleague. Volume is just out in New York under the title 'This Is London.'

It is being backed up by a better-than-average publicity campaign on this side.

MILE OF OPTIONS ON KABC MEXICAN HOUR

San Antonio, April 8.

One of the longest string of options in a contract is that made between Hardy C. Harvey, manager of station KABC, and J. A. Lucchesi, owner and operator of the Zaragosa and National theatres here. It's for five years and an hour and a half each day.

Broadcasts will be devoted to Mexican commercials and goodwill and will originate from studios atop the National theatre here. Various Spanish and Mexican artists, who appear at the National theatre will appear. Series began yesterday (31) with Lallo Montemayor, Mexican actor as guest announcer for the first week.

Radio Daffodils

Salem, Mass.—WESX broadcast on 'How to Start a Fire on a cold morning' was almost too vivid. Albert Belknap and William Hubbard, staff announcers, rattled papers to simulate flames and pounded on a filing cabinet to imitate chopping wood. Meteorologist Robert Hill broadcast a graphic description of the progress of the fire.

At the different places listening to the broadcast were the owners of the building and its insurance broker. The latter communicated with his client, who sent a janitor to the studio to find it was all make-believe.

New York City—George Combs, news commentator for WHN, New York, recently received several listener letters complaining that he talks too loudly on his broadcasts. As a gag, he explained over the air that the station will soon increase its power to 50,000 watts and he will then not have to speak so loudly.

Washington—Federal Communications Commission recently attempted to reply to a squawk from a 'certain organization' which resented 'dissemination by publications and broadcasters of alleged false and misleading information designed to eliminate the use of horses and mules.'

Pittsfield, Mass.—Station WBRK, which broadcasts official school announcements, received a phone call several days ago stating that the superintendent of schools had ruled that local schools would be closed that day because of the excessive cold weather. Hitch that the voice on the phone was unmistakably youthful.

Announcer on duty followed the usual policy of checking back with the superintendent. False alarm.

Boston—Excuse of Jack Beauvais of WEEI's production department, for being late to work one day recently:

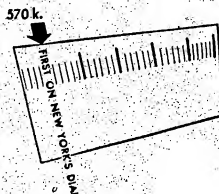
Coldest day of the year.
Furnace of suburban home broke down during the night.
Telephone out of order.
Car froze in garage.
Walked to the trolley car.

NO NAME.... *but what a story!*

A GROCERY PRODUCT—how we wish they would let us use their name—was promoted over 15 of the nation's leading stations. Stations like WGN of Chicago, WJR of Detroit, WLW of Cincinnati. In New York they used a network station and WMCA.

The test was tough. The listener had to send in three wrappers and 25¢ in cash for a piece of inexpensive jewelry. WMCA lured quarters and wrappers at a cost 40% lower than the national average. Locally, WMCA scintillated even brighter. *WMCA brought in 46.5% of the total New York area inquiries at an average cost 47% lower than the network station.* Nearly as many letters for one-half the cost!

To switch metaphors in mid-stream: For Big League Sales at Bush League Cost give WMCA a crack at the ball. A phone call, letter or wire will bring one of our men hustling with all the details.



wmca

America's Leading Independent Station

NEW YORK: WMCA Building, 1657 Broadway
Chicago: Virgil Reiter & Co., 360 N. Michigan Ave.

DOROTHY KILGALLEN
The Voice of Broadway
With Allan Stuart
15 Min.
JOHNSON & JOHNSON
Saturday, 11:30 a.m.
WABC-CBS, New York
(Young & Rubicam)

Dorothy Kilgallen, columnist of the N. Y. Journal-American is dishing Saturday mornings on 39 CBS stations. What she dishes is a fast, lively, snappy, and a little bit of chili-chat about the great names of the show world and the cognoscenti. It has a plausible air of being glib, lively stuff. Both as the getter of the info and the voice that reads it, Miss Kilgallen clicked nicely on her first broadcast. The program sounds like a strong Saturday entry and a sensible buy for Johnson & Johnson, which seeks thereby to hype the sale of its hand-aids, or home bandages. It was a crowded quarter hour with lots of names and items, several full-bodied commercials from Allan Stuart and a guest appearance by Raymond Massey. On the whole, Miss Kilgallen did a lot, even allowing for the agency to get in its points.

She seemed labored at moments as the script as converted into radio by a writer presumably other than Miss Kilgallen. At least it sounded like it was stiff put in somebody else's words. The script seemed to reflect a fear of allowing the announcer to talk. The program's Announcer Stuart broke in sometimes just for the sake of having somebody break the ground, sometimes a straining for informality—a studied, deliberate, trying-hard, stylized informality. Instead of just being natural, most of the time phony-sounding adjective employed was "swell." It kept popping up.

Miss Kilgallen gets around, knows her realm, has news sense. A little help from the announcer will suffice. Too much intrusion by Allan Stuart with questions and clichés and "swells" will only detract from what the program is selling, which is Kilgallen.

News is mingled with fashion comment. There are romantic predilections and little details about big names. Mrs. Huntington Astor's short manlike fingernails. Dolores Del Rio's bane frock at El Morocco. Tyrone Power's restored health, the Lily at Fannie Hurst's waistline were extolled. One of the program's most heartening loyalties, Grace Moore's well-known devotion to her sick husband, was mentioned.

It is not a swell program. But it is an interesting one. **Land.**

SCAVENGER HUNT
With Allan Stuart
PUBLIC SERVICE BU. CO.
Friday, 10:30 p.m.
KWY, Philadelphia

A novel audience participation program which provides chuckles for listeners. Each night during the week at 8:45 announcer discloses one item to be found during the week's scavenger hunt. Finders of each of the items thus announced are eligible to appear on broadcast, tell about most difficult one to get, answer a question, and receive a single about the bus sponsor.

Winners get a major prize (portable radio; wrist watch; trip to Atlantic City; and tickets to Fox theatre). Most of the prizes were brought in a Chinese laundry ticket, a 1914 newspaper, 30 burned-out electric bulbs, a hand saw, a croquet board, a cuckoo clock, and a man with a tattoo on his chest. Later item provided was a lighter.

John Bennett, staff writer, handles program smoothly, with straight spelling broken up by organ music.

JOE EMERSON
Hymns of All Churches
With Betty Crocker
GENERAL MILLS
M-T-F, 9:45 a.m.
WABC-CBS, New York

Joe Emerson (Sample-Hummers) comes back again with his familiar hymn-singing three mornings a week over CBS, out of the studio, for General Mills (Gold Medal Food). Betty Crocker hosts Wednesday and Friday editions of

THE AMAZING MR. SMITH
With Keenan Wynn, Charlie Cantor, Elizabeth Reller, John Brown, Santos Ortega, Ward Wilson, Allen Drake, Cliff Carpenter, Brad Barker, Harry Von Zell, Harry Saller, orch.
30 Min.
AMERICAN CAN CO.
Monday, 8 p.m.
WOR-Mutual, New York
(Young & Rubicam)

Comedy-whodunit series is the first ever placed on Mutual by the Young & Rubicam agency. It's something of a hybrid of half-hour, half-hour time dramatic thriller with a sort of Bob Hope-Milton Berle brand, of which the program is a first edition. Monday (7) night had distinct promise, but revealed the need of doctoring before the formula be set into a track. It also demonstrated that scripters Martin Gosh and Howard Harris must maintain a headlong pace if the series isn't inevitably to run downhill.

'Starred' on the show are Keenan Wynn, legit actor-son of Ed Wynn, and Charlie Cantor, legit actor and Charlie Cantor, vet character comic regularly on the Fred Allen and Kate Winslow programs. Wynn plays the title part of Gregory Smith, a young man with an amazing knack of attracting trouble. Cantor plays the title part of Gregory Smith, a young man with an amazing knack of attracting trouble. Cantor plays the title part of Gregory Smith, a young man with an amazing knack of attracting trouble. Cantor plays the title part of Gregory Smith, a young man with an amazing knack of attracting trouble.

Wynn and Cantor were excellent on this debut show, both individually and as a team. Their contrasting styles are nicely adapted to the material. George and Harris have written for them and each is a funny guy on his own. Harry Saller's musical backgrounds and bridging were expressive, though occasionally slow on the pickup.

George McGarrigle's direction seemed firm and deft for a prem. Harry Von Zell read the commercials, merely an identification as the program was being introduced at the close of the debut, but doubtless due to mushroom on future editions. **Hobe.**

the strip with recipes and household lore. Emerson has much the same offering as before—his own wholehearted devotion plus a choir, instrumental group and organ.

To anyone who sees nothing incongruous in exploiting religion to make a commercial product, the program should do a satisfactory job. This shouldn't be an expensive show and there's obviously a huge listening public for hymns. In this case Emerson includes hymns of the Catholic and all denominations of the Protestant faiths, with brief stories of the origin of each composition.

Commercial copy plugs Gold Medal Food's healthful qualities and reasonable price, besides mentioning the Betty Crocker recipes. **Hobe.**

Follow-Up Comment

Jack Benny had one of the funniest shows Sunday (6) night in many weeks, with the CBS series. Quixotic King Chloé as his special guests for the occasion. Program was patterned as a contest between the two sides, the Selzer Kids, consisting of Mary Livingstone, Phil Harris, Dennis Day and Doug Wilson. Selzer, who is strictly a talk-show man, with the youngsters answering genuinely tough questions and the grownups floundering on the mostly plausible and small obvious rehearsed but still goofy enough to break up the urchins several times.

Orson Welles' contribution last Sunday (6) to the Free Company series (CBS) was one of the most provocative of them all so far. It was a potent blend of inductive reasoning and dramatic exposition. Welles did the writing, casting and directing of the program and who also played the part of the protagonist, the subject of the story. 'His Honor the Mayor' by stating the question, and after showing how his own protagonist was involved in it, by leaving it to the listeners to decide whether they would have acted the same way under like circumstances. The question concerned the right of free assembly as guaranteed under the bill of rights, and the protagonist was the mayor of a small town who was faced with the problem of suppressing a radical group, the Citizens' organization. Despite his contempt for and opposition to the leader and his methods, the mayor was forced to defend the overwhelming wishes of the townsmen and refuse to interfere with the meeting. But of incidents literally, holding that as long as the incident comes within the law must be considered a matter of a community starts making exceptions no one knows when the same process would be followed by other and far less anti-social groups. In every department Welles showed his wit and the protagonist was a batch of credit is due Ray Collins for his reading of the mayor part.

Franklin P. Adams again declared, almost boasted, on last week's 'Information' please that 'I do not listen to radio.' Stated in a joking way of which seemed doubtful wisdom and showmanship, before a nation wide audience he held to his position about the identity of 'Mortimer Snerd.' Professor Lyman Bryson, who conducts Columbia's The People's Choice program, a famous education at Columbia University, said, as audience laughed, that Snerd was a character, not a famous character, Charlie McCarthy. Clifford Fadiman added that Edgar Bergen was the first to make the name master jokingly child Adams, the latter boomed he 'did not listen to radio.'

'City Desk,' Palmolive's weekly half-hour problem child, is still not out of headlock stage to its Ted Bates' humorist. Thursday (3) night's edition, written by Addison Smith, was lurid and crammed with facts, but hardly believable. However, the two leading characters, the reporter and his reporter, were handled with a light and helpfully, revised. The girl is now on the wise-cracking side, a few of her flip toss-ways of finding fairly puny but hard to believe. In reporter is a straightaway he-man. If not too bright, City editor, the girl is a real beauty, a night pressure guy. Edition caught was capably produced by Lindsey MacHarrie and played by Gertrude Warner and Donald Briggs. Commercial stressed the 'thin film of soap' named by 'Palmolive shave cream' and the 'Palmolive Sledge-hammer method of delivery' was used by the unbilled announcer.

'Rocking Horse Winner,' adapted by W. H. Auden and James Stern on D. H. Lawrence's short story of the same name, was presented Sunday (6) night on 'Columbia Workshop.' A wild fantasy about a youngster who, Faust-like, pledges his life to luck and won fortunes by plunging on his inspired tips on the ponies, it was obscure but curiously atmospheric. George Sturgeon gave vibrance to the character of the child who roared and raved in an insatiable frenzy on his rocking horse. Burford Hampden and Alfred Hirsch were right in the middle of the Eustace Wyatt was convincingly stodgy as the family chauffeur, and Phyllis Joy was impressed as a mother. Ian Muir was a creditably crusty uncle. They were English-accented. Guy della Cioppa directed the destruction of the room. The program conducting Benjamin Britten's background score. The sound effects were notably helpful.

'The Next is Always a Waltz,' a thoughtful, rather somber original drama, was presented Sunday (6) night on 'Columbia Workshop.' It was offered as Thursday (3) night's edition of 'Listener's Playhouse' on NBC radio. A tragic yarn about a girl who developed a complex and frustration because everyone thought of her only as a beauty, not as a

person, the script was not (nor intended to be, obviously) entertaining. It was, in fact, only partially successful even on its own grounds. Yet it posed a thought-provoking subject and, in many respects, made adult, arresting and even affecting radio. The device of opening and closing the drama with an identical situation for the two bellies of different generations was ingeniously apt. Helen Warren and Chester Straton achieved something of a tour de force (if that's not too grand a term for kilocycle emulating) by playing the two leads from mope-age to maturity, while Jane Houston, Nell O'Malley, Irene Hubbard and Persel Allen were registered in supporting parts. Lester O'Keefe directed the show expertly and Josef Hont's musical background assisted.

Fred Allen program last week unintentionally pulled the same trick. It was a good idea, but it was a big plug for 'Swing Me a Polka,' that it had burlesqued earlier in the show. Song was to get in the act. Important. But it was a bit when after a few bars by Al Goodman's band the announcer stepped in with opening and closing the drama with an identical situation for the two bellies of different generations was ingeniously apt. Helen Warren and Chester Straton achieved something of a tour de force (if that's not too grand a term for kilocycle emulating) by playing the two leads from mope-age to maturity, while Jane Houston, Nell O'Malley, Irene Hubbard and Persel Allen were registered in supporting parts. Lester O'Keefe directed the show expertly and Josef Hont's musical background assisted.

Howard Barnes, drama reviewer six nights a week over WOR, New York, continues to improve. He grows more familiar with the radio medium. As heard Tuesday (5) night, he was a bit of a bore in his review of the night's offering of 'Watch on the Rhine,' at the Martin Beck, N. Y., was enthusiastic without being gushy, analytical but not too much so. He was not too opinionated. With only a short time to prepare his script, Barnes was able to give an unusual amount of information about a show. He has enough to say about the play to give his opponents with some quick and all listening—the plot-ter.

Silver Theatre's (CBS) recent scripts, or at least some of them, have been a bit of a bore. The off-the-ebow side but last Sunday (6) the series unloaded, and in blunderbuss fashion, a real beauty. It was a play about a star, a vocalist, Ginny Sims, and was written by the bandman's own radio writer, William Hampton. Theme of the piece might in more expert hands have been a wow. In this instance, the discarding of a couple of solid chuckles and a few more of which it was all over Kysker could still be credited as a resourceful musician and a good writer. Miss Sims, an ingratiating singer of popular songs. Net plot had to do with the marriage between a horn player and a columnist and a sob sister for newspaper promotion stunt and the complications which ensued when the girl first met the justice-of-the-peace that presided had been the real McCoy.

Columbia now presents 15-minute roundups of quotes from editorialists of the country's leading dailies in the 11 o'clock spot Sunday nights when a big news story has broken. Network offered such a broadcast this week (6), with comment from a dozen or more papers including the N.Y. Times and Herald Tribune on the Nazi invasion of Yugoslavia and Greece. Quotes are obtained by wire in advance of publication, as in the case of the two New York sheets included. They were not yet on the streets at the time of the broadcast and in the case of out-of-town papers many wouldn't be available in New York a day or so. Program frequently offers an illuminating idea of what the general public is thinking. The program is particularly when the story in question is a controversial one. Because of the show, 'Meet the Music,' normally scheduled from 11 to 12:30 p.m., was cut this week to 15 minutes.

Bonnie Kier, KMBC Act,
Sold to KMOX Act.

Kansas City, April 8.
Bonnie Kier, songwriter, has been sold by KMBC to B. B. D. & O. for series on KMOX, St. Louis. Griesedieck Brothers Brewing is account. Schedule is five quarters hour per week, minimum to be 13 weeks.

BERTRAND RUSSELL
With Huntington Cairns, Allen Tate, Carl Van Vliet
'Invitation to Learning'
30 Min.
Tuesday, 9:15 p.m.
WABC-CBS, New York

Bertrand Russell, English philosopher-mathematician now living in the U. S. A., was the guest mystifier last week on Columbia's center field show 'Invitation to Learning,' the higher-than-highbrow program supposedly designed to be over people's heads. As proof of it. The discussion spiraled nearly to the top of the early 19th century German mediator, Hegel. This heel who laid the philosophical foundation for the temple of today wrote a book which few will read as a result of this broadcast, in fact it is difficult to imagine just what the results of the Hegel broadcast might be other than a temporary gift of the CBS audience to NBC. It seemed to prove that an educational program is a program too proud to want people to listen to.

Huntington Cairns came out dancing with a quote from a letter from the visitor. They sparred with short words. During which Russell scored the first intelligibility. It seemed he didn't admire Hegel. This was about the only intelligible point. The program was a whole bout. The fighting got down to thesis, an antithesis and synthesis almost immediately. The fight was over. The members to keep his antithesis up throughout. Had the thesis work been done, the fight might have pleased the fans more. At moments the synthesis became so synthetic it.

Russell had a tendency to swing out in the clear, but his American colleagues, Huntington Cairns, Allen Tate and Carl Van Vliet, kept his verbal elbows nicely pinned in. They instinctively recognized that the audience was not following. They moved toward intelligibility which had to be suppressed or people might get interested in his rather interesting but.

At one point the Briton seemed about to go blatantly popular, jangling his opponents with some quick and unexpected shafts of simplicity that stung the Americans' pride of scholarship. They promptly jumped in and began mixing up. Mixing up everybody. One blew seemed rather low: 'You mean he sort of literalized the antithesis and synthesis? It is open to question if this was not a foul. Not that anybody cried.' 'Nobis,' since the fight was over. And every time there was a lull they returned immediately to thesis, antithesis and synthesis.

This seems to be one of the phenomena of America, circa 1941. A travesty on the word 'education.' A self-conscious and pompous exercise in the wasteful use of the human mind to make itself intelligible. An educational program with nothing to lose but its listeners. As for the public, there's nothing to learn, period. **Land.**

'THE FLYING CADETS COMPETE'
With Hoyt Andres, Kern Tipton
15 Min., Regional
WQAR, San Antonio

From Randolph Field, The West Point of the Air, comes this quiz contest with flying cadets and officers compete. There are two teams, one from each side of each team. With four men on each team. The winning team is the one succeeding broadcast while new team is taken from questions sent in by the cadets. An excellent program by the cadet who submits it. Winning team receives \$40 cash. Contestants receive \$10. Questions correctly, whether on the winning or losing team receives an extra \$10.

Quizmaster is Kern Tipton, manager of station KPRC, Houston, who keeps program moving along. Hoyt Andres does a nice job announcing. **Andy.**

NOW—Day & Night
5000 WATTS
NO INCREASE IN PRICES

WFBM
ONLY BASIC TEST OUTLET IN INDIANA
National Representatives: The Katz Agency, Inc.

now!
5000 WATTS
DAY AND NIGHT

YOUR BEST NATIONAL SPOT BUY
A NEW APPROACH TO THE NEW YORK MARKET

THE GOLD MEDALS
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. EST
WABC-5:15-5:30-30 CBS
COAST TO COAST
DR. COMPTON ADVERTISING AGENCY
MGT. ED WOLF—RKO BLDG, NEW YORK CITY

Payroll Traffic

St. Louis.—Staff changes at KXOK include the resignation of gabber Moulton Kelsey, who has been temporarily replaced by Sid Saunders, formerly with KMOX, and the addition of Bill Durbin, gabber, formerly with WEW.

John C. Roberts, Jr., gen. mgr. of KXOK, has returned from a month's vacation in Nassau.

Chicago.—Alan Hale, from WISN, Milwaukee, with WJJD, Chicago, to do baseball broadcasts with Pat Flanagan.

Duluth, Minn.—Don McCall, staff announcer at local station WBBB, has been added to the post of program director.

Atlanta.—Vicki Moore, soprano, has joined the staff of WSB. James Thompson, concert violinist, and Marjorie Griffith, harpist, have been added to the house orchestra.

Boston.—WCOP has promoted two men and added a girl to its staff.

Russell E. Offhaus is upped to studio manager, newly created post. Morton Blender becomes program director.

Kaye L. McAvoy added as chief continuity writer, coming from WKNE, Keene, N. H. (Previously, she was 'Kaye Winters' on WEEI and 'Bea Baxter' of Goddard Bakery program on WKNE).

Neil Wallace, WEEI newscaster, has left to resume Naval service which he left several years ago. Charles Ashley, of Boston Herald-Tribune staff, will carry on.

Jane MacDermott new aide to David S. Garland, WEEI sales promotion manager.

Jack Beauvais transferred from WEEI sales promotion department to production department to write and plan programs as assistant to L. G. Del Castillo.

Spokane.—R. C. Ostrander has joined KFPY sales department. He was advertising manager of the Palace store for several years, and seven years with Meir & Frank and the Oregonian in Portland.

Phil Wacker, from KOMO-KJR, Seattle, added to the announcing and production staff of KHQ and KGA. Replaces Malcolm Sykes, now with United States Army Air Corps.

New Haven.—Peter Stoner, ex-WGUN, St. Petersburg, joined WELI announcing staff, succeeding Bud Finch, now in U. S. Army.

Philadelphia.—Michael Blair has joined the staff of WFIL to handle special production and special writing.

San Francisco.—William Livesey added to the announcing staff at KGO-KPO, resigning from the local Hearst station, KYA, to take the new job. Formerly with WLLI, Urbana, Ill., and KGMB, Honolulu.

Knoxville, Tenn.—George Barber, formerly with WSIX, Nashville; WDOO, Chattanooga; and WHLI, Johnson City, Tenn., has been named program director of WBIR, new station in Knoxville. Bill Indsay, formerly commercial manager of WFBC,

Greenville, S. C., has also joined the station. So has Gary Marable, another former WSIX employee.

San Antonio.—Waymen Ramsey, commercial manager of KABC, has been named manager of station KFDA, Amarillo. Ramsey takes over his new post at once, replacing Earl R. Strandberg.

New York City.—William D. Strauss, chief announcer of WQXR, New York, has enlisted in the Army. Arch Kepner succeeds.

Muriel Evans has joined the WOR special features department, succeeding Antoinette van der Does, who left to assist the trade commission of the Dutch East Indies.

Hartford.—WHTT's lost two spikers. George Monaghan, drafted, and George Martin, moved to California.

Lincoln.—Harlan Underkoffler, KPAB engineer, ordered into the navy and to Hawaii on a reserve naval communications commission.

Spartanburg, S. C.—J. W. Kirkpatrick, former manager, WGTG, Greenville, S. C., has been named salesmanager of Stations WSPA and WORD. Richard E. Bolen, formerly with WIS, Columbia, S. C., and James Robert Croy, formerly with WGTG, have joined WSPA, engineering staff. WSPA and WORD sales departments will be combined.

Wichita, Kans.—Jack Laffer, chief announcer and program director of radio station KANS, goes to WJR, Detroit.

Lincoln.—Larry Lansing, onetime KFOR announcer, has joined the new KVQC, of San Luis Obispo, Cal. He was a month with KJL, Los Angeles, Cal., before making the move.

Salem, Mass.—Al Belknap, WESX announcer, left (March 28) for Fort Devens for a year's military training. Harry Bixbee, former assistant engineer, has been at Camp Edwards past four months and is now instructor in radio school there.

New Orleans.—Mike Clark, former spiker on staff of WGST, Atlanta, now with WWL, New Orleans.

Columbus.—Robert C. Smith, formerly of WJW, has joined announcing staff of WCOL, Columbus. Replaces Charlie Warren, who moves to WGY.

Amarillo, Texas.—Pat Halverson on announcing staff of KGNC. Comes from WJDX, Jackson, Miss.

Fort Worth.—Steward Dean, formerly of KOMA, Oklahoma City, has joined the staff of WFAA-KGKO, as newscaster. Replaces Perry Dickey now with Grant agency, Dallas.

Chicago.—Chief Engineer Frank Faulkner brought in Dwight McPeck as studio engineer, replacing Frank Lehner, who is now with the Illinois 33rd Division of the U. S. Army in training.

John Slattery, formerly McPeck assistant, takes over as chief of scheduling and operations, with Bill Voris, ex-page staffer, assuming post as Slattery's assistant in the scheduling group.

Marion, O.—Russ Salter, program director and chief announcer of WMBN, Marion, joins the new station, WKMO, Kokomo, Ind., where he will conduct the 'WKMO Dance Club of the Air.'

Pittsburgh.—John Shillano, who has headed sound effects department at KDKA for several years, has just been promoted to the radio engineering staff of Westinghouse company.

Dallas.—Stewart Dean, Canadian, has joined announcing staff of WFAA, Dallas.

Wichita, Kas.—Condon Johnson, St. Joseph, Mo., is new continuity writer on radio station KFBI.

Timmins, Ont.—Following are among the personnel changes at CKGB, local CBC outlet:

Jim Book, of the engineering staff, has transferred to CKSO, Sudbury. D'Arcy Fzezzle, engineer, left to

join the firm of Otis Fensom, of Hamilton, Ont.

Fred Darling, program director, leaves this week to join the sales promotion staff at CJJC, Sault Saint Marie. Russ Mooney, engineer, leaves for a job in the electrical business in Toronto. Ted Earle, of the continuity staff, also goes to Toronto.

Norman Chaplin has joined the engineering staff. Les Harding has become an office assistant. Vance Ruffee is a new engineering assistant. Fenwick Job has joined the announcing staff, transferring from WHLS, Port Huron, Mich., and CKOC, Marmora, Ont. Jack Russell, formerly of CKCB, Kitchener, has also joined the announcing staff.

Lloyd Monk, music librarian, has been promoted to program director. Sonya Barnett remains as traffic manager and Hal Lawrence as news editor and announcer.

New York City.—George William Anderson, Jr., formerly of KMPC, Los Angeles, has joined the N. Y. World-Telegram.

Seattle.—Eloise Daubenspeck has joined the special sales staff of KIRO, Seattle. She was formerly with CBS in New York City.

Hartford.—Paul Lucas, upped to production manager of WTIC, Fred Wade shifted from chief announcer to production staff and Phil Becker succeeding as head spiker.

'Reds' and 'Baiters' Quarrel Over School Controversy Series on WMCA

A new quirk in 'social pressure' tactics has developed through an action against Station WMCA, New York, whereby side seeks to force the station to accept programs dealing with a controversial issue where the station management is disposed to sidestep the griet to itself caused by the programs. This matter of executive inconvenience is asserted as part of the defense, while the accusation has charged a violation of the 14th amendment (free speech) of the U. S. Constitution is implicit in the station's policy.

WMCA is in the middle between the Committee for Defense of Free Public Education and the New York College Teachers Union, on the one side, and a critic of these, the Joint Legislative Committee to Investigate the Educational System of New York.

Charges of 'radical' and 'reactionary' are mutually leveled between the pressure-groups with WMCA weary of the whole embroilment and the time-consuming bickering. Meantime, Judge John C. Knox of

N. Y. Federal Court yesterday denied a request by the first group seeking a temporary injunction against WMCA and the second group to prevent cancellation of the radio programs by WMCA or encouragement to such cancellation by the defendants.

A permanent injunction appeal will presumably have to wait upon a trial of the issues.

SERVICES TRAIN-CATCHERS

Steve Rintoul's Stamford WSRJ Starts in August

Stamford, Conn., April 8.

An August start is planned for WSRJ, new Stamford station to be operated by Stephen R. Rintoul, now with the Katz agency. Exhiler, 250 watts on 1400 kc., will be Connecticut's 11th and state's closest to New York.

Rintoul plans independent policy, with account on service to commuting population.

The most pampered audience you'd ever expect to meet...



We buy its clothes... snaffle its sniffles... round up its mules... oversee its children

We don't believe there's another audience quite like WBT's. Its extraordinary loyalty to WBT (known to everyone in radio) hasn't just happened. It's been well-earned, and is still earned by the sweat of many collective brows.

No headline-seeking publicity department dreams up the services we render. There's little or no need to devise ways and means to keep WBT listeners happy. Simply by standing by our firm policy that no listener request is too small to be ignored or a listener problem too slight to be overlooked, we stay plenty busy.

We find their lost mules and name

their children. They send us sample swatches, we buy their clothes. We even help guard their school children from colds... snaffling juvenile sniffles in the bud. We are nursemaid, adviser and friend. These and many more.

What WBT... pioneer station of the South... has gained by catering to so many whims of its audience for 20 years is very apparent to WBT clients. WBT listeners have always been more than ordinarily responsive to sales messages... because they like and are loyal to WBT.

That's why WBT broadcast advertisers are so successful in selling the Carolinas.

WBT 50,000 WATTS CHARLOTTE

"THE STATION AN AUDIENCE BUILT"

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

More Power For You

NOW DAY AND NIGHT

5000 WATTS

NO ADVANCE IN PRICES

ONLY \$100.00 DOWN IN ADVANCE

W F B M

National Representatives THE KATZ AGENCY, INC.

Bands at Hotel B. O.

(Presented herewith, 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
Clyde Lucas	Biltmore (300; \$1-\$1.50)	11	800	1,350
Leighton Noble	Waldorf (375; \$1-\$1.50)	11	1,100	13,950
Lani McIntire	Lexington (300; 75c-\$1.50)	11	1,050	13,225
Guy Lombardo	Roosevelt (500; \$1-\$1.50)	25	1,175	32,000
Woody Herman	New Yorker (400; 75c-\$1.50)	14	1,225	22,425
Jimmy Dorsey	Pennsylvania (500; 75c-\$1.50)	10	2,325	27,050
Tony Pastor	Lincoln (225; 75c-\$1.50)	26	725	12,750

* Asterisks indicate a supporting floor show, although the band is the major draw.

Tommy Dorsey, \$24,000, D.C., Kaye, \$15,000, Balto, Big in Bandfilmmers; Satchmo' Fair at \$18,500 in N. Y.

(Estimates for This Week)

Louie Armstrong, New York—(State; 28-44-55-75-90-\$1.10). With 'Come Live With Me' (M-G) on screen. Induced \$18,500, fair. Armstrong draught at he believed to be held down by weakness of film, which was a disappointment on first-run at the Capitol recently.

Charlie Barnet, New York—(Paramount; 35-55-85-90). With 'Nice Girl' (U). Finished second week, last for the show, last night (Tues.), at \$32,000, o.k., but a considerable drop from first stanza's strong \$48,000.

Tommy Dorsey, Washington, D. C.—(Capitol; 3,424; 28-39-44-66). With 'Penalty' (M-G) on screen. It's Dorsey from start to finish for wallowing \$24,000. And he's doing it against tough competition, Martha Raye making a p.a. at the nearby Earle and attracting \$18,500.

Duke Ellington, Los Angeles—(Paramount; 2,359; 30-44-55-75). With 'Las Vegas Nights' (Par) on screen. Running nine days and heading for nifty \$19,000. Ellington gets full credit.

Sammy Kaye, Baltimore—(Hippodrome; 2,205; 15-28-39-44-55-66). With 'Penalty' (M-G) on screen. Film is simply something to light up the house so far as this spot is concerned. Kaye getting all the credit for big \$15,500, far and away best Baltimore gross for this canto.

Ted Lewis, San Francisco—(Golden Gate; 2,850; 39-44-55). With 'Foot-High Heaven' (R.D.). Lewis has his 1941 Happiness Record here and is virtually 100% responsible for the slick \$18,000. This house, incidentally, only Frisco mainstemmer that hasn't installed out rates for juves in 12-16 age group.

Jimmie Lunceford, Philadelphia—(Earle; 2,350; 35-46-57-68). With 'Knockout' (WB) on screen and Bill Robinson on stage. Stage bill is surefire, but film isn't lending much help. Rousing \$24,000.

Cito Rouse, Indianapolis—(Lyric; 1,900; 30-40-50). With vaude, and 'Sleepers West' (20th) on screen. Film none too strong, and Holy Week is a brake on the combo. Is heading for poor \$8,000.

Charlie Spivak, New York—(Strand; 35-55-75-85-99). With 'Sea Wolf' (WB) on screen. In third final week and dipping to \$20,000, not good. Second week also fell off toward the end to finish at only \$30,000, as against an initial seven days' grab of \$43,000, excellent.

POP'S BUNCH DOES IT

Jurgens Band Booked So New Girl Singer Can Be Heard

Milwaukee, April 8. When Dick Jurgens auditioned recently, Bette Faeth, a Milwaukee girl, won a contract and has since been appearing with the band. Now Milwaukee Association of Letter Carriers has Jurgens booked for annual ball April 18 in the Milwaukee Auditorium. Bette Faeth is the daughter of one of their members.

In the Wax Works

(VARIETY each week will list material currently being recorded by various bands to familiarize readers with numbers awaiting release. Titles listed below were recorded recently are awaiting release. Only those hypenated are to be coupled. Others are not definite.)

Raymond Scott (Columbia) 'Little Bit South of North Carolina.' 'Keep Cool, Fool.' 'Let's Get Away from It All.'

McFarland Twins (Okeh) 'She's Got a Great-Big Army of Friends.' 'Band Played On.' 'Sweetest, Stop Kissin'.' 'Old Country Garden.'

Gene Krupa (Okeh) 'Don't Cry, Cherie.' 'Rendezvous in Rio.'

Harry James (Columbia) 'Dolores.' 'Sonata Moderne' (double-faced). 'Gone but Not Forgotten.'

Claude Thornhill (Okeh) 'Hungarian Dance.' 'O Sole Mio.' 'Traumlers.'

Woody Herman (Decca) 'Intermezzo.' 'You Call It Madness.' 'Lazy Rhapsody.' 'Time Changes Everything.'

Ray Noble (Columbia) 'Believe Me If All The Endearing Young Charmers.' 'My Wild Irish Rose.' 'On the Alamo.' 'Swing Low Sweet Chariot.'

Tommy Dorsey (Victor) 'Serenade to a Spot.' 'Another One of Them Things.' 'Let's Get Away from It All' (double-faced). 'Yes, Indeed.' 'You Betcha My Life.' 'Will You Still Be Mine.' 'I Love It So.' 'Deep River.' 'Swing Low Sweet Chariot.'

Mills Bros. (Decca) 'Celita Linda' (English lyric). 'If It's True.' 'Up and Down Down and Up.' 'The Very Thought of You.'

Jimmie Lunceford (Decca) '24 Robbers.' 'I Had a Premonition.' 'Battle Axe.' 'Blue Prelude.'

Larry Clinton (Victor) 'Essential to Me.' 'Estrella.' 'Night We Met.'

Benny Carter (Bluebird) 'Midnight.' 'My Favorite Blues.' 'Lullaby to a Dream.' 'What a Difference a Day Made.'

Lanny Ross (Victor) 'Mother's Day Song.' 'Where You Are.'

GEORGE CARRE'S HERO TUNE Jamestown, April 8.

George Carr, manager of ballroom at Colonus Park, dunked into Chautauque Lake last week to rescue 6-year-old boy.

Lad, in turn, had standard list of rescued a dog.

KAYE DISHES POETRY

Browning and Longfellow Mixed in with Swing 'n' Sway

Sammy Kaye is introducing a new type of production touch to his Sunday afternoon band remotes on the NBC red. He's reading poetry in a couple of spots in the half-hour allotted to him. Past week (6) he recited off one by Elizabeth Browning and another from the pen of Henry Wadsworth Longfellow. Leader simply hops to it between band numbers, being backed by an electric organ.

Kaye's band is picked up every week to play live city it happens to be wintering in. Broadcasts are done from local network out-let or from any available hall sufficiently large to hold an audience. NBC pays all expenses.

Kaye and his band goes on location at the Essex House, New York, May 25, immediately following its four weeks' stand at Meadowbrook, Cedar Grove, N. Y., which starts April 29. It's second shot at the spot for Kaye. He was in that hotel two years ago. Forcoming date is for five weeks.

10 Best Sellers on Coin-Machines

(Records below are grabbing most nickels this week in jukeboxes throughout the country, as reported by operators to VARIETY. Names of more than one band or vocalist after the title indicates, in order of popularity, whose recordings are being played. Figures and names in parenthesis indicate the number of weeks each song has been in the listings and respective publishers.)

1. Amapola (4) Marks	Jimmy Dorsey	Decca
2. There'll Be Changes Made (7) Marks	Ted Weems	Decca
3. I Understand (2) Feist	Yaghn Monroe	Bluebird
4. Dolores (1) Paramount	Benny Goodman	Columbia
5. Stardust (13) Mills	Jimmy Dorsey	Decca
6. One I Love (6) Forster	Bill Crosby	Victor
7. May I Never Love Again (5) BMI	Tommy Dorsey	Victor
8. Memory of a Rose (5) (S-B)	Artie Shaw	Victor
9. It All Comes Back to Me Now (3) BMI	Tommy Dorsey	Victor
10. Band Played On (1) P.D.	Ella Fitzgerald	Decca
	Ted Weems	Decca
	Bill Crosby	Bluebird
	Sammy Kaye	Victor
	Jimmie Dorsey	Decca
	Eddy Duchin	Columbia
	Gene Krupa	Okeh
	Guy Lombardo	Decca
	Jimmy Dorsey	Decca
	Tommy Dorsey	Victor
	Artie Shaw	Victor
	Bill Crosby	Bluebird
	Sammy Kaye	Victor
	Jimmie Dorsey	Decca
	Eddy Duchin	Columbia
	Gene Krupa	Okeh
	Guy Lombardo	Decca

DISKS GAINING FAVOR

(These records are directly below the first 10 in popularity, but growing in demand on the coin machines.)

Hello Ma, I Done It Again (Robbins)	Ella Fitzgerald	Decca
Sorrento (Southern)	Mitchell Ayres	Bluebird
Oh, Look at Me Now (Embassy)	Woody Herman	Decca
Dancing in the Dark (Chappell)	Tommy Dorsey	Victor
Music Makers (Paramount)	Woody Herman	Decca
Perfidia (Southern)	Artie Shaw	Columbia
	Harry James	Columbia
	Jimmy Dorsey	Decca
	Xavier Cugat	Victor
	Benny Goodman	Columbia
	Dick Robertson	Decca
	Al Donahue	Okeh
	Joe Reichman	Victor

Orrin-Bonnie's Record \$7,835; James Clicks \$2,565; Clinton \$4,050, 1-Niters

(Estimates)

Andrews Sisters-Johnny Richards (Balboa Beach, Calif., April 6). Trip and local band crashed all-time mark here with 5,100 payees at 63c-75c per. Cab Calloway (Eastwood B., Detroit, April 5). Automobile union hop took in okay \$1,050 with Calloway, drawing 1,400 at 75c.

Bob Chester (Lakeside Park, Dayton, O., April 5). At 75c per Chester pulled good 2,100 here, running up \$1,500 gross.

Larry Clinton (Totem Pole B., Auburn, Mass., April 4-5). B.o. records change faster than weather here. Clinton copped capacity 3,000 each evening, setting up two-day mark with \$4,050 in the till at 11.35 couple.

Al Donahue (Valley Dale, Columbus, O., April 5). Despite dent of Lent Donahue got fair \$950 take with 1,100 at 80c-81.

Sam Donahue (Rusland-State B., Boston, April 5). Fourth successive Saturday for Donahue caught 850 hoppers at 55c-46.

Harry James (Totem Pole B., Auburn, Mass., April 2). James teed-off first regular Wednesday hops with good 1,650 hoofers at \$1.35 pair for gross of \$1,114. Shifting to college hop at Staller hotel, Boston, April 4, James pulled up high \$2,565 gross from 570 dancers at 80c couple.

Sammy Kaye (Clinton B., Cleveland, O., March 30). First stop here in six years got Kaye took 2,000 seats at 75c for a \$1,500 gross. Kaye began musical life here.

Johnny McGee-Gene Broderick (Playmor-Raynor B., Boston, April 4-5). Coupled to Broderick, local outfit, in twin dances, McGee and Co. drew healthiest week-end big in month; 1,890 Friday, 2,250 Saturday. Gross, \$2,490.

Dick Rogers (Ritz B., Bridgeport, Conn., April 6). Bad draw of 3,537 admissions at 55c greeted McCoy. Low gross, \$1,697.

Raymond Scott (Colonial theatre, Lancaster, Pa., March 28). Poor attendance of 700 greeted Scott. At 55c per \$385 gross was n.s.g.

Orrin Tucker (Pittsburgh, Pa., Wayne, Ind., April 4-6). Tucker cracked high w. at 18c-19c here with 18,400 admissions in three days. House capacity is 1,850. Ft. Wayne peeled \$7,823 off its bankroll at 33c-44c per.

Mark Warnow (Arena, New Haven, Conn., April 6). Hit Parade conductor and Barry Wood and Bea Wain drew 4,500 people in two shows, 1,500 afternoon, 3,000 night at 45c-75c former and 55c-85c-1.10 later. Arena seats 5,000.

Coin-Catching Possibilities

Jimmy Dorsey 'Yours'—When Sun Comes Out' (Decca 3657) Another click side in 'Yours.' Though it's not as strong as the same band's 'Amapola' or 'I Understand,' the side is capable machine fare. Same vocal trail is followed; Bob Eberly ties it up in ballad tempo, Helen O'Connell change in late for a rhythmic version in Spanish. Reverse is a rare slow-paced waltz by Miss O'Connell. It's overshadowed.

Harry James 'Answer Man'—'Ol' Man River' (Columbia 36923) Both good. First side is probably aimed to followup 'Music Makers.' It's a good arrangement, solidly played, a rhythmic coin candidate that shows the band and band in a right light. James' muted trumpet and a neat Dick Haymes vocal top the speedily playing backing.

Artie Shaw 'I Cover the Waterfront'—'Marinella' (Victor 27362) 'Waterfront' is a tasty few minutes. Side is the third of Shaw's string of standard releases dressed up in fine modern arrangements. It easily follows 'Dancing in the Dark' and 'This Romance.' Reverse is an equally capable rumba number.

Frankie Masters 'Oh Look at Me Now'—'Braggart' (Okeh 8107) Masters' improved band rates 'A' for effort on the first side, a release that is a bit late. Crew turns in a light, rhythmic, commercial version of the tune. However, it has Tommy Dorsey's side to contend with. Masters and Swingmasters vocal. Coupling doesn't measure up; a weak tune.

Glenn Miller 'Perfidia'—'Spring Will Be So Sad' (Bluebird 11095) 'Perfidia' is getting new play, hence this release. It's a saleable and listing cutting, typically Miller. Dorothy Claire and Modernaires vocal on a familiar track. Second, very weak, is weak.

Dick Robertson 'Sidewalk Serenade'—'Wise Old Owl' (Decca 3659) First is a listenable melody, lightly done. Okay machine stuff at accelerated tempo. Robertson vocals. There are better versions of 'Owl,' though Robertson's is satisfying enough.

Danny Kaye 'Jenny'—'Tschakowsky' (Columbia 36025) Kaye's first recording is a rich example of the personality that has gotten him wide notice, and he shows promise of a good future on discs. He's a comedian first, but these tunes from his show, 'Lady in the Dark,' crisp delivery peculiar to him. Siders cut with a chorus and production touches from the show. They're neat.

Ben Wain 'My Sister and I'—'Afraid to Say Hello' (Victor 27363) Miss Wain's arrangement and vocal of 'Sister' is a solid bet, a commercial side though her work seems stifled by an anxiety to cut a version that will cut some ice in the song's sweep. It will get a natural machine play. 'Hello' is okay, a pop with no special recommendation. Benny Goodman (Columbia 36022) slipped his usual tempo to a walk to make though the former does better at rhythm work. She's backed by a simple, but slightly brittle, arrangement. Goodman's clarinet is short but solid. Reverse goes rhythmic, a good side picking up a strong beat and good solos. Miss Forrest vocals.

Tony Martin 'Too Beautiful'—'You Stepped Out of Dream' (Decca 3645) 'Too Beautiful to Last' is a weak melody from the film 'Ziegfeld Girl.' It sags too often. Martin does okay vocally, however. 'You Isn't much stronger. Both sound like 'situation' tunes.

Hampton Clicks in Chi

Chicago, April 8.

Lionel Hampton band, recorded four sides at the Victor studios last week.

Three of the sides were originals by Hampton and only one was a published song. This was 'Three Quarter Boogie,' published by the Russell Music firm.

Harry Morrissey, ex-Leighton Noble, ex-Carl Martin, fronting own band around Boston.

Gus Arnheim Into N. Y.

Gus Arnheim band, which hasn't been around New York for some time, replaces the current Shep Fields band at George White's Gay White Way April 16. Arnheim has spent most of his time on the Coast lately.

Fields, who has been at the White stand since it opened last Dec. 26, expects to reform the style of his band after leaving.

LOCAL 802 TABUS RADIO STUDIO HOOFING

New York musicians' union has set out to discourage the use of large auditoriums, outside of a network's regularly leased quarters, for the staging of commercial broadcasts with name bands. The first of these to feel the union's pressure is Old Gold's Benny Goodman show. Officials of Local 802, of the opinion that advertisers in going beyond the usual studio precedents of a network or station to collect a broadcast audience are taking advantage of the union's wage scale for commercial broadcasting.

Union has never objected to studio audiences, believing that arrangement a custom and integral part of the radio business, but it does feel that when a commercial engages a huge hall and makes dancing during or after the broadcast a part of the performance, as happened in the case of Old Gold, it is stepping outside the purview of the band's radio employment. Old Gold abandoned the dancing angle with last Monday (7) broadcast over WJZ, N.Y., but the union, anyway banned the continued use of Manhattan Center, which has a seating capacity of 5,000 persons, as the originating point for the program. Goodman's broadcast that evening was held, as a result of the union taboo, in Studio 3B of NBC's Radio City plant.

Local 802 also has a rule against originating broadcasts from any place where admission is charged.

KEMP VETS ASSEMBLE UNDER ART JARRETT

Art Jarrett, singer-bandleader, will lead rebuilt Hal Kemp crew using the material Kemp left when he died following a recent auto crash. Outfit is to open a three-month stay at the Blackhawk Cafe, Chicago, May 14. It will be staffed by as many of the men who were with Kemp when he died as can be rounded up.

Blackhawk is spot where original Kemp outfit got its start in early 30's.

New group goes into rehearsal next week. It will be managed by Alex Holden, Kemp's manager and partner, and as yet has not been aligned with any booking office.

802 Collects From Cafe For Tommy Reynolds

New York local 802 of the American Federation of Musicians stepped into the Famous Door, N. Y., last week to collect two weeks' salary owed to Tommy Reynolds orchestra. Band was scheduled to stay six weeks at the faded 52d street home of swing, but pulled out last Wednesday (3) after three weeks. Union collected one week's night band closed and drew a check for the second week's payoff, which was to have been made good by Saturday night past.

Stets Tolbert outfit, a six-piece colored combo, replaced Reynolds.

802 Medical Fund Affairs

New York local 802 of the American Federation of Musicians expects to be the beneficiary of a number of functions this summer the proceeds of which will go to replenish the depleted Medical Fund. First of the benefit performances goes on at Carnegie Hall, N. Y., April 23, a concert being given by the talent from the Updown and Downtown Cafe Society branches.

The Society concert is the only idea to reach maturity so far, others are being mulled. One plan is a series of weekly boot trips utilizing name bands as the draw.

ANNUAL NEGRO BALL

Colored Musicians' Assn. rounding up bands for its annual ball Sunday (13) in Esquire Ballroom at 65c tap. It will be the group's 24th annual shindig.

Campus Best Sellers (DENVER UNIVERSITY)

Denver, April 8. The six best record sellers at Denver University students are:

1. Amosia Jimmy Dorsey
2. Jane Jive Inkspots
3. San Antonio Rose Bing Crosby
4. Stardust Artie Shaw
5. Do I Worry? Tommy Dorsey
6. The Band Played On Guy Lombardo

'High Schoolers' Too Old Even For the Draft

First round of the elimination high school band contest at the Flatbush theatre, Brooklyn, last week was won by default when George Brandt, house manager, refused to let one of the bands go after getting a glance at the 'boys' who manned it. House has been advertising the contest between four Brooklyn high schools, the winners of two elimination showings to meet a third week for a \$100 prize.

Manager Brandt had Tilden against Madison High scheduled for past week (3), but was forced to dig up a substitute when Tilden's principal said he was against 'commercializing' a school band by allowing it to play in a theatre. Remembering a youngster from Midwood High who had been pestering him for a chance to put a band into the competition, Brandt phoned and told the 16-year-old to round up his band and take Tilden's place. When the outfit hove into sight Brandt found that the embryo leader had fished his band with ringers. Says several men in the band were old enough to be fathers of high school kids. He couldn't let them go on.

As a result of the mixup Brandt had to apologize to a crowded house for not staging the first round of the contest and awarded the initial prize to Madison by default. Latent band filled stage time by giving an exhibition of its ability.

CBS REMOTES OLSON FROM HOUSTON, TEX.

Houston, April 8. George Olson orchestra will be aired twice each week through the Columbia Broadcasting System. Olson is here at the Empire Room of the Rice Hotel.

This marks the first time that a regular network series has originated from this city.

Ted Straeter Now Under William Morris Banner

Ted Straeter band, currently at Fefe's Monte Carlo, New York, has been signed to a management contract by the Wm. Morris agency, and is to get a buildup as a society band. Straeter had not been with any other agency in the past and has made only a few records for Columbia.

He's personally managed by Ted Collins, and leads a choral group on Kate Smith's radio program, beside bawling his band.

IN PRAISE OF FORESIGHT

Lopes Sends Diagram of Set-up Ahead of Arrival

Auburndale, Mass., April 8. Vincent Lopes, credited with good business sense by Manager Roy Gill of Town Pole Ballroom here, because Lopes doesn't play this spot until Friday and Saturday (18-19), but has already sent ahead a diagram of the set-up he would like the bandstand set up and also how the two pianos are to be tuned to each other.

Thus last-minute details will not have to be rushed. Said Gill, 'since most orchestras do not arrive here until an hour or less before they are ready to commence work, Lopes will find everything he requested.'

LINGERING BITTERNESS OF ASCAP-BMI WAR BREAKS UP SOME 15-YEAR FRIENDS

BOSTON KEEPS \$3 TAX

Opponents Fail to Show Up to Vote It Out

Boston, April 8. The \$3 per man broadcast tax will remain on the Musicians' Union books here for another year, the result of the vote last Thursday (3), when many musicians planning to kill this tax failed to appear at the meeting. President George Gibbs, of Local 8, opened the discussion by emphatically stating his position and urging the musicians to retain the regulation. Only two members spoke in opposition. Charles Friedman questioned the use of money received from the tax and requested an accounting.

Gibbs explained that \$250 had been transferred to the charity fund of the Musicians' Mutual Relief Society, and \$900 expended for pickets in front of the Casino Theatre, where a union orchestra performs daily.

A motion was killed to charge 50 cents per half-hour extra for continuous dance music.

The resolve 'No fee music for anyone at anytime, anywhere,' was held over for further study by the committee.

A 1% employment tax on all engagements for the Good-Will Fund is being planned.

Colleges and private schools were placed under first-class classification and as such are to be charged two cents per mile each from Boston in classes playing these engagements.

BEN SELVIN'S WAX SURVEY PROGRESSES

Ben Selvin, v.p. and recording head of the AMP Studios and Muzak, who was retained by James C. Petrillo, American Federation of Musicians rep, several weeks ago to make an exhaustive survey of musician expenditures in the recording industry, has so far projected his study to every field but coin-machine operation and radio stations. Questionnaires will be addressed to the latter soon as Selvin has held a scheduled meeting with Neville Miller, president of the National Association of Broadcasters. The coin-machine questionnaires will go out next week.

Selvin has already extended his quest for information to transcription manufacturers, phonograph record companies and advertising agencies. He must have this data collated and whipped into the form of a report by June 1 so that Petrillo can give the completed work a thorough going over preliminary to submitting it to the AFM convention which is to be held two weeks later in Seattle.

Main purpose of this probe is to find out how much money has gone to musicians during the past several years from the allied parts of the recording industry. Also to determine what may be the future trends in that regard. It is reported that the information gathered so far shows that the income for musicians from this industry has been several times what it had been generally believed.

The important questions in the questionnaires directed to transcription makers include (1) the number of stations served with a library service; (2) amount spent for musicians over a period of years; (3) number of selections in the library editions and deletions; (4) whether the library is sold outright or leased; and (5) extent of commercial recording. The agencies, however, are concerned mainly the money spent in recent years for musicians on live and recorded programs.

The probe has among other things disclosed that the once important importation of symphony masters from Europe has dried up and that huge expenditures are now made by American recorders for that type of phonograph material.

Lombardos Feel the Force of Publisher Sentiment— Hotel Roosevelt, N. Y., Called N.A.B. Hangout Because of Band's Regular Stand There

A Natural

Boston, April 8. Manager Ray Galvin, of Raymor and Playmor Ballrooms, is passing out nickels painted red in his box office and at the refreshment stands.

Curious recipients told that Red Nichols opens at the twin dancehalls on April 12 for five weeks. It's an old Nichols gag.

N.Y. Hotel Bands In Middle in Fight Between Unions

Dine and dance rooms of four major New York hotels are faced with a walkout by the New York musicians union this week because of a jurisdictional dispute over the handling of floorshow or bandstand spotlights. The tangle is between the New York local of the International Alliance of Theatrical Stage Employees and the Hotel & Club Employees Union Local 6, and the New York local (802) of the American Federation of Musicians, which is acting under a inter-craft agreement existing between itself and the stagehands union. All unions concerned are affiliated with the American Federation of Labor.

The hotels involved are the New Yorker, the Biltmore, the Park Central and the St. Regis. All these have for years had their spotlights handled by members of the hotel workers union and at various intervals the New York stagehands local has sought to have these men replaced by IA cardholders. Spot due to be affected first is the New Yorker. General Amusement corp. has already been informed that the Bobby Byrne band will not be permitted to open at that hotel Friday (11). Bands in the other spots will, it is understood, be ordered out shortly afterwards.

The question of Local 802's acting on its craft obligations came before the last convention of the AFM, and ex-president Joseph N. Weber moved that the matter be referred to the international executive board.

DON PEDRO, 3 OTHERS HURT IN CAR MISHAP

Chicago, April 8. Don Pedro, orchestra leader and radio entertainer, and three members of his orchestra were hurt in an auto mix-up near Joliet, (Ill.) last week.

Pedro suffered from cuts and bruises but was immediately okayed for exit from the hospital. But the three others were detained for further examination. They are Louie Ramirez, Joseph Mania and Ernest Chucky.

Harry James to Lincoln

Harry James band gets its first shot at a New York location job. Outfit goes into the Lincoln hotel April 25 for three straight months and Mrs. Maria Kramer, owner of the spot has an option on another three for next winter. Hotel will bring in another outfit, not yet named, to fill the time between Tony Pastor's exit (tonight) (Wed.) and James' opening. Booking is a surprise to the biz-in-a-much as the Kramer jobs have for some time been exclusive to the Lincoln. The Lincoln is owned by Corp. of American books James and there are no strings attached in the way of split commissions or anything else.

Within the ASCAP sphere of the music industry, publishers and professional managers make no efforts to conceal a deep-felt hostility toward the Lombardo brothers. The sentiment in this quarter is that the Lombardos, despite their close affiliation with ASCAP, have since the outbreak of the war, never disclosed anything but a warm sympathy for the ASCAP membership's plight.

The ASCAP publishers claim that the Lombardos, who hold both publisher (Olmus Music Corp.) and writer (Carmen Lombardo) memberships in ASCAP, have leaned so far to the left way, that the band's regular stand, the Roosevelt hotel, N. Y., has become the favorite rendezvous for the big shots of the National Association of Broadcasters whenever they are in town.

Attitude of the Lombardos during this period of disruption, and these publishers, has been one of the deepest disappointments that they had to bear. It has weakened in music case friendships of 15 years standing.

Contactmen's union has turned down the application for membership of Carley Mills, a contract writer for London Music Co., the non-ASCAP firm controlled by Guy Lombardo. Jimmy Campbell, Lombardo's manager in the same publishing house, is expected to experience some difficulty when his own application comes up before the same union. Campbell is still a British citizen, and the union's bylaws require that an applicant must either be an American citizen or prove that he has formally applied for such citizenship.

Concerning Mills' application the union decided that the former was primarily a songwriter and that his purpose in getting a union card was to obtain plugs for his own songs. He has one or two writers whom the Lombardos maintain to keep them supplied with new material for the Lady Esther program.

Different Band Weekly On 'Birthday' Program; Jimmy Dorsey on Tour

When Jimmy Dorsey' band takes to the road following its Strand theatre, New York, date, which begins this week (11), it will be replaced on the Twelving Grand 'Your Happy Birthday' show. Ed Wolfe agency, which produces the program, will thereafter use a different name band each week. There are four writers for Dorsey's ex because the length of his stay at the Strand is down for either four or six weeks.

Originally the show was to follow Dorsey on the road, emanating from wherever he happened to be each Friday, but he has been dissatisfied with the amount of time allotted to him and wants to keep out. Band is currently at the Pennsylvania hotel, New York.

Heidt's Quiz Request

Horace Heidt has applied to the N.Y. supreme court for permission to examine William E. Purcell and Francis J. Purcell, attorneys, before trial connection with their suit against him for \$5,000 for legal services. Attorneys claim \$900 for representing Heidt in his action against Virginia, Maree, Miriam, Jean and Helen Ahn, the Beachcombers Restaurant, Inc. and Monte Bieder, while the \$5,000 is for representing Heidt's wife in a divorce action. The first four females, as Le Ahn Sisters, allegedly broke a contract they had with Heidt to sing at the Pennsylvania, Niterly, The Beachcombers, Hale and Ahn, as named as their mother and guardian. The attorneys have had a counter-action being against them by Heidt, who claims as a result of their negligence he was forced to spend an additional \$6,000 on legal fees for other attorneys.

On the Upbeat

Bus Brown, formerly with Tommy Tucker, replaced Kenneth Benike in Paul Fendaris' trumpet section in Pittsburgh last week, Benike moving on to Sterling Young outfit.

Art Farrar opens spring and summer dance season at Junction Park, New Brighton, Pa., on Monday (14).

Everett Hoagland band begins four-week return engagement at Carnegie, Pittsburgh, Monday (14).

Lolita Cordoba's rumba band, which has just closed at Latin Quarter in Miami, opens at El Chico, Pittsburgh, Saturday (12), replacing Don Mario orch.

Joe Villella band checks out of Balcones, Pittsburgh, this week after six-month stretch, and opens Monday (14) at another Pitt niter, the Oasis.

Buddy Montan, 18, vocalist with Eddie Fitzpatrick's orchestra, convalescing in Wichita following emergency appendectomy in local hospital.

Doris Day leaving Les Brown band to marry Hal Jordan, trombonist with Jimmy Dorsey. Brown is at Mike Todd's, Chicago.

Raymond Scott plays Peckinbush ball this year. Dated May 10 at Baltimore Army.

Benny Goodman has deferred a four-week stand at Meadowbrook, Cedar Grove, N. J., until the fall. Was scheduled for May 29.

Jean Browne now singing with Vic Abbs' band at Congress hotel, Chicago.

Bernie Cummins is dancing in the show at the Edgewater Beach hotel, Chicago, as well as leading his band.

Alto Fila joins Will Bradley trumpet section, replacing Berni Zudocoff. Trumpets now will be held by Fila, Lea Castaldo and Tiger Poole, who returns from Ray Noble.

Ray Conniff, trombone formerly with Artie Shaw, putting together an eight-piece combination of his own.

Jana Lee has singing spot with Will Osborne. Latter's first theatre date with new band will be at Paramount theatre, Los Angeles, May 15 or 22.

Leonard Keller goes back into Bismarck hotel, Chicago, for three months, April 18.

Dick Stabile headed for six to eight weeks at Chatterbox, Mountain View, N. J., opening May 1. He follows Louis Prima, who opens tomorrow (Thurs.), replacing McFarland Twins.

Tommy Tucker plays Apple Festival, Winchester, Va., May 2 to three straight year. Benny Goodman plays it day before (1).

Joe Venuti will be relief for Jimmy Dorsey at Pennsylvania hotel, New York, week of April 11. Dorsey will be doubling from hotel to Strand theatre.

Orrie Tucker orchestra into the Aragon ballroom Chicago, starting May 11.

Will Osborne's band opens a series of engagements in Denver, April 18, with a junior prom at the University

of Arizona, April 26, and the Pan-Hellenic dance at the University of California, May 9. Band is also slated for a series of Sam Coslow's soundies and several transcriptions.

Charlie Barnett's orchestra goes back to the Coast July 22 for a five-week stand at the Casa Manana, Culver City. Last time Barnett was on the Coast his band was burned out of instruments and library in the fire that destroyed the Palomar Ballroom, Hollywood.

Bartie opens tomorrow (Thurs.) at the Flatbush theatre, Brooklyn. He has let go Lena Horn, vocalist, who worked with him past two weeks at the Paramount theatre, New York.

Ruby Newman will play the wedding reception for Eleanor Roosevelt, niece of the President, scheduled to marry Edward Elliott, an Englishman, on April 12 at Dedham Polo Club, Dedham, Mass., with Mrs. F.D.R. attending.

Frank Fleming, for years first trumpet with Cleo Lombardo, has joined Eddie LeBaron's orchestra, currently at the Hotel Book Cadillac Casino, Detroit. He will also take over the ballad singing. LeBaron also has added a second piano to his orchestra, Irving Priefer.

Ray Galvin's Eastern Orchestra Service, Boston, has a large parade of bands set for a series of one-nighters in New England, among them: Johnny Long, May 16-31; Tommy Reynolds, April 17-20 and May 16-24; Will Bradley, May 21-29; Earl Hines, April 25-26; Bunny Berigan, April 25-26; Guy Lombardo for Totem Pole B., Auburnville, Mass. June 13 week; Bobby Byrne, Totem Pole B., June 20 week.

Sam Lytiner inducted into Army. One of few original men of Dean Hudson orchestra, leaving triple job as manager, singer and drummer. Sid Barabeto, out of Eddie De Lange's band, replaced Mahlon Clark on third alto, with Hudson, Clark going to Will Bradley.

Ray Rogers opens with his orchestra today (9) for ten days at Bermuda Terrace of Hotel Brunswick, Boston, in addition to conducting his band booking agency here. He will have Jini Wilson, formerly dancer in Rudy Vallee show troupe, and Andy Ames as vocalists.

Three Treys, staff trio at WBEU, Buffalo, into Hobart's Grill, Buffalo.

Dean Hudson set for a Fitch Band wagon, stop, in mid-May, and two weeks at Cavalier Beach Club starting June 1.

Betty McIntyre, Toledo, has joined Mickey Lovins' orchestra in Cincinnati as vocalist.

Lee Kysar, bass, is new vocalist with Joe Frassetto's WIP, Philly, house band.

Anson Weeks returns to work with his band at the Club Trocadero, Henderson, Ky., May 12. He's been recovering from auto smash injuries.

Dave Jacobs rejoined the Tommy Dorsey trombone section in place of Les Jenkins, who went home to Texas.

Tito Guizar makes his first recording date for Victor domestic release next week. He's been cutting for export.

PENCILLED IN YEAR AHEAD

Jimmy Dorsey Set for Another Pennsylvania Return

Jimmy Dorsey band has been signed to return to the Pennsylvania hotel, New York, next January for 14 weeks. Agreement brings Dorsey back into the spot for the third straight year and sets him for a stretch almost identical with the one he's now finishing. Band exits the Penn next week (18).

Following theatres and one-nighters the group makes a stand at the Sherman hotel, Chicago, for four weeks beginning June 27.

Band Bookings

Gus Arnheim, April 16, Gay White Way, New York City.

Charlie Barnett, July 22, five weeks, Casa Manana, Culver City, Calif.

Count Basie, May 2-4, State theatre, Hartford, Conn.

Henry Busse, April 21-22, Westwood Club, Little Rock, Ark.; 26, Aud. Columbus, O.; May 2-3, Mississippi State C., St. Louis College, Miss.; 16, U. of Pennsylvania, Philadelphia.

Cab Calloway, April 17, Palace Royale, South Bend, Ind.; 18, Cleveland hotel, Cleveland.

Larry Clinton, April 11, Masonic Temple, Detroit; 12, IMA Aud., Flint, Mich.; 13, Coconut Grove, Toledo, O.; 15, Greyhound, B. Detroit; 16, John Carroll U., Cleveland.

Saxie Dowell, April 12, Athletic Club, Milwaukee.

Duke Ellington, April 13, Automobile Bldg., Dallas; 14, Palace Park, Shreveport, La.; 15, Murphy's Skating Rink, Alexandria, La.; 16, Pilgrim Aud., Shreveport, La.; 17, Sheboygan theatre, Sheboygan, Wis.; 7, RKO theatre, Appleton, Wis.; 8, Kenosha theatre, Kenosha, Wis.

Benny Goodman, May 1, Apple Festival, Winchester, Va.

George Hall, May 9, Fordham U., New York City.

Bob Hardy, April 19, Junior Association of Commerce Ball, Hotel Statler, Boston; April 25, battle of music with Harry Clinton, Massachusetts Institute of Technology, In-Frat Ball, Hotel Statler.

Woody Herman, April 12-14, Metropolitan, Chicago; 15, 16, 17, Grotto Park, Elmira, N. Y.; 16, Yankee Lake, Brookfield, Ill.

Earl Hines, May 5, Warehouse, Petersburg, Va.; 6, Armory, Richmond, Va.; 10, U. of Dubuque, Ia.

Ins Ray Ruston, May 2-4, Adams theatre, Newark.

Isam Jones, May 2, Gallopade Dance, Rock Mount, N. C.

Al Kavelin, April 12-13, Lakeside Park, Dayton, O.; 14, Oriental B. Galatin, Pa.; Highlands Club, Galt, Ontario; 17, Capitol theatre, Niagara Falls, N. Y.; 18, Union C. Alliance, O.; 19, Saginaw, Mich.; 20, Meadowbrook, Ind.; 21, Bascom, O.; 22, Greyhound B., Detroit.

Leonard Keller, April 18, three months, Bismarck hotel, Chicago.

Ted Lewis, May 9, Tower theatre, Kansas City.

Enoch Light, May 2, Plaza hotel, New York, one night.

Johnny McGee, April 13, Rivoli theatre, Rutherford, N. J.; 14, O'Dell's, Poughkeepsie, N. Y.; 15, Millboro School, Millboro, Del.

Vaughn Monroe, May 5-7, Plymouth theatre, Worcester, Mass.; May 9-11, Metropolitan theatre, Providence, R. I.; May 16-18, State theatre, Hartford, Conn.

Red Nichols, April 25, Hofbrook College, Providence, R. I.

Ray Noble, April 20, Paramount theatre, Hammond, Ind.; 22, Oshkosh theatre, Oshkosh, Wis.; 23, Manitowoc theatre, Manitowoc, Wis.; 24, Kenosha theatre, Kenosha, Wis.; 26, Davenport theatre, Davenport, Ia.

Will Osborne, May 15 or 22, two weeks, Paramount theatre, Los Angeles.

Boyd Raeburn, April 13, Rink B., Waukegan, Ill.

Adrian Roelini, April 15, three weeks, De's Tavern, Baltimore.

Raymond Scott, May 10, Peckinbush Ball, Army, Baltimore.

Charlie Spivak, April 11-14, Adams theatre, Newark.

Dick Stabile, April 21, Brunswick hotel, Boston; May 1, six weeks, Chatterbox, Mountain View, N. J.

Tommy Tucker, May 2, Apple Festival, Winchester, Va.; 16, Newspaper Guild, Manhattan, New York, N. Y. C.

Joe Venuti, April 11-19, Pennsylvania hotel, New York.

Ran Wilde, April 29, Indef., Look-out House, Covington, Ky.

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) coming from the week from Monday through Sunday (March 31-April 6). Total represents accumulated performances on the two major networks from 8 a.m. to 1 a.m. (Dropped for some months, persistent trade demand prompted resumption of the plug's breakdown even though ASCAP tunes obviously can't be logged.)

TITLE	PUBLISHER	GRAND TOTAL
You Walk By	BMI	28
Georgia on My Mind	Southern	27
It All Comes Back to Me Now	BMI	26
Amapola	Marks	24
Wise Old Owl	BMI	23
High on a Windy Hill	BMI	21
There'll Be Some Changes Made	Emboss	21
Things I Love	Campbell	21
Two Hearts That Pass in the Night	Marks	21
Walkin' by the River	EMI	20
I Hear a Rhapsody	EMI	19
Number 10 Lullaby Lane	Warren	18
On Look at Me Now	Emboss	18
I Do, Do You	Stevens	17
Let's Dream This One Out	BMI	17
Song of the Islands	Marks	15
Gbye Now	BMI	13
Keep an Eye on Your Heart	Poole	13
Made Up My Mind	Poole	13
With a Twist of the Wrist	BMI	12
Do I Worry	Southern	12
Frenee	Southern	10
Ida Sweet as Apple Cider	Marks	10
May I Never Love Again	BMI	10
Perfidia	Southern	10
So You're the One	BMI	10
Yours	Marks	10

Inside Stuff--Orchestras

Decca Records has sliced Louis Armstrong's recording band from its normal 15-piece size to seven men and figures to continue cutting future releases with that number of instruments. So far Armstrong has made two dates with the curtailed combo, but the record he made there has been released and that in an album of jazz. It is titled "21 Blues."

Decca figures that as far as record buyers are concerned the attraction is Armstrong's trumpet and the less men used the less his work will be interfered with. Attitude is the reason for so many name leader-instrumentalists forming small combos from within their big bands. It gives them a chance to exercise their specialty free of confining big band arrangements.

Armstrong's full group is at Loew's State theatre, N. Y., this week.

For first time in his career Cab Calloway was forced to forego a scheduled date last week. Leader came down with grippe in Detroit Saturday (9) and was ordered to return to New York by his doctor. He finished that night's stand at Eastwood Ballroom, but missed following day's (6) booking at the Palace theatre, Anderson, Ind. Band played without him. There will be an adjustment, probably a return date.

Leader is currently at home in N. Y., but expects to train out tomorrow night (10) to begin a three-day stand at the Palace theatre, Fort Wayne, Ind., Friday (11). Fortunately for this circumstance he had no dates booked between Anderson and Ft. Wayne.

Harry James plans to bring his wife and one-month-old son together with his dad, Everette James, from Beaumont, Texas, to live with him in New York City. The wife, former Louise Tobin, was with Benny Goodman. His father will teach all wind instruments in N. Y. studio.

Music Notes

Ken Morgan named to head the Coast office for Mills Music.

Bronislau Kaper assigned to score next Greta Garbo picture at Metro.

Raoul Kraushaar scoring Republic's "Thunder Over the Ozarks."

David Seidl composing the score for "Dr. Kildare" picture at Metro.

Carl Hoff and Everett Weir collaborated on "Thoughts of You."

Gerard Carbonara drew the musical scoring chore for "The Night of January 16th" at Paramount.

Arthur Johnston, composer, is back in Hollywood after an absence of six years.

Robert Dolan was assigned as musical supervisor on "The Birth of the Blues" at Paramount.

Cy Feuer composing background music for "Angels With Broken Wings" at Republic.

Frank Loesser and Victor Schertzinger turned in "I Never Let a Day Go By" to be sung in "Kiss the Boys Goodbye" at Paramount.

Famous Music publishing score of "Ridin' on a Rainbow" (Gene Autry film), by Jean Herbert and Doty George.

Harold Seader, formerly Boston rep for Mercer-Morris and Crawford Music, is new New England rep for Broadcast Music, Inc.

Gene de Paul and Don Raye writing ditties for the next Abbott and Costello picture, "We're in the Navy Now," at Universal.

BUS BREAKDOWN SPOILS MICH. PROM

Detroit, April 8. Constant bus breakdown during the 290-mile hop prevented Ray Herbeck's orch from playing the Michigan College Prom at Hillsdale on Saturday (5). Studies were forced to dance to discs and a remote set for WJMB had to be cancelled.

Herbeck, whose outfit finally arrived at midnight, is pondering some sort of restitution to the hoppers.

Claude Hopkins Bankrupt

Claude D. Hopkins, Negro orch leader, filed a voluntary petition of bankruptcy in the N. Y. federal court Saturday (5), listing \$3,770 in liabilities and \$10,886 in assets. Practically all assets are exempt and include \$2,741 debts due on open accounts, \$4,000 in insurance policies, and \$4,050 on exempt properties.

Wages owed total \$295 and the William Morris Agency is owed \$750 for commissions and monies advanced.

Assets include, edited published songs which total \$25, and claims against various persons and corporations. Some of these are suits against the Amstar Record Co. of Detroit, \$450; the Club Conga, Springfield, \$133; the Roosevelt Theatre, Pittsburgh, \$355, and the Place Amusements, Inc. of Newport News, Va., \$500.

Frederick Hollander composed two songs to be sung by Marlene Dietrich in "Manpower" at Warners. Tunes are "I'm in No Mood for Music Tonight" and "He Lied and I Listened."

LISTEN TO

ELLA FITZGERALD

AND HER FAMOUS ORCHESTRA

In Her Greatest Nursery Rhyme since "Tisket-Tasket"

"MUFFIN MAN"

BACKED BY

"I'M THE LONESOME GAL IN TOWN"

DECCA No. 3666

Personal Management

GALE, INC., 48 West 48 St., New York

E. B. Marks Spurns Kaye's Plea

Sees No Reason for Not Collecting as Before Through BMI-Licensed Stations

Sydney M. Kaye, counsel and v.p. of Broadcast Music, Inc., has failed in his efforts to induce E. B. Marks, a BMI affiliated publisher, to accept a 2c royalty on 'transcription' music. Marks, who has a five-year contract with BMI at \$250,000 a year, retorted that he had been accustomed for years to collect a minimum of \$15 annually for sustaining uses on each tune and an additional 25c per commercial performance and that he saw no reason for giving up such returns.

As policy maker for BMI, Kaye has contended from way back that copyright owners are not justified in treating transcriptions any different than phonograph records and that they should be satisfied to collect on transcriptions the maximum fee of 2c as provided for under the compulsory provisions of the copyright law. In his discussion with Kaye on the subject Marks heatedly rejected Kaye's line of legal reasoning as absurd and advised the BMI lawyer that he expected radio stations licensed by BMI to pay the 25c commercial fee on each use.

Another BMI affiliate, Ralph Peer's Southern Music Co., has relaxed its position on the transcription issue to the extent that it is collecting but \$7.50 per master on sustaining uses.

CARMICHAEL'S \$20,000 CLAIMS ON MILLS COS.

Hoagy Carmichael, songwriter, filed suit Monday (7) in N.Y. supreme court against Mills Music Inc. and Gotham Music Service, Inc. seeking damages of \$20,000 for alleged failure to pay foreign royalties on a number of his songs.

The contracts for the songs date from 1924 to recent years and involved in the action are 'What Kind O' Man is You', 'Stardust', 'Manhattan Rag', 'River Boat Shuffle', 'Boneland Shuffle', 'Washboard Blues', 'March of the Roadrunner', 'Harvey Barbic', 'High and Dry', 'South Breeze' and 'My Sweet'.

On each of these Carmichael was to receive from 22% to 33%, plus 2c on phonograph sales. On 'Stardust' for example, he claimed a net of 507,530 in sales, while actually there were 452,470 more copies sold.

PIANO SALES BOOMING

Sels Predicts Industry's Best Year Now in Full Gallop

Boston, April 8.

This year will be the greatest in piano sales history, Lawrence H. Sels of National Piano Manufacturers Association told a gathering of 100 New England retail dealers attending the Piano Sales Clinic at the Parker house here. Last year 136,700 pianos were sold, and the association is looking for the market this year in the homes of 5,000,000 men, women and children taking piano lessons.

"We have heard the piano as the alma mater of the upturn in consumer demands for the product," said Sels. "The streamlined models, the spinet and midsize instruments, together with academic music appreciation courses, are also factors for the banner year."

Speakers at the luncheon were Jerome F. Murphy, president of M. Steinert & Sons, who was chairman; Harry Hartford of the Paine Furniture Company; F. A. O'Donnell, president of E. T. Slattery Company; and R. B. Brown, Jr. of Boston Edison Company.

Ennis Set for Okeh

Though contracts have not been signed to date, the Skinny Ennis band has been assigned to the Columbia Records' Okeh label for popular recordings. Ennis' crew is a couple years old, but so far has not made any pop sides for any company. It has been on the Bob Hope radio program for the last couple seasons. Ennis expects to work east this summer after the Hope show takes his hot period sabbatical. It has never been closer to the eastern territory than Denver.

Chi Tin Pan Alley Ball

Chicago, April 8.
Annual Tin Pan Alley Ball will be held in the Terrace Club on the Morrison hotel here on April 28. This is danced by the Professional Music Men's Chicago chapter. Expects to raise between \$1,000-\$2,000.

BMI WRITER CHECKS OUT

Broadcast Music, Inc., has just distributed royalty checks among its writers for the period ending Dec. 31, 1940. The payoff as far as sheet music copies and recordings were concerned was made according to the fees stipulated in BMI's original contract, while the amount of performance coin, was determined by what BMI estimates with some accuracy. These writer checks contained amounts which ranged from several hundred dollars to \$160.

Because BMI's logging department has run into some difficulties BMI writers won't get their statements for the period ending March 31 until May 15. On checking some couple clerical errors were found and it was decided to do some relogging of the logging system. It is proposed to make the performance payments on the basis of 1c per performance per station. In paying the writers for air uses up to Dec. 31, BMI, it was explained, used the January count of its logging department for estimating what was due them.

PAUL-PIONEER SETTLES WITH COHAN FOR \$5,000

George M. Cohan is \$5,000 richer as result of a settlement in the suit brought against Maurice A. Richmond and Max Mayer, doing business as the Paul-Pioneer Music Co. Action was being tried before Judge Henry W. Goddard in N.Y. federal court when an agreement was reached.

Suit claimed failure to pay royalties on 49 songs written by Cohan prior to 1908, given to Fred A. (Jerry) Mills, to publish, and finally winding up with the defendants, who secured the copyrights following Mills' bankruptcy. An accounting of profits had been asked.

Stoki's Youth Encore

Atlantic City, April 8.
Leopold Stokowski's second All-American Youth Orchestra rehearsal will be held in this resort beginning April 27. As last year, Mayor Tom Taggart will have beachfront hotels put up Stoki and his musicians on the bluff and Frank Gravat is giving use of Steel Pier Marine Ballroom for rehearsals.

First concert will be given May 11 at Convention Hall before orchestra leaves on its cross-country tour. Because no Philadelphia concert is to be given, this time, A.C. expects concert debut to be outstanding.

Disk Royalties Zoom As Standards Get Special Attention Due To Air Ban

ASCAP publishers who control long lists of the more popular American standard tunes have found the break with the network quite a boon as far as phonograph record royalties are concerned. Latest royalty statements from Victor credit such firms with abnormally high returns and among those to whom big payoffs fell this time on that particular score are Harms, Inc., Witmark, Remick, T. B. Harms and Mills Music, Inc. In the catalogs of this group are found the works of Victor Herbert, Jerome Kern, Sigmund Romberg,

'TWO HITS FOR TWO BITS'

That's Sales Slogan of New Drug-Store Phonograph Discs

Boston, April 8.
Two hits for two bits is the slogan of new phonograph record, the Viking, that went on sale last week in drug and variety stores here, with Myer J. Reiser of Greater Boston Distributors, Inc., in charge of this territory.

Recordings are made by Nu-Phonic Corp. of New York City, to sell to dealers for 19 cents and 25 cents at retail. All records are on consignment and records that do not sell in a store will be shipped to another, according to Reiser.

Reiser was distributor of the 'Hit of the Week' records that sold as high as 40,000 per week in 1931-32.

The records are shatter-proof and made of a special sound to another, according to Reiser.

The first three issued: 'I'll Come Back to Me Now' coupled with 'Accidentally on Purpose' by Jack Teagarden with vocals by Lynne Clark; 'Frenes' and 'Here's My Heart' by Teagarden with vocals by David Allen; 'High O' the Wind' and 'Ay, Ay, Ay,' by Kay Thompson with Jack Hastings orchestra.

Distributor supplies a durable rack for recordings and already sales have been reported as good. New issues every two weeks.

ASCAP MEETING MONTANA RADIO MEN

Group of Montana broadcasters is scheduled to meet with ASCAP in the latter's New York offices today (Wednesday) the work out a settlement of their past differences and a new licensing contract. ASCAP's progress in broadcasting fronts, including the Mutual Network, hasn't amounted to much during the past week. The ASCAP radio committee has still to furnish Mutual with requested data on how much the music would cost under various plans.

If a deal with the Montana group goes through ASCAP will have cleared up one of the most thorny situations in its history. That state was among the first to pass anti-ASCAP legislation and the litigation which followed was marked by scores upon scores of infringement filed by ASCAP against local broadcasters.

ASCAP has so far failed to produce anything that would settle the basis for negotiations by Mutual. Impingement gathered is that ASCAP is not anxious to rush into a contract with any quarter of the broadcasting industry which might in the end prove a stumbling block for the Society in negotiations elsewhere and result in substantial limitation of the money that ASCAP might draw from radio. ASCAP members show no indications of pressing its negotiations committee into making a settlement and this lack of insistence might be due to the circumstance that the publishers have been collecting big checks on phonograph records and a number of songs are beginning to show signs of reaching best seller status thereby through radio. ASCAP's income from sources other than radio show a huge increase for the first three months of this year.

George Gershwin, Cole Porter and a host of others whose works have become American folklores.

With the music of these composers not available on the network and most of the independent stations the public has turned to recorded versions as a substitute. The stimulation of sales in the standard field has been so great that the royalty distributors have been able to record company for the ASCAP faction of the industry this time was almost as big as it had been for the previous payoff period. Because of the small number of new ASCAP tunes riding at the time of the break with radio,

McCosker Huddles With Paley Lead to False ASCAP Rumors; Talks Not About Music Issue

British Best Sellers

(Week Ending March 1)

Only Forever	C-C Room 504
Bless 'Em All	Chappell
Down Every Street	Cinephone
We Three	Bradbury Wood
Our Love Affair	FDH
Another Day	Southern
Sergeant Major	Cinephone
Ferryboat Serenade	Sun
On Buddy	Gay

ASCAP CANCELS CBS ACTION

ASCAP obtained a discontinuance in the N.Y. federal court Monday (7) of the first suit it filed following the break with the major part of the broadcasting industry Jan. 1. The suit, filed in behalf of Robbins Music Co., named CBS as defendant. It has since been found that two of the writers of the number, Benny Goodman and Edgar Sampson, had signed their performing rights elsewhere.

Tune involved was 'Don't Be That Way' and was originated from WEEL, Boston, Jan. 1. The third writer of the song was Mitchell Parish, a Robbins' contract writer and ASCAP member.

AN 'ASCAP ON PARADE' CONTINUES OVER KMAC

San Antonio, April 8.
This city is continuing presenting a series of broadcasts titled 'ASCAP on Parade.' This is a two and a half hour continuous broadcast each Saturday night over Station KMAC, only local station with ASCAP license.

Broadcasts are made up of listeners' requests, and are being sponsored by the San Antonio Brewing Association, bottlers of Pearl Beer. Deal was set through the Jack Pilik agency.

WHDH Drops BMI Music

Boston, April 8.
WHDH has not renewed with Broadcast Music, Inc., because there are not enough BMI tunes to warrant the large expenditure, said manager John Matheson, and the station will continue solely with ASCAP music.

"We have so much ASCAP music on hand that it seems better for us," he explained. "Being a part-time station we have to watch our expenditures more closely."

Smiley Burnette wrote three songs, 'Let's Come On In', 'Ain't Life Sweet' and 'Seven Stars for Republic's Singing Hills'. Also sold 'You Can't Always, Sometimes, Most All Ways Tell', to Republic for use in 'County Fair'.

It had been expected that Victor's royalty divvy would be greatly reduced.

An outstanding example of Victor sales on a standard number is the accounting given Mills Music on two recordings of 'Star Dust'. Both versions, one by Artie Shaw and the other by Tommy Dorsey, had been released by Victor at the same time and the statement for the first period credits Shaw with 103,757 copies and Dorsey with 101,575 copies. Since the latter twosome cut the number Mills has induced Decca to make a version of 'Star Dust' with Guy Lombardo, while Columbia will do one with Will Bradley.

Misinterpretation of the basis for William S. Paley's activities in the Mutual Network camp last week caused much suspicion and dismay among ASCAP officials. As it turned out the CBS president's discussions in that quarter had nothing to do with music but rather with the matter of inducing Mutual to ally itself with Columbia and NBC on the monopoly question now pending before the Federal Communications Commission.

When ASCAPites learned that Alfred J. McCosker, president of WOR, Newark, and chairman of the Mutual board, had spent several hours in discussion with Paley they began to wonder whether Paley had interested himself in the licensing agreement talks going on between Mutual and ASCAP. Also whether what the nervous ASCAPites were prone to term a 'cross' in the offing. The information about the Paley-McCosker meeting immediately put ASCAP's radio committee on its guard and it became pessimistic about reaching an early settlement with Mutual. Later in the week this committee's suspicions were dispelled by assurances from Mutual that it was anxious to work out an agreement on its own and the ASCAP committee, proceeded to put the finishing touches to the program formula that Mutual had asked it to prepare.

Paley's concern with Mutual, as it developed, arose from his anxiety of that network's viewpoint on the monopoly issue. In hearings held before the FCC Mutual played the role of the accuser and ever since then it has held to a position of opposing exclusive contracts with affiliated stations, multiple network ownership, etc. What talks that Paley, it was said, has held with the Strauses' who own WOR, have had to do complete with Mutual's stand on the monopoly question. Paley is reported to have taken the matter up also with the Chicago Tribune interests, which own WGN, another major Mutual stockholder.

Hotels Fought ASCAP But Author of Bill Reveals Comprehensive Ignorance

Columbus, April 8.
Ohio's anti-ASCAP measure, legislative House Bill 616, probably died last week when the judiciary committee referred it to a sub group for additional consideration. Although officially still a live bill, fact that legislature will adjourn within three weeks makes further action impossibility.

Second hearing on bill last Wednesday (2) was one in which the author (H.R. 416, Herschel Mowrey, executive secretary of the Ohio Hotels' association, paved way for the committee's unfavorable action by displaying ignorance as to the exact status of both ASCAP and BMI as 'monopolies' operating in Ohio, contradicting himself in every turn. John G. Paine flew in from New York for the hearing, but after Mowrey killed his own bill the committee decided against letting the ASCAP general manager bury it. Radio men, on hand to object on grounds that BMI was an innocent bystander, were likewise denied right to speak.

Jan Peerce's Victor Discs

Jan Peerce, tenor of the Radio City Music Hall, has been signed to recording contract by RCA Victor. Peerce's previous recording connections were with Royale, for which he recorded number of semi-classical songs. He is now on a concert tour and is expected to sing with the San Francisco and Chicago Opera companies this season, and is mentioned as a possibility at the Met for the 1941-42 season.

Larsen Takes N. Y. Hurricane, Planning Name Acts; Orientalizing Queen Mary

Mike Larsen, who operates the Queen Mary and Iceland n'ries in New York, both smorgasbord spots, has taken over the Hurricane's lease, which has nine more years to go, and will veer away from the Swedish and Norse motif with emphasis on name acts. Larsen figures that the Hurricane, which got jammed and lost its liquor license recently, can catch class trade with the right type of name talent. It will be reopened in May, possibly under a new tag and with a different decor.

Meantime, Larsen is dropping the Svenska motif also from the Queen Mary, East 58th street spot, which becomes the Forbidden City, N. Y. counterpart of the niteries of that name in San Francisco. It will feature an all-Oriental floor show booked by Carlton Hub, with Ruth Sato as m.c. Kimi Toye is another likelihood for the Chinese revue.

With the new decor will come a new motif in cuisine, 100% Oriental. William Poy Lee, national president of the Chinese Citizens Alliance of America, will operate the spot for Larsen.

Vincent Lopez, last maestro at the Hurricane when it folded, bid for the place, as did Lew Walters, of Boston; Sonny Barkin, of Miami Beach; and Abe Ellis, the courtroom concession-

STANLEY, PITT, DROPS VAUDE FOR A SPELL

Pittsburgh, April 8. Stanley, WB duLuxer, going straight pix again for a spell following steady procession of vaude for the last three months. Current show, the Blackstone Bag and will be last presentation for at least four or five weeks, perhaps longer, depending on how long a film production is available simultaneously for both Stanley and Lane's Eden, which are operated under a pooling agreement.

'Meh of Boys Town' Friday (11) will launch the WB deluxer on temporary films only policy, with 'Sea Wolf' following it in. Couple of other pix will be set there end of this week upon return of Harry Kalline, WB zone manager, from month's vacation in Florida. When shows are resumed, one of the first attractions will be Horace Heidt's band. Contract has already been signed but date remains to be filled in.

RKO Drops Vauder

RKO is dropping Friday night vaude at the Alden, Jamaica, N.Y., for the spring and summer.

Vaude exits with the show of April 18.

Ruth Mata and Eugene Hart, dance team, open at the Walton Roof, Philadelphia, April 14.

Slightly Monotonous

George Brandt, manager of the Flatbush theatre, Brooklyn, ran into one of those situations this week that give vaudeville managers the d.t.s. He was confronted with three different versions of 'Man I Love' itemed as part of the repertoire of three separate acts. Helen Morgan always uses it in stage appearances. Ina Ray Hutton's band had an arrangement of it earmarked as a super-super in its books, and Frances Faye included the melody as an interpolation in a pop tune.

Brandt didn't get things completely straightened, however. It's being used twice, by Miss Morgan and Miss Faye. Miss Hutton dropped hers.

WLW'S JAMBOREE SET FOR THEATRE DATES

Cincinnati, April 8. WLW's Boone County Jamboree, stage-and-air show, is booked for the Lyric, Indianapolis, the week of April 18, and for the RKO Colonial, Dayton, the following week. The hillbilly op played both houses the same time last year. Its acts will pipe their 'Top of the Morning' production to WLW from Indianapolis and Dayton.

The Jamboree winds up its Saturday night performances in the indie Emory auditorium here May 24, and then summer road tour May 31 at the Keith-Albee, Huntington, W. Va. More than 40 fairs in Ohio and adjoining states have already been scheduled for the unit by Bill McCloskey, manager of WLW's talent booking division. One of these dates is the Ohio State Fair, for the third consecutive season.

Absinthe House (52d St.)

Files Reorg Petition

The Cafe Louisiana, Inc., operators of West 52d street (N. Y.) niterie, Absinthe House, filed a petition for reorganization under the Chandler Act in N. Y. federal court Friday (4), listing liabilities of \$25,561 and assets of \$10,550. The Cafe offers to pay unsecured creditors 100%, at the rate of 10% monthly beginning Oct. 1, 1941.

Among creditors are ASCAP, \$60, and Harry Bloomfield, president, \$5,800 on loans. Absinthe House, located at 50 West 52d street, operated in the 'Gay New Orleans' village during the N. Y. World's Fair. It declares in its petition that liquidation now would bring in only \$1,000. Expenses for the next 30 days of operation would be \$700 for the payroll and \$1,200 for operating expenses. Wages owed total \$916 and taxes owed \$2,089.

New Acts In Cafes

TITO GUZAR With The Freshmen (4) Songs 12 Min.

Fefe's Monte Carlo, N. Y.

Tito Guizar, now in his 11th year under CBS contract, is, of course, standard on the class niteries. His last N. Y. cafe date, by coincidence, was at this same site, when it was called the Monte Carlo (not the St. Regis Maisonette), but it was not until Felix Ferry made this class into the Monte Carlo, that the cafe started to command attention.

Guizar, as a floor show entry, is a modern, naive, and strong deliverer with his romantic songs, equally divided as to Spanish and English lyrics and effective either way. Surprises such as 'Down Argentine Way,' 'Perfidia,' 'I Hear a Rhapsody,' 'Rancho Grande' which he announces as having originated in America, and a 'Frenesi' medley comprise his repertoire. He does them solo and backed by a male quartet in native Spanish costume, plus another couple, including a female, who strike characteristic poses on the miniature stage backing the bandstand here. Guizar himself performs on the floor in front of the band in conventional white tie and tails, leaving it to the others for the atmospheric strike characteristic of his Latin melodies.

Fefe Ferry has been using acts of late, to get audience reaction, a reversal of form for the class east side (N. Y.) niteries which, heretofore, have been using acts of the theory that two good dance bands were enough for the customers to make their fun and be wowed out that way for a time, but the trend now is the other way. Ethel Waters was the best date for Fefe. He Dwight Fiske found this a "wrong" room for his zany pianology, and now Guizar is in, burdened with a dual billing as America's favorite (topline) and 'The Idol of Latin America' (sub-billed), which is a mouthful. Withal, he's a competent performer.

Ted Streeter and his crack dance-pianist hold over. Ted's variety arranger has a sizzly lift to his melodies, and he well regarded here, now in his third season at the snooty Monte Carlo.

ELEANOR FRENCH

Songs 12 Min. Miss Coq Rouge, N. Y. Eleanor French is one of those glamorous songstress, not necessarily socially, who can always find a groove in the better niteries. If a grooving well, smartly accoutred and possessed of a passably fair voice, this type of a star, warbler always makes a decorative addition to almost any show. Miss French case has a better than average voice.

She mixes up her tunes well, such as 'Dearest Darest I,' 'I Could Write a Book,' 'Wonderful,' 'Very Thoughtful,' and 'Milkman,' her pianist-arranger, helps more than a little with an audible backer-up when she utilizes the bandmen from George Stoney's combination in the vocal ad libbing. It makes for an al fresco effect and un-stiffens what usually is a pretty starched-up routine of songalizing.

With Miss French here, and the brain trust of the Holden Bonacchini has brought in a new personality violinist, Bela Bizony. He is one of those Romy-trail troubadours, in impeccable white-tie-and-tails and gives out with the Venetian and Magyar strains like a trailer for a loopy operetta. Its good interlude music for a class room like Coq Rouge, aided by Rudi Timfield at the Steinway. Abel.

BILLY DEWOLFE

Mime Hollenden Hotel, Cleveland. Dick Marsh of the Hollenden probably did more than most impresarios in getting Billy DeWolfe recognized as one of the class coming comedy acts to emerge from the niterie. When MCA wanted a spot to break in DeWolfe's new act to hotel audiences last season, Marsh, as general manager of the DeWolfe hostilities, wisely booked the young Welsh mime into Akron's Maxwell after getting an eyeful of his talents. Since then DeWolfe has slicked up his pantomime with a series of ultra-smart impersonations to the success point where MCA is pushing him into New York's Rainbow Room with vaude on the side, plus possible screen test after his date here. Marsh, luckily had an option on him for three weeks, with the result that the versatile lampooner is giving the Vogue Room a tremendous spurt in business as well as its brightest revue of the season.

Where he scores mightily is in quickly building a sharp, laugh-hitting characterization of an old cockney washwoman tipping at a bar or burlesquing a half-dozen familiar types in vaudeville. It's highly vivid, howlingly droll mimicry soundly based on an apprenticeship in London. He's a crack pantomime and Charles B. Cochran (Continued on page 38)

Philly AGVA Local Calls Meeting For Showdown With Kelly's UEA

Pat Rooneys in Opposition

Boston, April 8. The two Pat Rooneys are playing opposition dates here this week. When Pat Rooney was booked into the Latin Quarter, a Taxis, manager of the Versailles, got busy on the phone and located Pat, 3d, on a New Hampshire farm and signed him to play day and date against his dad.

Taxis worked along similar lines when George Jesse played the Mayfair not so long ago. Versailles manager booked Lois Andrews Jessel for the same week. Miss Andrews played the Versailles for a few days and then was forced out by state juvenile employment regulations.

3 SHOW BIZ DIVORCE CASES LIVEN UP PITT

Pittsburgh, April 8. Pittsburgh's divorce court had an all-star local lineup last week with three well-known night club figures asking or being sued for severance of their marital ties. Mrs. Dorothy H. Giles, whose band-leading husband, Art Giles, brought a divorce action in January, filed suit of her own, charging desertion in May, 1939, cruelties and indignities. Giles' suit, making the latter charges, too, has not been heard yet. They were married in 1923 and have one son, Ruitz.

On another front, Mark Lane, who bats the Elzi Covato orchestra at the Villa Madrid, asked for a divorce from Mary G. Lane on the grounds of desertion, cruelty and indignities. Their marriage took place in 1927.

Charging that her husband deserted her in November, 1938, June Warner, dancer under the name of Betty Nylander, asked for freedom from John E. Mason, a Pittsburgh businessman whom she married in 1936. Miss Nylander lately has been doing an acrobatic single in the downtown niterie, but before that had her own line of girls.

Cancelled By Draft

Pittsburgh, April 8. Vaude dance act of Norma Shea and Thompson Brothers has been broken up by the draft, one of the boys being called up recently, and all going back to the front here and will go into Pittsburgh Playhouse revue, 'Lend An Ear,' which opens April 22. It's an original by Charles Gaynor, who has written music, lyrics and sketches. Miss Shea expects to scout around for a new team of partners when Playhouse show closes middle of May.

N. Y. Niterie Follow-Up

The Versailles came up last Thursday (8) with two supreme artists, Sheila Barrett and Paul Draper, plus the Maximilian Berge orch, back from a season in Florida, for its new show. They compile a classy, slick, clicky entertainment for the east side room.

Miss Barrett's impersonations, nearly all of them sharply satirical, and Draper's superb ballet tapping excellently complement the smartness of this room itself, while Berge's dancipation, long standard core, smoothly suits the patronage. Panchito's rumba band alternates socko per usual with the Latin terms as it has been for three seasons here. When caught, both Miss Barrett and Draper were called back for several encores. 'The femme hit' was a crowd pleaser. Draper, if endurance permitted, could have continued dancing forever as far as the customers were concerned. He conceives all of his routines, and they are brilliantly executed. Scho.

Philadelphia, April 8.

Richard Mayo, executive secretary of the Philly local of the American Guild of Variety Artists, last week announced that the first general membership meeting since the reorganization of the union would be next Wednesday (16), at which a showdown would be held with Tom Kelly, head of the rival United Entertainers Assn. Kelly and his board of directors and members of the UEA have been invited to attend the session. Also invited to be present are members of the Entertainment Managers Assn.

'We're going to have it out once and for all to find out which union shall represent the performers,' Mayo said. 'I may be the first to believe that AGVA is strong enough to demand the right to be the sole union in the field.'

Mayo said that an open forum on all questions would be held and everyone given the right to air his views. Representatives from the State Department of Labor and Industry and leaders of the American Federation of Labor will also attend.

When this meeting is over, I hope that the air will be cleared,' Mayo said. 'I hope that all bickering and sniping will stop and we can get on to the right footing.'

Kelly has been working behind the scenes building up his own organization and seeking to wean away members from AGVA. He has charged that the AGVA leadership was consummating contracts with night club owners and agents that gave the performers no protection.

Mayo said that nominations for new officers of the local would also be held at the meeting.

N.Y. Strand Saving Time On 'Lie'-J. Dorsey Combo

Figuring that the Bette Davis starrer, 'The Great Lie,' and Jimmy Dorsey's band are enough of a draw, and also as a means of holding down the overall running time of the entire show, the Strand theatre, New York, has bought only one act, Tip, Tap and Toe, to go into its stage show with Dorsey. Layout opens this Friday (11).

'Lie' consumes 97 minutes and the stage show has been allotted 45 minutes. With the exception of the dancing trio, Dorsey will fill the entire stage portion. Combination is set for at least four weeks and may go six.

NORMAN HARRIS and SYLVIA SHORE NOW IN 16TH WEEK GEORGE WHITE'S GAY WHITE WAY, N. Y. Management: WM. KENT 1716 Broadway, New York

LINE OF GIRLS known as the Glamour Girls, now playing Town Theatre, New York, for four weeks beginning April 11. Address Frank Tracy, 610 Law Building, Kansas City, Mo.

REMOVAL NOTICE MEHRON'S (Makers of Fine Professional Make-up for Over a Decade) To 216 West 47th Street (At Broadway) New York

EVELYN JOSE DAWN and DARROW Opening April 11 at the BEVERLY HILLS COUNTRY CLUB, Newport, Ky.

The THEATRE of the STARS

Marcus Loew BOOKING AGENCY GENERAL EXECUTIVE OFFICES LOEW BLDG. ANNEX

160 WEST 46TH ST. NEW YORK

DYANT 9-7800

J. H. LUBIN GENERAL MANAGER SIDNEY H. PIERMONT BOOKING MANAGER

Lynn Mayberry is chairman of a committee appointed by Los Angeles local of the American Guild of Variety Artists to work with similar committees from the Central Labor Council in urging defeat of state legislation aimed at labor. Other members of the committee are Frank Mitchell, Eddie Davis, Saretta Raye and Jessie Cryer.

Army Camps' 1st Touring Show Is Just Like a Draftee—Needs Plenty Revision

At Camp Upton, L. I., April 3.
Al Morrison, Diane Noble, Bobby Carr & Co. (3), Nash & Evans, Betty Repp, Rose Marie Flynn, Al-Girl Orch. (10), Line (6).

Although on the right track, this one-hour two-unit show to go on tour of the Army camps needs plenty of revising if it is to nab in any great quantity what amounts to half a day's pay for a soldier. With an all-female band and a line of eight ponies, it nicely takes care of the girl angle, but needs a strong comic, to sew it up.

Unit played its first engagement two days, at Camp Upton, on Tuesday (3) and Friday (4). Admish was 50c, which was at least twice as much as the show was worth in break-in form. Operators of the unit wanted to make it 35c, or 40c, for enlisted men and 50c, for officers, but with a line of eight ponies, the scale is expected to average about 35c. At other camps, which the show has been booked to tour until June 15. Commanding officer at each post sets the scale. Show's producer is H. E. Booker, former British impresario who's also produced shows at other camps. It was staged by Al Morrison, who also doubles as m.c. and maestro of the orch. He and Betty Repp, who sings and clowns in the show. They formerly were together in a turn billed as Al Morrison and the Three Repp Sisters.

Conditions under which the unit was presented at Upton were about the worst imaginable, even more deplorable than those under which "Hellzapoppin'" recently suffered at Fort Dix, N. J. Theatre is a transformed garage setting about 200 by 200 yards. It's very narrow and long. Stage, on which orch. was placed, with acts were turned out only 24 feet deep. Unit hung its own drops and drapes, but it was impossible to string a front curtain and all preparations, performers, went on right before the audience, making for an entire lack of showmanship.

Dressing rooms were available except in a building about 100 yards away, so the unit's bus was backed up to a rear exit door and the girls had to file out in the dark. Only a few of the lights carried by the unit could be plugged in, power being so weak that when all were turned on at once nothing more than a dull yellow glow resulted. In addition, considerable public parking system was taken on the camp tour to make the show, and the songstress, accustomed to crooning into a mike, were virtually inaudible.

Any appraisal of the entertainment qualities of the unit must naturally be made with that dismal background of difficulty. Under such conditions could be for funny as such odds is understandable, but they are trouble-makers. The unit must repeatedly on its tour and the humor must stand up. Recent hegira around the campus of the Army Strike show, with Jerry Lester as m.c. and comic, proved that a superior funny man can hurdle any odds.

Morrison endeavors to supply laughs with gags between his intros and also does a little turn on his own. He definitely, however, is not a comic and not much of an m.c. Quality of the music he gets out of the female band and a couple of original tunes he provided proves that that's his forte, not comedy.

Miss Repp, who works in the con-forted-fake, funny, humorous, and Cass Daley, clicks fairly well, probably best of the lot for laughs. She's also strong on the "I'm a Draftee" song. Depended on for further comedy are Nash and Evans, boy-girl team. Last night some minor work with a rope and gags a la Will Rogers. Al-Girl and dukes in a comic cross-talk between the female. It doesn't jell a bit.

Another comedy act that skids badly is Bobby Carr and Co. Two boys and an elderly femme. One or two ladies opened with a dance, followed by the other, short and chunky and in an Army uniform, trying to sing. The first was discernible and no material, although Carr has position as a comic had he something with which to work. Top turn is the Skating Carters—husband, wife, son and daughter. Very showman, they are a dandy—they look about 10 years old—working with their elders and all, and the skaters were forced to work providing some added and unscheduled break-thrillers.

Diane Noble, quite a looker, heads the vocal contingent, while Ruth Connor does a standard act, a dandy routine and Rose Marie Flynn contributes a fair enough tap session. Eight line gals are oke on gams and

figures and exhibit them through satisfactory routines. Costuming of line and the orch gals is comparatively elegant. Togs are plenty revealing but well within bounds to excite no official Army comment. Original musical numbers by Morrison, neatly contrived to fit the occasion, provide ample drawing curtain-raiser and finale. Herb.

MAID IN AMERICA

ORPHEUS, DES MOINES

Des Moines, April 3.
Herman Timmer, Judy Kelly, Three Macks, Don, Dash and Dusk, The Contrads, Maurice and Betty Whelan, and the Three Macks. "Blondie Goes Latin" (Col.).

"Maid in America" had its premiere here today (Thursday) and got off to a fair start with five production numbers, including a comedy, approximately 70 minutes. The show will run a full week and is plenty gay and colorful, but the comedy isn't as clean and attractive as the costumes and settings.

Colorful jokes are a throwback to old vaudeville days, and the comedians who have been raised on film censorship aren't just strong enough to stand the vaudeville. Unit is headed by Herman Timmer. There's plenty of able talent that just doesn't seem to make the most of its opportunities and leaves the principals secondary to the excellent line of 16 girls. The comedy is a little overdone and eight showings. Costumes and settings are modern, smart and carry over the theme in a number of the productions.

Emceeing, Timmer shares headline honors with Don Popkoff, Tannen and Judy Kelly, who sings 'and' from radio who looks like a good bet for comedy if she isn't hampered by too much vaudeville. Girl has personality, can sing, tap and play the piano.

A splendid introduction with an airline bar introduced the full chorus gives Katherine Perry a brief but okay acrobatic chance to show her stuff. The Three Macks acrobatics by the Three Mack Brothers as tumbling sailors and Dot, a little husky, blonde, tap dancer, add plenty of novelty to the unit stand out. The Mack Brothers not only do some breathtaking stunts but their wholesome comedy stand out.

The Contrads, ballroom team, stand out in the slow motion dance. Maurice and Betty Whelan do a neat adagio that's sufficient in itself without a background of the full chorus.

The vocalizing of Staples and Corney is another feature that is not too bad. The singing of the girls serves a better showing. Tannen's temperamental Russian satire is followed by George Arliss impersonation is okay.

It's too bad Timmer doesn't do some more with his line, featuring a tall gal who is a looker and would make a swell foil for him in a smart routine. But it's just another opportunity for George Arliss impersonation is okay.

Business good in this show—hungry close the show. Moorehead.

Latin Quarter Revue

(STATE-LAKE, CHICAGO)

Chicago, April 5.
Singer Tunes, Helen Carroll, Frank Mazzone Troupe (6), Emilie Boreo, and the Three Macks. "Blondie Goes Latin" (Col.).

Out of a Miami nitery, this unit shapes up as fairly satisfactory with a couple of good acts that manage to make up for a good deal of slow, uninteresting and generally poor entertainment for the average soldier.

There are some standard turns that are not so matter where they are, but there is something about them. For instance, Lela Moore, with her excellent novelty of half-man and half-woman. This is a fine turn, with a nice dance and Miss Moore handles it well, spicing it up just enough to hold the soldier's minor tickle to fit in with the general atmosphere of the unit's tale. Frank Mazzone troupe comes up with a standard comedy turn, with a number of powerful falls that had the audience gasping. One fall, in particular, was a long flight of stairs, is a real spot.

A little blonde control dancer, Ruby Ring, unveils some of the best

acrobatic dancing displayed around these parts. There's a little of the more decorative dancing by the gold-painted Grischas and Brona, shapely and suitable enough for this unit.

Comedy is delivered by the Three Sailors, who have enough hoke clowning to keep an mob entertained. There's some semi-robust stuff which, no doubt, the original basis of the act and from which the Three Sailors work out some good laugh business.

Getting rather played-out is Emilie Boreo, who has a few songs to spare for new material. Often material becomes sharp and sentimental with age, but this Boreo still showing the ravages of time. He's still doing his 'Chaive Souris' and 'Parade of the Wooden Soldiers.'

Helen Carroll, a blonde, perhaps have made a great actor if he only had lived in the gay '30's, when over-acting was in style, but these days Carroll's overt broad histrionics are ludicrous and out of place. He has fair pipes, but they're losing their power. Only the propaganda song, "Such a Song as The Last Time I Saw Paris" helps him to escape complete disaster.

Singer Twins are in the line of girls, but double for a nice specialty act. The 12 girls are a singer with good appearance and an ability to handle lyrics well.

Line of girls is good basically and is augmented by a few songs from Balaban & Katz organization, and together they come up with some good and satisfying work. Nino and Lenora, a blonde, looking rumba team and went well.

Business was fair at the first show Saturday (6). Loop.

Red, Hot and Lovely

(BROADWAY, CHARLOTTE, N. C.)

Charlotte, April 4.
The Three Ross Sisters, Perry Tunes, Nino and Lenora, and the Three Macks. "Blondie Goes Latin" (Col.).

Harry Clark's "Red, Hot and Lovely," caught here with its star act. Is just another fair unit. With another act dropped, it seems a little better, but with the juggling of acts to fill in, the result is somewhat off balance.

The Three Ross Sisters, youngsters 14, 15, and 16, open with the sole unit turn. They come on in full attire. "Don't Turn Back, Ohio" in so-so fashion, then shed down to tights and come back to put on a little more show. The girls' pretzel-bending acrobatics ever seen here. Possessing plenty of showman's flair, the girls go through a routine of precise acrobatics, and the girls of Perry, oldest of the trio, doing a backbend to pick up a hanky with her mouth.

The Perry Tunes, brother tappers, have a nice routine, but are on so much that they don't get a chance to show their stuff. They are on for a brief dance with the line in the curtain-raiser, come back after the Ross Sisters' turn, and then they are on for a few minutes later in a neat top hat and cane routine. They follow with a novelty turn in which they don boxing gloves and go through a nifty tap-slap routine.

After the house has seen so much of them, the result is better than to know each other. The boys apparently were filling in for Star and Lenora, who were both stricken with pneumonia. Perrys are pleasing dancers and accompany the girls in a lively and amusing line of patter. Star is on solo accordion turn, but can't cover for his hefty partner.

Glenn and Sandie, comedy duo, close the show with a mediocre comic turn. Carl Nixon, who emcees, handles comedy with his partner, portraying a Spanish senorita. Sandie, a blonde, handles the lines. Turn includes singing, dancing, comic woo-wooing, and a little dance.

Nixon gets big laugh with dummy act in which he starts working with a dummy. He has a good singing voice, but Nixon, stuffs himself with food. It turns out that Miss Sandie is a very nice girl, who has been doing the voice of Nixon, and closes with comic bubble dance in which he holds a nude dummy in front of him and gets plenty of laughs.

Petty Annette, from line, sings "I'm a Draftee" and a Parisian number in background and sings up with a novel peel in which girls line strip her. Line is pleasing in a way, but it's a little old-fashioned. It also comes on for an extra, "Glorifying the American Girl." It walks through in so-so fashion.

Fair biz, but hampered by rain.

Just.

ABBOTTS AIN'T HERES

Abbott Dancers who were mentioned in last week's issue of VARIETY concerning the Theatre Authority citing them for contempt appearance at the Theatre Authority, are not hers, says Merrell Abbott, Chicago line producer.

States she had nothing to do with the girls named in the case.

Night Club Reviews

CARROLL'S, PHILLY

Philadelphia, April 4.
Wither Rance, Donna Darnelle, Grubbs, Corby, and the Three Macks. "Blondie Goes Latin" (Col.).

No spot to take your maiden Aunt Jennifer is Stanley Carroll's basement bistro in midtown Philly, but if you have a yen for corby ballads, blue gags and gal peelers, it's the place to go. Riding the crest of the local wave of popularity for this type of entertainment, the place is filled nightly with the middle class burghers.

Headlining is Donna Darnelle, shapely brunet who doesn't leave much to the imagination as she sheds the works under a blue spot. Other singer is Jean Dean, like Miss Darnelle, she unveils rapidly down to the G-string. Both of these gals have been held out for weeks on end by demand of the patrons.

Grace Gordon, a platinum blonde looker, is the soubert who foils for comes innes and fall while m.c. William Rance, a straight, the situations are standard burlesque stuff, but seem to be just what the customers want. Rance, dressed up in white tie and tails, is a throwback to the '20's with his nasal balladeering during the showal production numbers featuring the Corby Sisters. The gals are above the average in looks and dancing ability for this type of show.

Len Lenihan is an added starter, an actor hoofer who works hard and pleases. Charlie Gaines' septa band—The Rance Sisters—straighten the line. They're holdovers from the time when Carroll's featured black-and-white band. Business is good.

Biz at this catching near capacity.

Shal.

YACHT CLUB, PITTT

Pittsburgh, April 4.
Slapie Macie Rosenbloom, Jackie Heller, Cully Richards, Sammy Williams, Al Moore, Shirley Heller, Joe Plotski, and the Three Macks. "Blondie Goes Latin" (Col.).

Few weeks ago the Yacht Club had moved to a new location, from Pittsburgh to the Monongahela river, because there was a new wharf project coming up on their old site. The club is now housed in a new building, and it's noted.

It always does for a few weeks around here when any spot takes a new turn. But Slapie Macie and Jackie Heller, who were the place, wanted to do something quick; they didn't feel like waiting for the customers to find their own way casually to the slightly hidden dock on the Monongahela.

So all they did—against practically everybody's advice—was book in the highest-priced place show (the Slapie Macie Rosenbloom) and the club has ever had during what are proverbially the worst two weeks in the year: for night clubs, those immediately preceding the Easter holiday.

There hasn't been an empty table in the place since Slapie Macie and his crew dropped in, and on Monday night, when only a Pittsburgh café with a little more class than the Yacht Club could count 325 heads.

For the engagement, spot has raised its minimum from \$1 and \$1.50 to \$1.50 and \$2.50 and what started out to be a get-acquainted with the new location idea and a little more of a "break-even" state of mind is winding up a bonanza.

Show is the same screwy, heckling troupe of Slapie Macie and his crew have been peddling at their Beverly Boulevard (Hollywood) spot and at the Yacht Club since they moved to Miami for the winter season this year.

Rosenbloom is still doing his Harry Richman and his "I'm an Actor" line. The clever Al Moore, to the razzberries of the other members of the troupe spotted strategically around the stage, is the clever Al Moore, who sings his m.c. chores with an easy, engaging manner, also spinning his own songs. Together with the razzberries of the other members of the troupe, they are a good deal of fun.

Slapie Macie and his crew are a good deal of fun. Slapie Macie, who blows out the matches; Sammy Lewis and Patti Moore, while not doing backflips on an upper-level stage, but right above the bandstand, get off an occasional bit of hooting, and Al Kline roves from place to place, singing the razzberries. It's rowdy fun but not quite as funny in the rather ample Yacht Club as it is in a smaller room, where intimacy adds a little hoke as this give it an added effectiveness.

Troupe is using Shirley Heller for the singer who gets kicked around, and her brother Jackie Heller is spotted in the middle of all the shenanigans for his own sock song cycle. The troupe has a dozen numbers and it's no easy trick to walk out in the middle of such a

screwball entertainment and give out with something legitimate. But half-pint Heller does it easily. Yacht Club has a new and seven-piece outfit headed by Archie Tarsus, one-time sax player for Herman Middleman, former maestro here. Tarsus is still a bit rough for show purposes.

The Slapie Macie finale is his old stand, a blue spot, with a waltz that makes them look like something out of bad dream. It's funny, though, and that's the payoff. However, it's evident that Slapie Macie and his partner, Sammy Lewis, will have a long and successful new for their Hollywood return. Here, it's something new and over big. But on the Coast it's been a steady diet.

Cohen.

Rancho Grande, H'wood

Hollywood, April 3.
Joe Capay, Chief Yowlachie, Jack and Bobby Knapp, Four Simp-Phonies, Jan Rubini, Darryl Harp's Orch. (6). No Minimum or cover.

Hollywood night liars, no buyers of atmosphere with their food, but the great gimmick over all manner of cowboy trappings. Idea for this type of tavern took form when Gebber, furrier and dabbler in stage, came to deal with the loose spending gentry in the prospect belt. Only thing in its favor is the location, which is a good one, easily spotted by the heavy flow of traffic along Sunset bowl.

Atmosphere is strictly western, with the great gimmick over all manner of cowboy trappings. Idea for this type of tavern took form when Gebber, furrier and dabbler in stage, came to deal with the loose spending gentry in the prospect belt. Only thing in its favor is the location, which is a good one, easily spotted by the heavy flow of traffic along Sunset bowl.

Atmosphere is strictly western, with the great gimmick over all manner of cowboy trappings. Idea for this type of tavern took form when Gebber, furrier and dabbler in stage, came to deal with the loose spending gentry in the prospect belt. Only thing in its favor is the location, which is a good one, easily spotted by the heavy flow of traffic along Sunset bowl.

Atmosphere is strictly western, with the great gimmick over all manner of cowboy trappings. Idea for this type of tavern took form when Gebber, furrier and dabbler in stage, came to deal with the loose spending gentry in the prospect belt. Only thing in its favor is the location, which is a good one, easily spotted by the heavy flow of traffic along Sunset bowl.

Atmosphere is strictly western, with the great gimmick over all manner of cowboy trappings. Idea for this type of tavern took form when Gebber, furrier and dabbler in stage, came to deal with the loose spending gentry in the prospect belt. Only thing in its favor is the location, which is a good one, easily spotted by the heavy flow of traffic along Sunset bowl.

Atmosphere is strictly western, with the great gimmick over all manner of cowboy trappings. Idea for this type of tavern took form when Gebber, furrier and dabbler in stage, came to deal with the loose spending gentry in the prospect belt. Only thing in its favor is the location, which is a good one, easily spotted by the heavy flow of traffic along Sunset bowl.

Atmosphere is strictly western, with the great gimmick over all manner of cowboy trappings. Idea for this type of tavern took form when Gebber, furrier and dabbler in stage, came to deal with the loose spending gentry in the prospect belt. Only thing in its favor is the location, which is a good one, easily spotted by the heavy flow of traffic along Sunset bowl.

Atmosphere is strictly western, with the great gimmick over all manner of cowboy trappings. Idea for this type of tavern took form when Gebber, furrier and dabbler in stage, came to deal with the loose spending gentry in the prospect belt. Only thing in its favor is the location, which is a good one, easily spotted by the heavy flow of traffic along Sunset bowl.

Atmosphere is strictly western, with the great gimmick over all manner of cowboy trappings. Idea for this type of tavern took form when Gebber, furrier and dabbler in stage, came to deal with the loose spending gentry in the prospect belt. Only thing in its favor is the location, which is a good one, easily spotted by the heavy flow of traffic along Sunset bowl.

Atmosphere is strictly western, with the great gimmick over all manner of cowboy trappings. Idea for this type of tavern took form when Gebber, furrier and dabbler in stage, came to deal with the loose spending gentry in the prospect belt. Only thing in its favor is the location, which is a good one, easily spotted by the heavy flow of traffic along Sunset bowl.

Atmosphere is strictly western, with the great gimmick over all manner of cowboy trappings. Idea for this type of tavern took form when Gebber, furrier and dabbler in stage, came to deal with the loose spending gentry in the prospect belt. Only thing in its favor is the location, which is a good one, easily spotted by the heavy flow of traffic along Sunset bowl.

Atmosphere is strictly western, with the great gimmick over all manner of cowboy trappings. Idea for this type of tavern took form when Gebber, furrier and dabbler in stage, came to deal with the loose spending gentry in the prospect belt. Only thing in its favor is the location, which is a good one, easily spotted by the heavy flow of traffic along Sunset bowl.

Atmosphere is strictly western, with the great gimmick over all manner of cowboy trappings. Idea for this type of tavern took form when Gebber, furrier and dabbler in stage, came to deal with the loose spending gentry in the prospect belt. Only thing in its favor is the location, which is a good one, easily spotted by the heavy flow of traffic along Sunset bowl.

Atmosphere is strictly western, with the great gimmick over all manner of cowboy trappings. Idea for this type of tavern took form when Gebber, furrier and dabbler in stage, came to deal with the loose spending gentry in the prospect belt. Only thing in its favor is the location, which is a good one, easily spotted by the heavy flow of traffic along Sunset bowl.

Atmosphere is strictly western, with the great gimmick over all manner of cowboy trappings. Idea for this type of tavern took form when Gebber, furrier and dabbler in stage, came to deal with the loose spending gentry in the prospect belt. Only thing in its favor is the location, which is a good one, easily spotted by the heavy flow of traffic along Sunset bowl.

Atmosphere is strictly western, with the great gimmick over all manner of cowboy trappings. Idea for this type of tavern took form when Gebber, furrier and dabbler in stage, came to deal with the loose spending gentry in the prospect belt. Only thing in its favor is the location, which is a good one, easily spotted by the heavy flow of traffic along Sunset bowl.

Atmosphere is strictly western, with the great gimmick over all manner of cowboy trappings. Idea for this type of tavern took form when Gebber, furrier and dabbler in stage, came to deal with the loose spending gentry in the prospect belt. Only thing in its favor is the location, which is a good one, easily spotted by the heavy flow of traffic along Sunset bowl.

Atmosphere is strictly western, with the great gimmick over all manner of cowboy trappings. Idea for this type of tavern took form when Gebber, furrier and dabbler in stage, came to deal with the loose spending gentry in the prospect belt. Only thing in its favor is the location, which is a good one, easily spotted by the heavy flow of traffic along Sunset bowl.

Amendment to N. Y. Ticket Law May Result in Brokers Dropping Suit

An amendment to the Coudert-Mitchell law, which places a maximum of 75¢ premium on tickets of admission to all places in New York, may cause the withdrawal of legal proceedings pending in behalf of Broadway producers and exhibitors. State senator Frederic R. Coudert introduced the amendment in Albany last week. Since the enactment of the restrictive ticket measure last year, brokers have evidently convinced Coudert that it was oppressive.

Amendment, in effect, would remove the 75¢ limit on tickets which agencies are supposedly forced to purchase outright and are not returnable. Such tickets, if not sold, represent a dead loss to the agencies. Types of entertainment coming within the scope of the amendment are grand opera, concerts, recitals, fights and other major sporting events, including football. The legitimate theatre is conspicuously absent from the bill.

When the several actions aimed at the law were started, counsel for the ticket interests declared that the brokers were not now opposed to the 75¢ premium limit as applied to legit theatres, as indicated by their signing of the code which the managers and Equity supported. It was in fact, however, that the law was confiscatory so far as other attractions are concerned, especially sporting events. Argument was that tickets for Broadway shows are not returnable, but not for sports stipulated in the Coudert bill.

Senator Coudert is not the only legislator apparently favoring revising the statute. After the upper house adopted his amendment, the assembly passed it 149 to 0. Action on Broadway aware of the amendment are curious over the reaction in ticket circles. If the amendment becomes part of the law, managers say there would be no logical reason for the suit to be pressed. Action is an application to restrain Paul Moss, license commissioner, and Lewis Valentine, police commissioner, from enforcing the law.

Ticket people aver that the original law is illegal on a number of points, principally its constitutionality. Recently their attorney went into court and asked that certain contentions of the answer made by the city, defending the suit, be stricken out. Action on the court asserted. Opinion from the bench, at the same time as denying an application of the corporation counsel to strike out portions of the complaint, was that the real issue is whether price-fixing is a crime. The U. S. Supreme Court once ruled against it, but that tribunal might now reverse an opinion handed down years ago.

PLAY BROKER'S 2½% CLAIM ON MOSS HART

Frieda Fishbein, play broker, filed a N. Y. supreme court action Monday (7) against Moss Hart, seeking 2½% of all monies received by Hart under a 10-year contract the actor had with Sam H. Harris. Miss Fishbein claims to have signed an agreement with Hart to receive the percentage, based on getting Harris to produce Hart's play, "Once in a Lifetime," in 1930.

Since 1930, Miss Fishbein claims Harris has produced Hart's plays, "The Music," "As Thousands Cheer," "The Great Waltz," "Merrily We Roll Along" and "Jubilee." Hart netted over \$1,000,000 plaintiff claims, and although she has not asked for damages, this amount would mean the suit is for approximately \$25,000.

Savoyards in Village

Savoy Opera Guild, a co-op group of Gilbert and Sullivan enthusiasts, will open a spring season at the Cherry Lane theatre, Greenwich Village, N. Y., next Tuesday (15) with performances of "Trial By Jury" and "H.M.S. Pinafore." Arthur Lieff is musical director of the group, with Lewis Denison stage director. Troupe includes Sylvia Gail, Vivian Denison, Betty Blotoff, Earl Norland, Charles Kingsley Wells Clary and Seymour Penzer.

Take Indefinite

Pittsburgh, April 8. Tallulah Bankhead, whose long tour in "Little Foxes" closed in Philadelphia Saturday night (5), has said she will not decide plans for the future except that she's going to take a vacation for two months. Has read no plays for next season but hopes something will turn up before then. In meantime, she may do screen version of "Mr. Skeffington" for WB, but only if Dorothy Parker-Alan Campbell script meets with her approval, she stated.

When Lillian Hellman's script, which played total of 765 performances by end of last week, finally folded, three members of original cast, Cate Burtoft, John Duryea and John Harlow, left immediately for Hollywood to play their original roles in screen version.

N. Y. Legislature Passes

Ehrlich Bill Regulating Employment of Junes

Albany, N. Y., April 9. The re-drafted-Ehrlich bill establishing a uniform statewide system of regulating the employment of children under 16 in show business, as passed by the Legislature during the closing hours of a more detailed and so far as radio is concerned, a more comprehensive and liberal one than the original measure.

The main change in the setup on the employment of children in local branches of show business is that the maximum time permitted local licensing authorities to act on written application for a permit "shall not be more than 60 hours" (instead of 48) after receipt of request. Latter must be made within 72 hours of the proposed performance. It must contain not only the child's true and stage names, date of birth, and the time, duration and number of performances, but also a true and accurate statement describing in detail "the entire part to be taken and each and every act and thing to be done and performed by such child."

On the radio end, the number of hours weekly a child can perform is increased from one to two. Part of section allows such performances, if all in receipt of request. Latter hours when attendance for instruction is not required by the education law, without a written permit. These broadcasts are from a school, church, academy, museum, library or other religious civil or educational institution, or from the studios of a regularly licensed broadcast company. Original draft mentioned only radio broadcasts.

A new section deals with the problem of professional broadcasting and waives the prohibition on employment under 16. "A child may be employed, and not be prohibited from performing radio programs where the child or its parents or guardians has received the written consent of local board of education authorities, which written consent is to be granted for periods not to exceed six months, or unless sooner revoked."

Full Operettas at 49c Top Look Like Click in L. A., Profit on First Week

Los Angeles, April 8. Full production of operettas at 49c top in the 1,600-seat Mason theatre is being tried out by Arthur Spitz, who says he did it successfully in Europe. Judging by the first week's receipts, "The Merry Widow" has a good chance to make a go of it. Take was \$9,000 against over-all net of around \$7,500.

Salvation of the enterprise lies in the turnover of payees. Spitz is giving 15 stagings a week, which means matinees daily and an owl show thrown in at Saturday midnight. Another innovation is the lobby buffet, where all sandwiches and drinks are priced at a nickel.

Those who viewed "Rose Marie" in the town's oldest legit house on lower Broadway were amazed at what they saw. On stage were 22 girls, 10 choruses, 10 principals and 14 men in the orchestra pit. Consensus was that the operetta was well worth considering the tariff. It was given a full production with fresh sets and neatly costumed ensemble. Considerable license was taken with the Hammerstein-Rodgers book, but it all added up to entertainment for the clientele the house will attract. Three

Strong Petition Asks Equity Council To Abolish 'Exclusive Service' Clause

Chorus Equity Names Nominating Committee

Chorus Equity has named a nominating committee of nine, six being elected from the membership. They are: Len Frank, Larry Siegle, Beta Nichols, Bob Norris, Wena Wennerholm and John Elliot. Trio from the executive committee: Francis Clark, Jean Beryl, John Muccio.

Nominators will choose seven new people for the executive committee to three years and one for Equity's council for five years. Latter berth does not carry with the right to vote on council proposals, except when the chorus is involved.

Mpls. Threatens 'DuBarry' After St. Paul Bars It

Minneapolis, April 8. A wave of theatrical censorship has hit the Twin Cities. Following the St. Paul city council's action in banning "DuBarry Was a Lady" on the grounds of indecency, Mayor George E. Leach has ordered an investigation of the musical by Blanche Jones, policewoman. The show had been booked for the municipally-owned Auditorium in St. Paul for April 12, matinee and night. It is due at the Lyceum here April 13-16. Before making decision, Mayor Leach "will hold a public hearing Wednesday."

But while St. Paul moral forces succeeded in blocking the "DuBarry" engagement, they failed in a similar move against the film, "The Lady Eve," at the Paramount. After a Legion of Decency complaint against the picture, a police woman was assigned to view it. Following her report that there was nothing lewd or indecent about it, city authorities refused to halt its showing.

The St. Paul city council voted unanimously to cancel "DuBarry," although one of the members, calling attention to the Student Prince, which just had played the Auditorium, pointed out that the operetta was scrupulously clean and highly deserving of patronage, but at the two night shows there were more people on the stage than in the audience.

Opposition to "DuBarry" came (Continued on page 44)

The "exclusive service" clause in Equity contracts has become an issue within the membership. One of the strongest petitions ever filed with Equity calls for eliminating the stipulation by the council and demands a special meeting in the event that a sought-for change is not made. As the petition has more than 100 signatures, such a meeting must be called under the association's rules unless there is a "favorable action" by the council.

There appears to be a strong feeling that actors should have every opportunity to secure engagements and that the clause, which gives a manager the exclusive services of the actor, is not equitable to the average player. Proposal to strike out the "exclusive service" privilege, but the council recently, but was given sort of brush-off as not important. Councilors thought that actors could protect themselves when engaged by adding a rider to contracts.

Petitioners, however, see it another way. They say that, if the player desires, he or she could agree to a rider giving the manager the "exclusive service" privilege, but that it should not apply to the average contract. Because of this clause, managers are in the position of cutting in on outside engagements.

Cut in on Earnings. Formerly some managers were known to participate in Hollywood earnings of players who left their shows. However, that was usually a separate arrangement between the player and producer. Latter, in developing the actor, argued it was his right to be in on such coin. Few players now make such deals, with the exception of those having players under long-term contracts.

Proponents of the contract deletion say that the exclusive idea is outdated, having been written in before radio came a new field for actors. Present movement stemmed from the case of Carol Bruce (Louisiana Purchase), who took night spot and made an effective performance. Actress was fined, but the case was afterwards adjusted and the manager withdrew his objections.

Dispute arose about it at a time when picture studios on Long Island were active. Managers feared that actors in shows who also worked before cameras during the day would not be able to make effective performances. Equity at the time agreed that the manager should be protected.

Tom Tully, who proposed that the clause be stricken out, appeared before council to present the points involved.

DUFFY LEASES ALCAZAR, S. F.; NAMES AT \$125

San Francisco, April 8. Edward Everett Horton, in "Spring-time for Henry," will reopen the Alcazar Theatre. The management of Henry Duffy on April 17, which the latter has taken over on a 10-year lease. Dick Marshall has been made house manager and Henri Caubens, stage manager.

Other stars and plays to be presented by Duffy at \$125 top include Otto Kruger in "Libel," Francis Lederer in "Noah," Joe E. Brown in "The Show-Off" and Billie Burke in "Vinegar Tree."

Productions tentatively decided on, aside from the opener, are "The Little White Horse," "The Philadelphi Story," "Old Acquaintance," "Ladies in Retirement" and "Separate Rooms." Arnold Guttler, manager, and Sommes are in N. Y. selecting "The Merry Widow" for the 50th year of operation of the Elitch theatre.

Charles Washburn is agenting "Arsene and Old Lace" in Chicago. Dick Maney being p.a. of the New York company (Fulton).

Ruth Matson, Woods To Top Elitch Stock

Denver, April 8. Donald Woods and Ruth Matson will play the leads in the Golden anniversary season of the Elitch summer theatre, with "Skyland" the first production. George S. Kaufman will be back to direct for his sixth year.

Productions tentatively decided on, aside from the opener, are "The Little White Horse," "The Philadelphi Story," "Old Acquaintance," "Ladies in Retirement" and "Separate Rooms." Arnold Guttler, manager, and Sommes are in N. Y. selecting "The Merry Widow" for the 50th year of operation of the Elitch theatre.

Charles Washburn is agenting "Arsene and Old Lace" in Chicago. Dick Maney being p.a. of the New York company (Fulton).

Wynn's 'Boys' Fair \$17,000 in Chi; 'Eileen,' \$14,500, Plenty Healthy

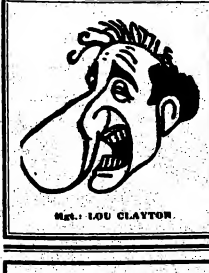
Chicago, April 8. Plenty of changes in the loop legit situation over Holy Week. Exiting from town were 'Pins and Needles,' a bang-up fallon of 18 weeks and Dante's 'Sim Sala Bim' magic show after three good weeks. Replacing 'Pins and Needles' was 'See My Lawyer,' moving over after two weeks in the Selwyn. Into the Erlanger last night (Monday) came 'Man Who Cans to Dinner' for a repeat date, this time with Alexander Woolcott instead of Cliff Webb. Dated in for two weeks only, but may stay longer if business warrants. On Sunday night (6), after a week's postponement, 'Arsenic and Old Lace' opened in the Grand Opera House, with such names as Edie Vorna, 'Pins and Needles' star, and Helen Twilwines.

Estimates for Last Week
'Boys and Girls Together' (Selwyn 1st week) (1,000; \$250). Ed Wynn drew plenty of fine newspaper comment on his own and the show also brought forth critical praise, but business will have to perk for management satisfaction. Came up with \$17,000 for initial session.
'Life With Father' (Blackstone 5th week) (1,200; \$275). Holding to a pace that is remarkable in view of the length of the run, and showing profits amply at least \$15,000.
'My Sister Eileen' (Harris 7th week) (1,000; \$275). Steady money and good settlements for a second run of it. Again healthy at \$14,500.
'Pins and Needles' (Studebaker 16th and final week) (1,200; \$17). Finished excellent stay. Saturday (5) and heads for more road time. Snagged \$5,500 for final session. 'See My Lawyer' replaced in the place of Sunday (6) at \$275 top.
'Sim Sala Bim' (Dante), Erlanger (3d and final week) (1,300; \$220). Finished with matinee Sunday (6) and, with added afternoon shows during last week managed to corral \$7,000 for exit session. 'Man Who Came to Dinner' opened last night (Monday).

'Arsenic' 6G in Indpls.
Indianapolis, April 8. English theatre got off to a good start for the spring season with 'Arsenic and Old Lace' in for three evening performances and Saturday matinee last week. At \$250 top, four performances garnered estimated the \$6,000 in the 1,500-seat theatre.
Next is 'Pins and Needles,' coming for four performances starting April 14.

'Dinner' 12G in Col.
Columbus, April 8. Hartman last week got estimated \$12,000 with 'Man Who Came to Dinner,' playing eight performances at \$220 top. Excellent press and word-of-mouth helped boost box.
Current (7-9) is 'Twelfth Night,' with 'Pins and Needles' and 'Cabin in the Sky' to follow.

Wallace Munro is now general manager of Dante's 'Sim Sala Bim' on tour.



Mr. LOU CLAYTON

ROSALIND IVAN
in "THE CORN IS GREEN"
NATIONAL THEATRE, N. Y.

DOLLY LEWIS
Relative Lindemann
John Lawrence Show
Write Sister Helen

Guild's New 'Harvest' Nice \$6,500 in N. H. Break-In

New Haven, April 8. Breaking of the Guild's 'Hope for a Harvest' drew a fat b.o. response at Shubert in three shows (4-5). Despite rainy Saturday, play got an approximate \$6,500, which is swell at \$275 top in this 1,900-seat house.
Sale was largely advance, but nice press and word-of-mouth boosted things to above figure.

HAYES-EVANS NIFTY \$24,500 IN PITTS

Pittsburgh, April 8. Helen Hayes-Maurice Evans combo was good for estimated swell \$24,500 in 'Twelfth Night' last week at Nixon. Show played here under AIT auspices at \$350 top end, although couple of rowdies were lukewarm, stars packed enough of a b.o. wallop to over-ride any minor criticism.
By middle of engagements, when gallery and balcony had gone clean for remaining performances, management smartly marked off receipts at \$350 to \$400, and parceled them out at prices ranging from \$150 to \$250.

Current Road Shows

(April 9-19)
'Arsenic and Old Lace' (Erich von Stroheim, Laura Hope Crews)—Grand, Chicago (9-10).
'Blossom Time' (Everett Marshall)—National, Washington (9-12); Ford's, Detroit (14-16).
'Boys and Girls Together' (Ed Wynn)—Selwyn, Chicago (9-19).
'Cabin in the Sky' (Ethel Waters)—Cass, Detroit (9-12); Nixon, Pittsburgh (14-19).
'Daddy Was a Lady' (Ber Labr)—Lyceum, Minneapolis (9-10); Davidson, Milwaukee (17-19).
'Gas Light'—Playhouse, Hollywood (9-19).
'Hellzapoppin'—American, St. Louis (9-19).
'Hope for Harvest' (Freddie March, Florence Eldridge)—Colonial, Boston (9-19).
'Life With Father' (Lillian Gish)—Blackstone, Chicago (9-19).
'Life With Father' (Dorothy Gish)—Walnut, Philadelphia (9-19).
'Man Who Came to Dinner' (Alexander Woolcott)—Erlanger, Chicago (9-19).
'My Sister Eileen'—Harris, Chicago (9-19).
'Pins and Needles'—English, Indianapolis (14-16); Hartman, Columbus, O. (17-19).
'Rose Marie'—Mason Opera House, Los Angeles (9-19).
'San Geronimo'—Kingsbury hall, Salt Lake City (9); Aud, Chicago (12-19).
'See My Lawyer'—Studebaker, Chicago (9-19).
'Sim Sala Bim' (Dante)—Royal Alexandra, Toronto (9-12).
'Student Prince'—Nixon, Pittsburgh (9-12); Cox, Cincinnati (14-19).
'Theatre' (Cornelia Otis Skinner)—Playhouse, Wilmington (12); National, Washington (14-19).
'There Shall Be No Night' (Alfred Lunt, Lynn Fontanne)—Forrest, Philadelphia (14-19).
'Time of Your Life' (Eddie Dowling)—Biltmore, Los Angeles (14-19).
'Tobacco Road' (John Barton)—Plymouth, Boston (14-19).
'Treat Her Gently' (Ruth Chatterton)—Majestic, Houston, Texas (14); City, Beaumont, Texas (15); Lanier and Montgomery, Ala. (17); Temple, Birmingham (18); Aud, Memphis (19).
'Twelfth Night' (Helen Hayes, Maurice Evans)—Hartman, Columbus, O. (9); Cass, Detroit (14-19).

Engagements
Viola Rache, Theatre.
Doudie Digges, Walter Slezak, Karen Morley, Byron McGrath, Elaine Anderson, Don Glenn, Sid Cassel, Nicholas, Cox, The Last Road.
Eugene Loring, Betsy Blair, Curtis Cocksley, Farrell Pelly, E. J. Balentine, Frederick Simons, Edward Namery, Doc Freeman, Peter Xantho, The Beautiful People.

Shows in Rehearsal

'The Last Round'—Theatre Guild.
'The Beautiful People'—William Siroyan.
'Theatre'—John Golden.
'Rose Marie' (road)—Shuberts.
'Not in Our Stars'—Experimental.
'Steps Leading Up'—Experimental.

Critics Rave, But 'Student' N.G. \$9,500 in Twin Cities

Minneapolis, April 8. 'Student Prince,' at \$275 top, the 2,200-seat Lyceum, approximated only mid \$8,500 in five nights and two matinees, although critics waxed enthusiastic. Houses were topheavy, with balcony capacity and lower boxes settling down.
Show did hit \$1,000 in two nights at St. Paul Auditorium, takings for full 'Twain City' seven-day week being approximately \$9,500.

'FOXES,' \$13,200, OKAY IN PHILLY

Philadelphia, April 8. Everything was still hot-tyoty last week—long legs row, despite Lent and bad weekend weather. 'Tobacco Road' hooked \$11,600 in its second week, and engagement Friday (4) was topped at \$1,500 top. Tallulah Bankhead's return in 'The Little Foxes' at the Forrest, wasn't quite up to expectations, but the \$13,200 week spelled profit. Week's real leader again was 'Life with Father,' which again soared to the \$19,000 mark in its fifth week at the Walnut.

Estimates for Last Week
'Tobacco Road' (Lucort (2d week) (1,500; \$150). Doing a grand job on eighth engagement here. Personal hooked \$11,600 last week. Another week set.
'The Little Foxes' (Forrest (one week only) (1,800; \$250). Return engagement \$13,200, a little under expectations; \$13,200 reported. House dark this week, with There Shall Be No Night coming next Monday (14).
'Life With Father' (Walnut (5th week) (1,400; \$285). Still big noise of it, to be expected \$18,000 and bus fair to stay until June 1. Early week lower floor sale only thing working management.

'NIGHT BEFORE XMAS' SO-SO \$7,000 IN HUB

Boston, April 8. 'Blossom Time' finished three weeks Saturday (5) and the single stanza of 'Night Before Christmas' added up to a fairly encouraging reception. Shuberts are bringing back 'Night Before Christmas' for at least two weeks at the Shubert, because of the lush reception to 'Blossom.' Show will be rehearsed and partially cast here, opening April 14.
'Tobacco Road' also comes in for two weeks in April, and for 'Harvest' with Fredric March and Florence Eldridge, opened Monday (7) at the Colonial for two weeks, under Theatre Guild sponsorship.
Estimates for Last Week
'Blossom Time' (Shubert (3rd wk) (1,500; \$275). Came through with surprising steam, taking around \$12,500 for third and last frame.
'Night Before Christmas' (Plymouth (one week) (1,400; \$275). Received here as satisfactory comment, spiced by some nifty lines and situations, and figured to be a natural for pictures. Approached so-so \$7,000. Opens at Morosco, N. Y., Thursday (10).
'Cabin' \$17,500 in Det.

Detroit, April 8. Settled for two weeks, carrying through usually dull Holy Week, 'Cabin in the Sky' hooked up estimated \$17,500 for its first week performances last week. It is priced at \$250 top.
Following 'Cabin,' 'Twelfth Night' moves in April 14 for six days.

Name Concert Dates

(April 9-16)
James Melton—Civic aud., Pasadena, Cal. (16).
Grace Moore—Northrop aud., Minneapolis (13).
Albert Spalding—Union H. S., Phoenix, Ariz. (14).
Lawrence Tibbett—College aud., Rock Hill, S. C. (15).
Mun. aud., Kansas City, Mo. (16).

B'way Dips As Lent Takes Its Toll, But 'Rhine,' 16G, Dilemma,' 22G Big; Ditto 'Lady' 32G, 'Hattie' \$31,500

Estimates for Last Week

Key: C (Comedy), D (Drama), R (Revue), M (Musical), F (Farce), O (Opera).
'Arsenic and Old Lace' (Fulton 13th week) (CD-338; \$330). Business tapered in most leggers and the spring's lows are likely to be registered this (10th) week; this laugh hit not affected; not far from \$17,000 mark.
'Clanada' (Booth (8th week) (CD-712; \$230). Joe Golden's winner this season inspired him to proceed with 'Theatre,' but it will try out and come to town in the fall; around \$12,000.
'Crazy with the Heat' (44th St. (10th week) (R-1235; \$330). Another week for review, which fared better than first indicated; dropped last week to an approximate \$10,000.
'Flight to the West' (Royale (14th week) (D-1047; \$310). Maybe still operating profit for low-level drama that is being presented by non-profit group; \$6,000.
'Hellzapoppin' (Fulton Garden (133d week) (R-1671; \$240). West end business, which includes Sunday matinee and night, strongly supported; end of old week; still making money with gross around \$20,000.
'It Happens on 34th St.' (Center (1st week) (R-3087; \$275). Resumed Friday (4) with new cast changes; notices indicate rink review is better than when it first opened.
'Mama' (Broadway Longacre (29th week) (D-1016; \$330). Engagement indefinite and may last out spring; dropped around \$7,000 last week; dropped like rock out of sky cut.
'Lady in the Dark' (Alvin (11th week) (M-1357; \$440). Attendance Friday (4) was \$1,450; \$340. West end business that comes close to \$32,000 mark weekly.
'Mama' (Broadway Longacre (29th week) (D-1016; \$330). Offish going was reflected in pace of the best-grossing holdover, takings last week approximating \$16,500; plenty profitable at that level.
'Loulans' (Purchase; Imperial (42nd week) (C-1450; \$340). West end with the field; gross around \$25,000, but after this week should pick up; slated for summer.
'Man Who Came to Dinner' (Music Box (7th week) (C-1013; \$330). Has been playing nearly 18 months and, although business dipped last week; \$9,000.
'Mr. and Mrs. North' (Belasco (12th week) (C-1000; \$330). May stick through spring; claims operating profit; right now with not much variance in gross; eased off last week to \$9,000.
'Old Ladies' (Hudson (2d week) (C-1094; \$330). Claimed to better even break, but business tapered; last week; around \$5,000 with cut-rate aid.
'Native Son' (St. James (2d week) (D-1520; \$330). Plenty of theatre parties for sensational mixed cast drama, which is not as big as expected but quite lively around \$14,000.
'Night Before Christmas' (Morosco (C-939; \$330). Presented by Court-bus; here, presented by Laura and Perelman; fair reports from tryout; opens Thursday (10); only premiere this week.
'Old Acquaintance' (Broadhurst (14th week) (C-1122; \$330). Moved here from Morosco this week; has settled down to moderate money, which means some profit; three matinees weekly well patronized; \$8,000.
'Pins and Needles' (Harris (9th week) (C-893; \$330). Sale of picture rights has encouraged management to keep show going through Spring; approximated \$8,000.
'Pal Joey' (Barrymore (15th week) (M-1140; \$440). Bilt off last week, but has been expected by management; virtual capacity most nights; \$21,000.
'Pins and Needles' (46th St. (23d week) (M-1347; \$440). Approaching end of sixth month and little affected; takings quoted at better than \$21,000; at the top with 'Lady in the Dark'.
'Separate Rooms' (Plymouth (54th week) (C-1107; \$330). Has been playing Sundays since such performances regularly started last fall; that has helped long stayer considerably; \$7,000.
'The Corn Is Green' (National (19th week) (D-1162; \$330). Drop in business here proportional to the same as with other leaders, but excellent money at \$16,500.
'The Doctor's Dilemma' (CD-940; \$330). Final and 7th week; a

disappointment; exceptional around \$5,500.
'Tobacco' (C-1405; \$330). Forrest (26th week) (C-1107; \$110). Most freaky run in history of Broadway; can get by at small money; around \$5,000.

'Watch on the Rhine' (Beck (1st week) (D-1214; \$330). Looks like it will land real money; first seven performances quoted not far under \$10,000; standees on Friday and Saturday.
'Year Lying Sun' Little. Opened last Friday; panned; yanked next night.

Revels
'The Doctor's Dilemma' (Shubert (4th week) (C-1405; \$330). Getting great money for revival in spacious house; bettered \$22,000; slightly under was drawn in Buffalo, where the show among straight plays.
'Charley's Aunt' (Cort (25th week) (C-1064; \$330). Passing six months run mark; exceptional for revival due to stay through spring; \$7,000 estimated last week.

Added
'The Trojan Women' (Cort. Presented by Experimental Theatre Tuesday (9); to be repeated Sunday (13).

LUNTS GARNER GREAT \$27,000 IN 4 STANDS

Continuing their great grossing tour, 'There Shall Be No Night' the Lunts last week garnered well over \$27,000 in four stands mostly in the state of New York. Top money was drawn in Buffalo, where the take was \$11,500 in three days. Hartford, Conn., provided a big turnout as indicated by receipts of \$7,800, while in Rochester the take was \$6,000. At Utica the take was \$2,000, that being a college date at a guarantee.
The Lunts are laying off this week at their farm, but take to the road again next week.

'DuBarry' 14G in K. C.

Kansas City, April 8. Pouring rain greeted 'DuBarry' as a 'Lady' on its opening Thursday (3), but didn't dampen the b.o. Three-day date, four performances, at \$250 top got estimated \$14,000, good.
Next on the docket is 'Hellzapoppin,' with Billy House-Eddie Galt, company which opens a five-day run April 20.

'Life' \$14,500 in S. F.

San Francisco, April 8. Final week of 'Your Life' at the Curran, closed strong, estimated \$14,500, a shade over previous two sessions. Pulitzer prize-winner will play one week on the road and will then open in Los Angeles April 14.
Current at the Curran is Mary Boland in 'Meet the Wife.'

JACK DURANT
Featured in GEORGE ABBOY'S
"PAL JOEY"
Barrymore Theatre, New York

EDDIE GARR
CO-STARRING IN RECORD BREAKING "HELLZ-A-POPPIN"
ON TOUR
Mgt. W.M. KENT
1778 B'way, New York

OBITUARIES

HENRY BURR

Henry Burr, 59, ballad singer and veteran Victor recording artist, who for seven years was featured on the National Barn Dance program on NBC Blue, died after a long illness April 6 at his home in Chicago.

Born in St. Stephen, N. B., Canada, as Harry H. McCleskey, Burr made his stage debut as a boy soprano with a military song at St. John, N. B., in 1898. Discovered by Giuseppe Campanari, former Metropolitan Opera baritone, who urged him to study voice, he came to New York and sang for a time as a church soloist.

It was as a recording artist that he dropped his true name and became known as Henry Burr due to common belief that the making of records was beneath the dignity of a classical singer. The early cylindrical waxings, crude as they were, proved an excellent medium for his voice.

Such was Burr's popularity, that in his long career on discs, his recordings touched the 10,000,000 mark in point of sales. Some of his best songs were "Goodbye to Little Girl, Goodnight," 3,000,000 copies, and

subject of a film in which himself starred. Son of a wealthy family, members of which included a cardinal and several other high persons, "Parrs," as he was known, for some years led a gay life in Nice and Paris, ran through his fortune at the gaming tables. Returning to Argentina, he made a name for himself as a sportsman. A crack shot and a daring motorist, he, together with an Englishman, George Newbery, was largely instrumental in getting aviation started in Argentina in 1910. He was the first civilian to get a pilot's license here.

First appeared on the stage in an exhibition of fancy shooting at the Teatro Variete, B. A., and his ad libbing during the act got him a job as a comic in the company of Pepe Podesta. Popularity soon induced him to form his own group, Opereta Argentina theatre and played there for 17 years until it was turned down to make way for a new boulevard. During his life he produced 518 plays. In 1929 he was elected to the Council, only representative of the theatrical profession ever to serve in a municipal post. He was forced to quit the theatre last September, while acting in Montevideo, due to ill health.

GEORGE F. MATTUCK

George F. Mattuck, 53, prominent New York attorney who had a large theatrical clientele, died April 2 after a two-day illness in Miami Beach, where he had been on business.

With his brothers, Maxwell S. Mattuck, former assistant United States Attorney, and Bernard J. Mattuck, deceased, maintained law offices in downtown New York. Among his clients were Harry A. Tierney, composer of "Alice Blue Gown"; Benjamin Gigli, the opera tenor and impresario Fortune Calla.

A graduate of Brown University, Mattuck worked on the staffs of several Boston newspapers before enrolling in law school. Also surviving are two other brothers and two sisters.

LOUIS D. KORNFELD

Louis D. Kornfeld, 52, Broadway theatrical producer and director, and former staff member of the New York Times, died after a long illness March 25 at a Duarte, Cal., sanatorium.

Kornfeld, born in Russia, became active in the theatre around 1930 at Duane Grey's theatre company. Among plays he directed were "Doctor Monica," "Are You Decent?" and "Squaring the Circle." He also produced and staged "Lady of Letters" and "The Golden Boy."

With the Times in the early '20s Kornfeld was assigned to general news and often contributed Sunday pieces on European affairs. Later he transferred to the daily's Paris bureau, where he assisted in covering the Lindbergh and Byrd trans-Atlantic flights.

GUIDO ADLER

Guido Adler, 85, celebrated musical avant and long professor of music at the University of Vienna, died in that city last February, according to word received in New York musical quarters last week. A native of Moravia, Adler studied under Anton Bruckner at the Vienna Conservatory of Music. An intimate friend of the Wagner family, he wrote a book on Richard Wagner in 1904.

Writer of many historical tracts on Austrian music, Adler promoted a Beethoven festival in 1927 in conjunction with an international music congress. While at the University of Vienna he was credited with founding its institute of musical history.

JOHN F. A. LANDERS

John F. A. Landers, 35, cashier and assistant auditor of the Motion Picture Producers and Distributors Assn., was killed in an automobile accident on Long Island early Saturday morning (5). He had been cashier of the Hays office for more than 14 years.

Survived by widow, Helen, and one son, John Jr. Funeral services were held yesterday (Tuesday) in New York.

WILLIAM J. BRITT

William Joseph Britt, 80, one time circus strong man and trapeze performer, died of a kidney ailment at

the Christian Old Folks Home, St. Louis. Born in Hastings, England, Britt was brought to Omaha by his parents when he was 5 years old. During his circus career he was billed as the 'strongest man in Missouri!'

After his retirement from circus life Britt was employed by a St. Louis hardware company in building displays at fairs and expositions. He retired 15 years ago.

PAUL HEINZE

Paul Heinze, 60, amusement park manager, died in Harper hospital, Detroit, April 2. At the time of his death he was co-owner and manager of Edgewater Park, Detroit.

Active in Chicago for years, Heinze went to Detroit in 1920 to manage the Belle Isle Bridge Amusement Co., leaving in 1924 for Baltimore where he was in charge of three amusement parks. He returned to Detroit and had been active in the park there since 1928. Leaves widow and four daughters.

HARDING R. BREWERTON

Harding R. Brewerton, 53, southern Alberta theatreman, died in a Lethbridge, Alta., hospital March 29 following malpractice operation. His home was at Fort McMurray, Alta.

Brewerton was one of the Brewerton brothers, operators of a chain of theatres in Raymond, Magrath, Cardston, Waterton, National Park, and Calgary. He was manager of the Magrath house.

Survived by his widow, three sons, a daughter, his father, a sister, and three brothers.

HENRY S. SAWYER

Henry S. Sawyer, 76, music editor of the Theodore Presser Co., Philadelphia music publishers, died at his home in that city, last Tuesday (2). He was a member of the staff of the Etude Music Magazine, which Presser publishes, and composer of numerous piano and opera pieces.

Survived by two daughters.

GUY HASTINGS

Guy Hastings, 63, legit matinee idol of yesteryear, died in Melbourne recently. Hastings played in "Robbery Under Arms," "On Our Selection," and was associated with the late Maurice Moscovitch in "The Ringer," "The Terror," and "The Outsider," all presented in Australia. He was also with Foy Compton in "Victoria Regina."

EARLE GRASER

Earle Graser, 32, the "Lone Ranger" of the radio program of that name, was killed early yesterday (Tuesday) morning in an auto accident near his home in the suburb of Detroit. Survived by wife, Jean, and one-year-old daughter, Gay.

Further details in radio section.

LOUIS MAHARAH

Louis Maharrah, 68, founder and president of the Maharrah Fabrik Co., dealers in theatrical display goods, died of a heart attack April 1 in Miami Beach.

Funeral services were held in New York Monday (7). He leaves his widow, Rose; four sons and a daughter.

BENTLEY L. RINEHART

Bentley L. Rinehart, 74, inventor of the sound box used in the old Victor talking machines, died April 2 in Phoenix, Ariz. Invention brought him a fortune. He died in Burbank, which was later absorbed by Radio City of America.

FREDERIC W. WILE

Frederic William Wile, 68, the first American to broadcast, died in a regular commentator job from Europe, died in Washington April 7 after a three-week illness.

Further details in the radio section.

JOHN K. SUN

John K. Sun, 84, retired circus operator, died April 2 in Tampa, Fla., hospital.

Deceased was one of the founders of the Sun Bros. Circus, which was sold in 1917.

AL MINOR

Al Minor, 48, operator of three film theatres in Burbank and Magrath, Cal., died in Burbank Sunday (6) after a long illness.

Survived by widow, daughter and two sons.

CLINTON J. SELDOMBRIDGE

Clinton J. Seldombridge, 68, veteran Philly exhibitor, died there last April 1. He formerly operated the

Gem, North Philly. He had been retired the past 10 years.

Margaret Cohan, 73, mother of Phil Cohan, CBS musical program director, died March 30 at her home in Meriden, Conn., after a long illness. She was married to her husband Herman, two other sons and two daughters.

Roy M. Brosius, 48, manager of the Bagley theatre, Detroit, died in that city, April 1.

Herbert Stansfield, 68, an uncle of Gracie Fields, died April 3 in Edmontan, Alberta.

Law Helps Critics

(Continued from page 3)

burned over the notice written by Walter Winchell in the Mirror and posted a man on the door to keep out anyone, but he managed to get in, once from the back stage and another time through the front door, with the aid of whisks, he claims. This season J. J. Shubert carried out a pique against out-of-town reviewers and issued edicts barring 'em in a couple of stands, particularly Boston and Chicago, because they didn't like his 'Night of Love.' He claimed they didn't know whether a show is good or bad. However, when 'Love' came to Broadway and got thumbs down, he took the critics' word for it and yanked the show pronto.

Violations Punishable

The Davidson bill not only stipulates that any person with a ticket of admission shall not be barred from any place of amusement so long as the conduct is proper, but the management may not eject or demand the departure of such person after being admitted. Violations would be punishable as misdemeanors and those convicted could be fined from \$100 to \$500 or imprisoned 30 to 90 days or both. Also such violations would lay the managers open to suit for damages.

Anti-Discrimination Bill

Daniel L. Burrows, colored assemblyman representing a Harlem district, introduced a bill calling for the repeal of any ordinance which license for any place of amusement or public place serving food or beverages, if discrimination is made because of race, color or creed. It was adopted by the lower house, but failed to reach the senate in time for a vote before the legislature adjourned.

One of the measure was to give 'all persons full and equal accommodations, facilities and privileges' and was principally designed in the interest of his race.

Khaki-Cutting

Chicago, April 8. Harry Rogers and Jack Fine are combining producing talents to come up with a new unit tagged 'You're in the Army Now,' figuring the time as ripe now as it was in 1917 for the 'Yaphank' shows.

Already set in the unit are Johnny Burke and Joe Besser as top comics.

BIRTHS

Mr. and Mrs. Albert Vaughan, daughter, in Hollywood, April 1. Father is publicity director for Edward Small.

Mr. and Mrs. Gilbert Wall, son, April 1, in Buffalo. Father is producer at WBBN, Buffalo.

Mr. and Mrs. Herat Crockett, daughter, in Los Angeles, April 4. Father is associated with Beyer-MacArthur ad agency, L. A.

Mr. and Mrs. Lawrence Butler, son, in Los Angeles, April 4. Father is special effects man for Alexander Korda.

Mr. and Mrs. Sid Davis, in Pittsburgh, April 2. Father's with WB sound department in Pitt.

Mr. and Mrs. Don Macara, son, March 30, Los Angeles. Father is radio announcer at KFI-KECA, L. A.

Mr. and Mrs. Harry Mayer, son, April 2, New York. Father is Warner Bros. chief vaude-booker; mother was formerly a dancer, working as Diana Anitra.

Mr. and Mrs. Lou Holtz, daughter, April 6, in Hollywood. Comeback wife is the former Phyllis Gilman.

Mr. and Mrs. Walter Compton, son, in Glendale, Cal., April 6. Father is radio advertising-publicity director for Republic.

Mr. and Mrs. Tony LaFranco, son, in Los Angeles, April 6. Father is announcer on KJLH, Los Angeles.

Mr. and Mrs. Dick Strobel, daughter, in Hollywood, April 6. Father is Coast head of AP Wirephoto.

NOVA'S K.O. MAY WASH UP PLAYBOY MAX BAER

By JACK PULASKI

Max Baer never got the chance to pack 'em in as an actor when "Yah Gentlemen" failed to reach Broadway, but he sure turned the trick at Madison Square Garden Friday (4), when he knocked Nova, another guy from the Coast, but much younger, stopped the one-time heavyweight champ in the eighth round. The take topped \$95,000 at \$11.90 ringside, including \$100,000 in bets. Baer probably will be the last big fight gate in which Max will ever participate.

The bout was crammed with excitement, and the fans had little to talk about, though some wondered why it was stopped by referee Arthur Donovan, whom Baer has been panning for some time. That was the thing to do, however, for Baer, who tried to proceed after dropping to the canvas. His lungs gave out and he was helped to his corner. His left peeper was entirely closed.

Nova was something of an enigma, though favored to 7 to 1. It was not certain that he had fully recovered from an illness after being stopped by Tony Galento about two years ago. What he took from Baer, however, stamped him as a real contender for Joe Louis's title.

The heavyweight division is clearing up. By stopping Gunner Barlund in Detroit, also last Friday, Billy Conn earned the right to meet the champ in June. Louis states of Conn, he will meet Louis in September. However, Nova demands the right to fight Louis, which means that the two Galentos was around the Garden lobby, with few of the sports giving him a tumble.

Dizzy Fourth

Nova had beaten Baer so badly when the two fought their first match was stopped in the 11th round. At the start of this contest it looked like Lou had Max's number, copping the first three rounds. Then came the dizzy fourth. Baer came out with a wide right to the chin that sent him reeling across the ring. Another poke dropped Nova, but he got up quickly. It looked like a sudden change of heart, but he had the strength to follow up the advantage. Fact that Nova absorbed those socks indicated that from May weather rough trouncing he was feeling better.

Anything looks possible after Max got in his licks and it took three rounds before Nova recovered. Then Lou started reaching Max's chin. A swift right sent the big fellow to one knee and he took a dizzy tumble. He dropped again after a flock of fairish blows, and Donovan stepped in between them. Max didn't want to be hurt, but he had to have the fight. Louis, and may have continued had the referee permitted it.

For five or six rounds Max clobbered and the fans howled. He motioned Nova to come in close, and he invariably won the round when the bell rang, which annoyed Nova. As they separated for the rest period, Baer would pat Nova on the back and neck. When he stopped that little patting, he had the tip-off that he was becoming weary. Former champ refuses to admit that he is through, but it is questionable if he will stay again in a main bout around New York.

MARRIAGES

Eugenia Rawls to Donald Seawell, April 5, in Philadelphia. Bride is legit actress.

Dorothy Lunny to Thomas McCabe, in New York, April 19. He's with the home office exploitation staff of United Artists.

Virgil to John Latham, April 4, in New York. Bride is with Young & Rubicam advertising agency; he's associate p.a. for Oscar Serlin and son of p.a. John Peter Tenney.

David Deacon to Jeanne Cook, in Chicago, March 31. He's organist with Columbia-WBBM, Chicago; she's non-pro.

Yvonne Duval to Ted Tetzlaff, in New York, April 4. Bride is screen actress; he's a film director.

Lorraine Pankow to Dewitt G. Kittinger, in Buffalo, March 28. Bride is an actress at WBBN-WBBR, Buffalo.

Horace P. Rolfs to Charlotte L. Smith, March 28, in Dorchester, Mass. Rolfs is in charge of WBZ (Boston) mail department.

Willore Callaway to Harry Flowers, in Fort Worth, Texas, April 6. He is head of the mail department of WBAP-KGKO, Fort Worth.

Sylvia Horowitz to Morris Allen, in New York, April 6. He's editor of Progress, Universal's house organ.

IN FOND MEMORY OF MY GOOD FRIEND

ARTHUR DENVIR

WHO DIED APRIL 11, 1939

JERRY VOGEL

other pops such as "In the Shade of the Old Apple Tree," "When You and I Were Young Maggie" and "Just a Bare Prayer."

In vaude Burr appeared from coast to coast for 15 years in his own act known as "Eight Popular Artistes." He also owned and managed a company of vaudeville for many years. Entering radio in 1921 via a Denver station while on a concert trip to the Coast, he had also appeared on the National Barn Dance, Uncle Ezra and the Uncle Ezra's Sunday Afternoon in Rose-dale programs, all sponsored by Miles Laboratories' Alka-Seltzer.

Surviving in his wife, Mildred, and two sons, who held a family funeral today (Wednesday), with burial taking place in Mount Vernon, N. Y.

ADELAIDE PRINCE CLARK

Adelaide Prince Clark, 81, retired legit actress, died April 4 at her home in Shawnee-on-Delaware, Pa. She had been ailing for some time. Mrs. Clark was born in New England, when a small child accompanied her parents to New York. After several years the family moved to Boston, where she began her girlhood in amateur theatricals. Her first professional appearance was with J. M. Hill in "The Prodigious Daughter." Shortly thereafter she became associated with the famous N. Y., where she remained for many years, trouping with Ada Rehan both here and abroad. After Daly's death she went with Charles Frohman, acting with Ethel Mowbray in "The Country Mouse," Maude Adams in "Peter Pan," William Gillette in "Clarice," John Drew in "Inconstant George" and "Jack Straw," and many others.

In 1895 she married Creston Clark, nephew of Edwin Booth, and for many years appeared with her husband in the press of a number of plays from Shakespeare. After the death of Clark in 1910, she returned to Broadway under the management of David Belasco, playing with Blanche Bates in "Nobody's Darling." Later, she joined Viola Allen in "The Palace of the King," and Edward G. Robinson in "Mr. Samuels." Her last engagement was with Helen Hayes in "What Every Woman Knows," after which she retired from the stage.

Surviving are a son, Harry Clark; a grandson, Lynne Clark, and a daughter, Mrs. Bernard F. W. W. Shawnee-on-Delaware, with whom she lived since her retirement.

Private funeral services were held Monday (7) afternoon, with interment in Kensico cemetery, New York.

FLORENCIO PARRAVICINI

Florencio Parravicini, 67, one of South America's most popular stage and film comedians, committed suicide in Buenos Aires March 25 after a long illness.

One of the most colorful personalities in the Latin theatre his career was so unusual that it was once the

AMERICA'S RADIO EDITORS VOTE:

"Fizdale Best Radio P. A."

The Question:
"Which press
agents seem to
you to have the
best service?"

The Answer:
"TOM
FIZDALE
INC."

Billboard's Annual Poll of Radio Editors—who should know—puts Fizdale at the top of the list for radio publicity. Fizdale led on both counts: BEST SERVICE and BEST COVERAGE. We're not going to add anything to this announcement. We'd rather let the jobs we're doing do the talking...

TOM FIZDALE

INCORPORATED

Publicity and Public Relations

485 Madison Avenue, New York

CHICAGO:
360 North Michigan Avenue

HOLLYWOOD:
1509 North Vine Street

SCREEN

RADIO

MUSIC

STAGE

VARIETY

Published Weekly at 154 West 46th Street, New York, N. Y., by Variety, Inc. Annual subscription, \$10. Single copies 25 cents. Entered as second-class matter December 31, 1935, at the Post Office at New York, N. Y., under the act of March 3, 1879. COPYRIGHT, 1941, BY VARIETY, INC. ALL RIGHTS RESERVED

VOL. 142 NO. 6

NEW YORK, WEDNESDAY, APRIL 16, 1941

PRICE 25 CENTS

THE NEW OLD ARMY GAME

Clifford C. Fischer's Pan-American Theatre-Nitery Syndicate for S. A.

By RAY JOSEPHS

Buenos Aires, April 15. Plans for the most ambitious U. S. entertainment setup yet projected for South America were exclusively detailed here by Clifford C. Fischer just before sailing for New York. They include:

No. 1. Construction of a new theatre-restaurant apartment building in Buenos Aires with U. S. and Argentine capital, to cost approximately \$1,000,000.

No. 2. Construction of an amusement park in Rio de Janeiro patterned after Luna and Steeplechase Parks in New York, with U. S. and Brazilian capital and to cost approximately \$2,500,000.

No. 3. Change in construction plans of the Casino at Mar del Plata, top Argentine seashore resort, to permit handling of large U. S. shows.

No. 4. Arrangements to have U. S. shows booked exclusively into the Urca Casino in Rio, the new theatre-restaurant in B. A. and in Mar del Plata and arrangements to have shows later tour to Santiago, Chile; (Continued on page 55)

BOWLING WINS OVER DANCING

Cleveland, April 15.

Bowling craze has regressed so many damaging strikes to the local dance hall biz that Charlie Horvath intends remodeling his Trianon ballroom into a super-bowling emporium this summer.

Once Cleveland's No. 1 hoofery that now puts on rug-cutting sessions only three times weekly, it will be the second dancery here that shifted from live to sports in the last year. Other one was Bedford Glen's ballroom which Evan Day turned into a roller-skating rink.

Size of the Trianon will give it space for twice as many alleys as any bowling stand in town.

CHILDREN FILE PAST LONE RANGER'S BIER

Detroit, April 15.

Paying a last tribute, nearly 1,000 persons daily, over half of them children, passed the bier of Earl W. Grazer, "The Lone Ranger," whose identity had carefully been kept secret during his life, prior to his funeral Thursday (10).

One little irony followed his death in an automobile accident early last Tuesday (8). His station still was pulling out hundreds of requested "Lone Ranger Lucky Coins."

Time's Commie Reel

March of Time is preparing an issue on the Communist party in the United States. It is now gathering footage for it.

Reel will be released in two or three months.

H'WOOD NAMES STRAWHAT MINDED

Flock of Hollywood names have already submitted open time to eastern booking agencies, and are asking for summer stock commitments, specifying vehicles.

Among those who are currently dickering for summer engagements are Stuart Erwin, who wants to appear in "The Male Animal"; Charles Butterworth, for George Washington Slept Here; Eddie Bracken, for "Nervous Wreck" or "June Moon"; Freddie Bartholomew for "Remember the Day."

Francine Lawrence is hinting at a revival of "Let Us Be Gay," in which she starred on Broadway in the original production.

Hats Go Begging, So KSTP Reminds Gals Lid Is Aristocrats' Mark

Minneapolis, April 15.

KSTP did a crackdown the other day on women who don't wear hats. With Easter chapeaux going begging in Twin City stores because of the new fad, Marjorie Ellis McCready, conductor of the station's "Star Journal Women's Page of the Air," set out to do something about it.

Digging far into the record and going back as far as the pre-Christian era, she discovered that hat-wearers, through the years, have been the aristocracy and that those who went bare-headed were merely the peasant people in ancient customs.

(Idea-manager) Edward Bernays has recently had the hatless problem as one of his public attitude problems—Ed.)

BEERY'S 31ST YR. IN PIX

Hollywood, April 15.

Wallace Beery started his 31st year in pictures by Hancocking a new Metro contract. Studio is readying "Barnacle Bill" for him and Shirley Temple.

USE SOLDIERS AS STOOGES

Strippers, Songpluggers, Dance Instructors, Via Press Agents, Trick 'Innocent' Camp Commandants Into Stunts Which Burn Military Officials

GENERAL BAN

From strip-teases who would like to "entertain a soldier for a weekend" to song publishers wanting a new patriotic tune plugged, the U. S. Army is being plagued by press agents. Seemingly every publicity man in the country, whether he represents a soup canner or a stage star, has an idea for coping some space by making a tieup with the current defense urge. War department Public Relations Officers are howling.

Military officials in Washington severely object to soldiers being made the butt of exploitation stunts and have sent out a general notice (Continued on page 20)

MORE 'WHAT'S AILING FILMS'

Hollywood, April 15.

Opinions among members of the Screen Actors Guild, gathered by Dr. Leo Rosten of the Motion Picture Research Project, disclosed, among other things, that actors want propaganda pictures removed, and "too many pictures have trifling plots."

Criticism of stories in which they are asked to perform brought such retorts as "too much gag humor and not enough real humor; great weakness is material and inability to develop writers for this medium. We (Continued on page 52)

Stepin Fe(t)chit Takes A Cut of One Letter; 13 in Name Jinxed Him

Easter Sunday, New York, N. Y.

Editor, VARIETY: In re the story from Minneapolis that I was stranded there and had applied to the police for aid, the story in Minneapolis was afterwards retracted locally by Merle Potter columnist there, and the facts of the story is as following:

An opposition theatre in Minneapolis to the one I was playing there (Continued on page 53)

Some Meetings Held But Radio-Music Settlement Still Not Yet in Sight

Kate's 10th Anni Party

On the night of her April 25 broadcast a big party in honor of Kate Smith is being given at the Hotel Astor, New York, by the Columbia Broadcasting System. This is to mark the 10th year in radio for Miss Smith and her manager-partner, Ted Collins. On May 1 pair enter their 11th year.

Lou Ruppel, CBS' Bill Thomas, Young & Rubicam, and Bill Maloney, of the Collins office, are cooperating in organizing the affair.

NBC BIDDING FOR WORLD'S SERIES

NBC was reported last week as offering to pay \$150,000 for the broadcast rights to the coming fall's World Series games. The bid, it was said, had been made to Judge K. M. Landis, baseball czar.

Amount offered by NBC is \$50,000 more than Gillette Razor and Mutual had committed themselves for when they contracted for last year's series and took an option on the 1941 series. The rights have never brought more than \$100,000.

New Welles Pic Prod. Nixed in Mexico As Gesture to Nazis

Hollywood, April 15.

Rather than endanger its diplomatic relations with Germany, the Mexican government has denied Orson Welles permission to film his next story south of the border. The yarn deals with a Nazi plot in which a young hero from the U.S.A. helps to foil the conspirators from Berlin.

Welles wrote the story in New York while he was producing his stage play, "Native Son," and had sent his business manager, Richard Baer, and his cameraman, Gregg Toland, to Mexico City to arrange details of the shooting. He was to have used Dolores Del Rio as the femme star and Mexican, liners as background.

Now he is figuring means to produce the picture north of the border. Mexican situation complicates Welles' plans with RKO. George Schaefer wants him to produce the Gene Towne-Graham Baker story "How to Meet a Man," but it is not believed that he will consider the job. It is also understood that Warner has asked him to make "The Man Who Came in Dinner."

Despite the meetings that have been held individually with Mutual, CBS and NBC, the American Society of Composers, Authors and Publishers is no nearer to a settlement with the radio industry today (Wednesday) than it was a month ago. The realists within ASCAP feel that perhaps with the exception of Mutual the networks are merely going through the motions of talking about a pact, while at the same time protecting themselves against a sudden agreement between Mutual and ASCAP and any action from Washington on the question of combination in restraint of trade.

Mutual's copyright committee meets in Chicago today (Wednesday) to consider two formulae as submitted by ASCAP, with one formula involving a flat percentage fee on all commercial programs and the other based on a percentage fee for programs using ASCAP music. Slated to attend this Chicago meeting from ASCAP are John G. Payne, general manager, and E. C. Mills, chairman of the administration committee. NBC had a delegation confer with ASCAP yesterday (Tuesday), while a group from Columbia (Continued on page 42)

TEXACO STALLS DUE TO ASCAP

Texaco won't start to consider a summer replacement for the Fred Allen show until the first week of May. It wants to wait to see whether there is a chance of Columbia resuming ASCAP music by the end of that month.

A deal with ASCAP is about to be closed, the account will turn its attention to a musical show, but if such resumption of relations looks too distant it will look around for some other type of program.

VELOZ AND YOLANDA'S DANCE CONCERT TOUR

Chicago, April 15.

Veloz & Yolanda are on their way across country with a concert of dances under the tag of "Dance America." They are carrying two pianists and doing the entire show on their own.

Starting on the Coast, they have already set more than 50 consecutive nights.

In Chicago, where they have played the nitery Empire Room of the Palmer House and the Balaban & Katz vaudeville Chicago, they will this time appear in the concert Orchestra Hall for a stand, starting May 10.

Tour is being arranged by John Stein. On the few dates already played, V. & Y. have been grossing an average of \$9,500 nightly.

Ringing-Barnum, Bailey circus at Madison Square Garden, N. Y., started mildly as to attendance first half of last week, then steadily improved, playing to turnaway business Saturday and Sunday afternoons.

Monday (14) matinee was an indicator that the big top is aimed for a better showing at the Garden this date. Several turnaways were turned away, while the advance sale windows on 49th and 50th streets were swamped. Double lines extended seaward of 50th thoroughfares nearly to Ninth ave.

Hour show at the Mutual, the Canadian National and the Metropolitan, all of which are in the city, will be held at 2 p.m. and 8 p.m. The 2 p.m. show at the Mutual, entitled "Young America Wants to Help," Station WREU, Boston, will record the program and shortwave it to Great Britain and Europe at 1 p.m. same day. Broadcast has been timed to hit British radio audiences in their air raid shelters.

"Young America Wants to Help" will originate at WOR studios, New York, with Chicago and Hollywood cutting in to present Helen Hayes, who will be the featured attraction. The Yale University Glee Club, Mayor LaGuardia will introduce the Youth Orchestra of New York City.

1940-41 PRODUCTION WINDING UP

Product Lineup at a Glance

(Herewith is the complete summary of the 1940-41 achievements of the majors, together with an estimated compilation of pictures completed and already filming for the new 1941-42 season):

	Total Sold	Com- pleted	Re- leased	Filming to Go	Yet to Go	1941-42 Com- pleted	Shooting
COLUMBIA	44	30	20	5	9	1	1
Features	16	10	10	19	39	5	6
Westerns	44	36	30	7	1	1	1
METRO	44	36	30	7	1	1	1
MONOGRAM	26	18	19	7	7	1	1
Features	16	10	20	29	1	1	5
Westerns	45	40	29	2	3	3	6
PARAMOUNT	45	40	29	2	3	3	6
RKO	45	41	26	4	2	1	2
Features	6	52	5	31	4	1	3
Tim Holt	28	28	1	1	1	1	1
REPUBLIC	28	28	1	1	1	1	1
Features	30	58	4	36	1	1	14
Westerns	32	47	34	6	1	1	1
20TH-FOX	22	17	16	1	1	1	1
UNITED ARTISTS	59	50	38	2	7	5	2
UNIVERSAL	50	50	32	6	1	1	6
WARNERS	404	397	314	34	55	11	17
Grand Total	404	397	314	34	55	11	17

Cuban Gov't Sponsors Benefit For Stranded de Basil Ballet

Col. W. de Basil's Original Ballet Russe, stranded in Havana since a strike resulted in cancellation of its scheduled South American tour three weeks ago, is preparing to take its way out next week. Plans are being perfected for a series of five to seven performances under sponsorship of the Cuban government. Proceeds of which will provide coin for return to the United States.

What was back of the strike of 18 members of the company and the resultant abortive end to the tour is lost in a welter of charges and counter-charges flying back and forth between de Basil and Sol Hurok, impresario for the 20-week hegira which was to have ended in mid-August.

American Guild of Musical Artists, which has a pact with de Basil covering wages and working conditions of the dancers within confines of U. S. and Canada, officially de-

(Continued on page 20)

Ed Sullivan Looks To Recoup 'Heat' Coin In 12 Vaude Weeks

"Crazy With the Heat" winds up at the 44th Street, N. Y., Saturday (19), at which time it will have played approximately 11 weeks, a surprising stay in light of the fact that the revue was yanked after playing a week and a half, then relighted when Ed Sullivan, the NBC comedian, and a group took it over. 'Heat', condensed into a vaudeville unit, opens at Loew's State on Broadway, April 24, having been booked for 12 weeks in vaudeville spots.

Business for 'Heat' was considerably affected last week, as was true of most other shows on the list, and operated in the red. Understood the revue had but one show losing week under Sullivan. It's expected that the vaude bookings will more than earn back the money invested by the columnist and associates.

Ed Lenihan, who represented Sullivan with the show, will be manager of the unit, which will be headed by Willie Howard but minus Luella Gear and Tip, Tap and Toe in the variety houses.

GLORIA SWANSON ENDS SEVEN-YEAR FILM FAST

Hollywood, April 15. Gloria Swanson returns to the films after an absence of seven years in a featured role in 'Father Takes a Wife' at RKO.

Picture is directed by Jack Hively and produced by Cliff Reid.

Danielle Darrieux Asks Divorce From Decoin

Cannes, March 15. Danielle Darrieux, the French film actress, has filed suit for divorce against Henri Decoin, the French film director, writer and producer. Decoin would continue as Miss Darrieux's manager.

Film Biz Tops All Others; Raises \$1,000,000 In 9 Mos. for Charities

Hollywood, April 15. Film business led all American industries in charity with a total of \$1,014,450 for the last nine months. It was disclosed in an official statement by Samuel Goldwyn, chairman of the Permanent Charities Committee. In that period the committee has obtained donations of \$440,000 for the Red Cross, \$469,617 for the Community Chest and \$104,833 for Greek War Relief.

Other members of the committee are E. J. Mannix, Y. Frank Freeman, Harry M. Warner, William Goetz, David O. Selznick, Edward Arnold and Leslie Mason.

Greek's \$1,000,000. The Greek War Relief looks to a \$1,000,000 net yield from the Spyros Skouras-chairmaned series of benefits from coast-to-coast, all from show biz sources.

SCREEN GUILD FINALES; IT'S NO GO ON GARBO

Hollywood, April 15. Curtain will be lowered Sunday (20) on the seasonal finale of Gull's Screen Guild Theatre. Melvyn Douglas and Joan Blondell sign off the series with 'Hired Wife'.

Efforts of talent bookers on the show to lure Greta Garbo into a gratis appearance for the Relief Fund proved unavailing when the Swedish star begged off because of mike fright.

Martha Raye's 3d

Hollywood, April 15. Martha Raye, on arrival here yesterday (Monday), said she planned to marry Neal Lang, Florida hotel manager, soon after her divorce from Dave Rose becomes final. Comedienne was married to Buddy Westmore, film makeup man, before her marriage to Rose, music director. She divorced Rose May 17, 1940.

397 OF 484 PIX ALREADY MADE

Virtually All Majors Are Tackling Next Season's Product in Anticipation of Consent Decree's Package-of-5 Selling

SETTING BLOCKS

Hollywood, April 15. Major studios have a total of 484 features promised for release at the start of the current season, have virtually cleaned up their slates of 1940-41 production, and mostly have started on the new season's crop of pictures.

While a few of the lots still have some weeks to go in the matter of filming, a number of the producers have completed their present season's obligations, and are speeding production, due, principally, to a desire to have a good crop of features on hand when the new selling season, the first under the Government consent decree, gets under way.

Of the 484 feature films promised by distributors at the start of the current season, a survey reveals that 361 have been completed, in addition to 36 by Metro. Pictures now before the cameras and in the cutting rooms at Metro will more than provide for the company's minimum season promise of 44 on the current slate. Maximum promised was 52.

Cleanup is in many respects the earliest on record and already the film vaults are commencing to bulge with features for the 1941-42 slate, and with a host of others already in production.

Universal with five of its new season's pictures completed, leads the (Continued on page 25)

12 MORE U PIX FINALE ITS '40-41 SKED

Well ahead of any previous year in its production schedule, Universal has only 12 more films to make to complete its slate of 52 for the 1940-41 season, and four serials for 1940-41. In addition, within a month studio will have four pictures for next season in the cans, plus one of the 1941-42 serials, which is already on the shelf awaiting release.

Production speed-up is part of a general plan at Universal since the present management took over. Prez Nate Blumberg each year has spurred the studio toward getting further ahead on the coming season's program. In addition, U. is anxious to have as many films completed as possible for beginning of the selling season, since it is not subject to the consent decree and may offer its entire lineup in advance.

Of the 12 films to be made to wind up the current season's output, two are due from Frank Lloyd. He has delivered only one of three he is sked for. Four of the 12 to be finished are now in production or preparation.

U's 1940-41 output, will comprise 42 features, including 'The Fugitive', English-made acquired for distribution in this country), three Frank Lloyds, seven Arlen-Devines, seven Johnny Mack Browns and four serials.

Program for next season hasn't been announced yet. It has been learned, however, that there will again be 14 in the action group. Richard Arlen will be dropped from the team and will be replaced by Dick Foran and Leo Carrillo, aided by Arlen's pard, Andy Devine. There will be seven in the group and seven Johnny Mack Browns.

Hearst Papers' Anti-'Citizen Kane' Gripe Takes It Out on Welles-CBS

On Hearst's Station

Milwaukee, April 15. William Randolph Hearst's policy, anent squawks in his New York and Los Angeles papers about the Free Company broadcasts on CBS, seems to be not to let the left hand know what the right hand is doing. Publisher's station here, WISN, a CBS affiliate, has carried all the Free Company broadcasts, including that of Orson Welles, to which there was apparently particular Hearstian objection.

Marx Bros. Call Quits On Pix; Each to Go His Separate Way

By JACK JUNGMEYER

Hollywood, April 15. The Marx Bros. are telling it all around the town how they're through with pictures—no kiddin'.

When they wash up their current chore at Metro, 'Bargain Basement,' they're going to pull out of the flickers and spend the rest of their showmen's days doing what they've been secretly hankering to do for during the past few years. Groucho is going to write a play, first off, and when that's out of his system he's going to sort of fool around with radio writing and speaking. Harpo will stick hand in wekkid and do his stuff across the footlights—serious stuff. Chico wants to wave the baton over a swing band.

These Marxian yams coincide with Metro's disposition to set up a new deal for the comic trio, and their own unwillingness at the moment to make any new picture commitments. They were under contract at Metro to make three, and 'Basement,' currently in work, concludes that deal.

The boys seriously proclaim that they are fed up with films. Groucho, talking with a dead pan, says it's merely a matter of beating the public to the punch—this proposed retirement from the screen. Chico and Harpo shrug concurrence. Ennui hangs heavily on them—and some thing of the same, the Marxes say, hangs upon the public to which they used to appeal with more wam than presently.

Proposed split-up of the brothers (Continued on page 21)

HARRIS, KAUFMAN, PEMBERTON ON MEND

More favorable reports concerning Broadwayites who are ill, were made over the weekend. Sam H. Harris, who was operated on at West Palm Beach last month, is able to walk about and will return to New York some time in May. Harry Kaufman, who was operated on for an internal obstruction, reported much improved at the New York hospital.

Harry Fleischman, general manager for Gilbert Miller, is under treatment for a skin irritation at the Medical Arts Hospital, N. Y. It is the second time he has been hospitalized for the same complaint. Victor Mature, forced out of 'Lady in the Dark,' Alvin, underwent an appendectomy at Doctors Hospital last week, his condition being satisfactory. He was replaced by Edward Trevor.

Brock Pemberton, who was treated at home for incipient pneumonia, is due back in his office this week. Dixie French, general manager for John Golden, is back on the job after taking injections for a glandular complaint.

With RKO committed to release Orson Welles' 'Citizen Kane' despite the squawks of William Randolph Hearst's exes, Hearst papers from coast to coast put the vendetta on the 25-year-old producer this week. They cleaned up American Legion officials to call Welles 'Red' and 'Un-American.'

Not to make the campaign too obviously Welles-baiting, it was cloaked behind a general hue and cry by the Legionnaires that the Columbia Broadcasting System and the Free Company, writer-actor group of which Welles is a member, are co-conspirators. Welles did a show on the Free Company's weekly CBS period April 6, labeled 'His Honor, the Mayor,' which the Legion termed 'particularly subversive.'

Whether by coincidence or not, Kenneth Hunter, reporter Hearst's N. Y. Journal-American, is also publicity chief for the Legion. He denied yesterday (Tuesday) playing any part in an indirect part in the J-A stories Monday and yesterday casting the Legion officials in roles of Hearst stooges. Jerry Karp, J-A managing editor, denied knowledge of Hunter's dual job-holding, but both Hunter and the Legion readily admitted it.

Hunter declared that any undue emphasis placed on Welles (he's mentioned before either the Free Company or CBS in the J-A stories), was entirely the Journal-American's (Continued on page 52)

LEDERER WITH CANOVA IN 'PUDDIN' HEAD'

Hollywood, April 15. Francis Lederer is hooked up with Judy Canova in Republic's high-budget picture, 'Puddin' Head.' Film is slated as one of next year's big money productions, with an appropriation of \$750,000.

Filming starts April 21, with Joe Santley directing. Albert J. Cohen producing and Slim Summerville, Alma Kruger and Eddie Foy, Jr., in featured spots.

Trade Mark Registered
FOUNDED 1905
Published Weekly by VARIETY, Inc.
80 Silverman, President
154 West 47th Street, New York, N. Y.

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

Vol. 142 No. 6

INDEX

Bills.....48
Chatter.....53
Exploitation.....13
Film Booking Chart.....18
Film Reviews.....15
Forum.....55
House Reviews.....46
Inside—Legit.....50
Inside—Theatras.....41
Inside—Reviews.....43
Inside—Pictures.....20
Inside—Radio.....35
International News.....15
Literati.....52
Legitimate.....49
Music.....42
New Acts.....47
Night Clubs.....44
Night Club Reviews.....47
Obituary.....54
Orchestras.....38
Pictures.....4
Radio.....26
Radio Markets.....26
Radio Reviews.....32
Vaudeville.....44

VARIETY RADIO DIRECTORY
(Published in N. Y. annually)
DAILY VARIETY
(Published in Hollywood by Daily Variety, Inc.)
\$10 a year—\$12 foreign

'Would Joe Schenck Deliberately Defraud His Gov't?—That's the Main Issue Says Corbin in His Summation'

By EDWARD SMITH

Declaring that the entire issue of what kind of man is Joseph Schenck—a fraud and cheat as the Government would have you believe, or a financially astute citizen?—defense counsel Harold H. Corbin yesterday (Tuesday) threw all his forces into the ninth inning of his summation before the jury. The Joseph M. Schenck case, Joseph H. Moskowitz tax trial, Corbin went down the line, taking up every charge brought forth by the Government, now in a whisper, then in a modulated tone, finally thundering forth the issue of U. S. charges of "deliberate conspiracy to defraud and cheat the Government." [Government charges tax evasion of \$412,000 on Schenck's \$2,000,000 income for the years 1935, 1936 and 1937.]

In the beginning, the attorney pointed out that if what he said does not jibe with the evidence, the court's charges the jury to ignore it. "You are in a responsible position," he said softly, "to decide whether my clients are honest men and decent citizens, or frauds and cheats." Judge Grover Moskowitz is presiding in the N. Y. federal court. Corbin pointed out that the burden of the proof was on the Government, and that it must prove a man guilty beyond a reasonable doubt before a conviction may follow. He declared that a defendant does not have to take the stand in his own defense, and raising his voice to a shout, he warned the jury that it cannot even think "why did this man not take the stand?" By so doing, Corbin warned, the jury would be violating the Constitutional rights of Schenck. Then the attorney pointed out the difference between a man and a dictator, declaring that only here and in England can a man be judged without prejudices by his fellow man, and not influenced by the charges of the state.

"Correa [U. S. prosecuting attorney Mathias H. Correa] said what kind of a man is Schenck, and what kind of a man is Moskowitz? You heard from others what kind of a man or what kind of men they are," he urged Correa at the close of his case, "and you are going to find one man from coast to coast who could say one word against either of them. His he brought anyone in to say anything? No."

Reviews Chaplin Testimony
The attorney reviewed the testimony of Charlie Chaplin, and reminded the jury of the actor-producer's statements that Schenck was a "man we respected and trusted." The testimony of Phil Gillingham, Chief Justice of the Supreme Court of California, who has an elective office for life, and is not influenced by anything, would he testify for a crook and a cheat?

Will Hays, Dr. Attilio H. Giannini and James A. Farley were also discussed, and the attorney then demanded of the jury: "Is it in their witness, all prominent people, to close their eyes to facts? They knew and know Schenck. Would they all lie about him? The court will tell you that on the testimony of character witnesses alone you could throw out all evidence and decide a man cannot be a fraud and a cheat. I'm not asking you to do this, but consider that they are telling you that they know Joe Schenck, and he can be trusted."

Corbin then followed suit. Moskowitz, reviewing the statements of Irving Berlin, the composer, Gen. Fowler, Capt. Dennis F. O'Brien and Martin Guitley.

"A man who works for 20 years with others building up a reputation for honesty and integrity, and then discards it overnight, I won't believe that these men could become frauds and cheats in one year after 20 years and more of outstanding citizenship."

"Has the Government pictured Joe Schenck in his true light to you? I think not. Take a look at the board of directors of his company, or its personnel, at its production plant. Schenck could not have been the builder of this company and of this industry if he did not have something. He is a great business man and a great organizer. The whole nation knows that."

"He wouldn't even stoop to be a crook."

(Continued on page 23)

One Full Career

Hollywood, April 15. Edward Sedgwick celebrated his 28th year in the film business by signing a director contract with Metro.

He was formerly a director on the same lot.

Schenck's Request

Postpones 20th-Fox Meeting 'Til May 15

Annual stockholders' meeting of 20th-Fox yesterday (Tuesday) was postponed until May 15 by a majority of shareholders present or by proxy. Session was ready to get under way when Sidney R. Kent, acting as chairman of the meeting, offered a motion to adjourn until the May date when it was stated that Joseph M. Schenck wanted his matter settled before voting on new directors. Schenck was one of the 12 directors nominated to come up for election yesterday. Others present held the same view.

While not mentioned specifically, it was obvious that his matter referred to Schenck's present trial by the Government for alleged income tax evasion. Only one dissenting voice was raised at the sudden adjournment until later. Minor stockholder asked why the postponement but failed to outline his grievances because the session was adjourned almost as soon as it had been called to order.

Voting tellers revealed that a total of 1,012,694 shares of common (42,883 represented in person at the meeting) and 802,251 shares of preferred (only 10 in person) were represented at yesterday's session, or more than a majority and also more than a quorum.

METRO'S 'BILLY' BEATS HUGHES' TO THE TAPE

Hollywood, April 15. Metro is lending Howard Hughes by a couple of lengths as they gallop down the stretch in the filming of the outlay career of the kid, "The Kid." Out Culver City way they have not only corrupted the title, "Billy the Kid," but are ready to release the picture June 6.

The Hughes version, titled "The Outlaw," is dealing with the same kid, is still in the editing stage and is practically left at the post. The Culver City entry is taking advantage of its early start with a heavy order for Technicolor prints.

Robert Taylor hops from one mustang to another after climbing out of the "Billy the Kid" saddle. Next ride is in "The Sign of the Cross" and "Cowboy," story by Will James, artist and scribe, who has checked into Metro to help with the material.

Stanwyck's 3 for Col.

Hollywood, April 15. Columbia has signed Barbara Stanwyck to a three-year contract calling for no pictures annually.

First Stanwyck production scheduled is "Doctor's Husband." Henry Fonda slated to play opposite.

HOLLYWOODIANS MOVE TO FT. MONMOUTH, N.J.

Fort Monmouth, N. J., April 15. U. S. Signal Corps Training Film unit here is fast taking on a Hollywood complexion. Arrival of four more draftsmen from the Coast last week, including Jason H. Bernie, son of band leader Ben Bernie, makes a contingent of 14 here from major studios. Most of them are film cutters.

Newcomers include Aubie Shaff, who last served as a cutter on the "Dr. Christian" series for the Stephens-Lang unit, and EKO, Frank Coen, who wrote the original, "Royal Mail," recently sold to Columbia, and Harry Redmond, special effects man at Warner Bros. Young Bernie was an assistant cutter at Universal.

Previous arrivals were Lee T. Sholem, assistant director at Paramount; Mel Grau, assistant for Walt Disney; Marshall Neilan, Jr., cutter for Metro; Harry Sawyer, cutter for Paramount News; William Bloom, of Columbia scenario department; Ed Selwyn, cutter for Pete Smith; and William H. Reynolds, cutter for Walter Wanger and Paramount.

Three new recruits, one documentary cameraman recently called to service are also in the Signal Corps. They are Irving Smith, who was the Universal lenser in Boston; Lieut. Arthur Gaskill, News of the Day rep in Boston, and Major James B. Buchanan, Par lenser in Atlanta. Former documentary shooter is Robert Churchill.

PROBABLY ONE NAT'L 20TH CONV.

There probably will be only one large sales convention for 20th-Fox this year, scheduled at several regional, and it likely will be held in Chicago, Sidney R. Kent, president, stated yesterday (Tuesday). He returned this week from Florida, where he had been for about two weeks attempting to recover from an attack of pleurisy.

Kent said that decision of the 20th-Fox convention and site undoubtedly will be made at a conference of company officials on the Coast next month. He plans going to Hollywood shortly after the adjourned annual stockholders' meeting is held May 15. He expressed no hint as to the number of features 20th-Fox plans for the 1941-42 program other than that it would be gauged by the available funds.

CLEAR HARRY HARRIS OF DRUNKEN DRIVING

Pittsburgh, April 15. Jury in criminal court acquitted Harry Harris, of theatre-owning family of same name, on charges of drunken driving here last week. Harris testified that what seemed like drunkenness to officers who arrested him couple of months ago was dizziness from anesthesia administered by a dentist who had pulled two teeth for him short time before that.

Dr. Albert I. Wise, well-known Pittsburgh dentist, corroborated Harris' testimony.

Harris, brother of John H. Harris, national head of Variety Clubs, is former husband of Jane Thurston, late Howard Thurston's daughter. They were divorced several years ago.

'Wallowing in Wealth' Hollywood Crack Keynotes New Wisc. Tax Bill

A Hunk of Title

Tough for exhibitors with short marquee films title to which Warner Bros. last week staked a claim.

It's "The Strange Love Tragedy of the Rich Widow of Devil's Isle."—Story by Nicol Smith.

Prinz to Direct-Prod.

50-Minute Musicals For Hal Roach (UA)

Hollywood, April 15. Hal Roach signed LeRoy Prinz to produce and direct a series of streamlined musicals in keeping with his plan to release 50-minute features to take the place of the second half of dual programs.

Dance director, at Paramount for 12 years, checks in at the Roach studio when he finishes work on his present job, "Aloma of the South Seas."

Compromise Deal

Hal Roach and United Artists have come to a compromise agreement on terms to turn out what he terms "streamlined features" for next season. Instead of the four-reelers or thereabouts, which Roach was planning, the films will run closer to five and one-half reels, or around 50 minutes. And instead of the 20 subjects the producer wanted to make, he'll turn out only five.

Response to the five-pix may bring UA around to agreeing to Roach's original plan or may end the idea altogether, the group of films being frankly experimental. Producer started active preparation on them Monday (14). First two will be "Niagara Falls," which Roach originally announced as one of his full-length productions for 1940-41, and "Rancho a Million," which he had mentioned as a possibility for another full-length for this season.

Added to the Roach staff have been Paul Gerard Smith, who'll produce a story unit, and two Moffatt and Eugene Conrad, writers.

KANE DETAILS 20TH'S ENGLISH PIX SCHEDULE

Twentieth Century-Fox will make three pictures in England this year at a cost of \$500,000 each to cover production requirements, Robert F. Kane, former head of the 20th-Fox English company stated in N. Y., prior to returning to California. Kane was questioned after his testimony on behalf of Joseph M. Schenck in the Federal court.

The three pictures will be "Pitt the Younger," with Robert Donat; "The Next Best Thing," with Spitfire; Maurice Ostling will supervise production, and Edward Black will be production manager.

Kane's own production schedule in Hollywood calls for five pictures these being "Blood and Sand," with Donat; "My Gal Sal," with Alice Faye; "Law and Order, Inc.," with Faye; and "Man From Brazil."

Gabin to Make U.S. Film Bow in Robertson Story

Hollywood, April 15. Jean Gabin, French screen star, is about to make his American debut in "Moonlight," a psychological tale of people who live by bait fishing. William Robertson, veteran film player, wrote "Moonlight," which has been on recent best-seller lists. Robertson may also play in the 20th-Fox pic.

John O'Hara is doing the screenplay for Mark Hellinger's production. Film rights were bought for \$11,000.

Thornton Ex-Small

Hollywood, April 15. C. W. Thornton, executive business manager for Edward Small Productions the past three years, has resigned.

He was formerly treasurer General Service Studios for ERPL.

Madison, April 15.

Repercussions of the Government's tax evasion charges against Joseph M. Schenck were heard in Wisconsin's legislative halls here Thursday (10) when State Senator Anthony Gawronski, of Milwaukee, declared that picture producers were "fairly wallowing in wealth, and could easily pay additional taxes without even noticing it." Gawronski was speaking for the imposition of a 50c per reel tax on all short picture films, as proposed in a bill sponsored by State Senator Taylor Brown, of Oshkosh, and which theatre men from all parts of the state were present to oppose.

"When these picture producers can own million dollar yachts, play poker for thousands of dollars in Wisconsin, toss \$500 bouquets, such profusion that they can't remember who they sent them to," said the Milwaukee legislator, "they can easily afford to pay this little tax of 50c on the salaries these picture men are getting, the fabulous salaries they pay to actors, the way they spend money like water. Don't tell me they are unable to pay the slight fee proposed in the Brown bill."

Brown, too, told the hearing his plan would hit an industry well fortified with cash.

"It will raise at least \$100,000 a year for Wisconsin," he said, "and will be no hardship on the theatres because it will be taken out of the wealthy syndicates that can well afford to pay."

Would Hit Exhibits

L. S. Abrams, legal counsel for the Fox Wisconsin unit, who produced exhibitor contracts as a reply, citing the clause that says the exhibitor agrees to make good to the distributor any tax placed on the business.

The charge that exhibitors would be 24 cents for each program, said Abrams, "for which some pay \$10 or \$15, and this bill will increase the cost 50%." This bill does not reach the alleged source of wealth at all, he said, but it puts the theatres out of business, if passed.

F. J. McWilliams, who operates two theatres in Portage, said the proposed bill would cost him \$1,875 a year, and that houses in the northwest part of the state could escape the tax by buying in Minneapolis, while those in the southern part could accomplish the same purpose by buying in Chicago. Thus the proposed tax would be discriminatory, and would probably wreck some of the Milwaukee exchanges.

"Who gets the money in the picture business," asked Senator Young, of Milwaukee.

"The producers," replied McWilliams.

Steven Thomas, head of the state protectionist and stagehand unions, also spoke against the tax, as did Paul Langenheirich and other Milwaukeeans, including A. D. Kvoil, of the Warner-Saxe chain; Harry Perle, business manager of the Independent Theatre Owners' Protective Association of Wisconsin and Upper Michigan; Herman Seide, Wisconsin State Federation of Labor and Marshall Friedrich, Milwaukee Federated Trades Council.

Senate took the whole real tax matter under advisement, but some exhibits regard the outlook pessimistically as the senate committee handling it is headed by Senator Milton J. Murray, of Milwaukee, who sponsored the fight hard for the daylight saving bill, which the theatre interests opposed strenuously and defeated.

PAYNE GETS TOP SPOT OPPOSITE COLBERT

Hollywood, April 15. John Payne draws the top male spot in "Remember the Day" at 20th-Fox, playing opposite Claudette Colbert, who has been borrowed from Paramount.

Show starts when actor finishes his current job in "Sun Valley."

JACKMAN HEADS LENSERS

Hollywood, April 15. Fred Jackman was elected president of the American Society of Cinematographers. Other officers: Arthur Edson, George F. Fox, Len Smith, v.p.s.; A. L. Gilks, secretary; treasurer.

Other News Pertaining to Pictures

Argentine production.....	Page 15
French film-making.....	Page 15
Radio Reviews: 'Hollywood Showcases' Eddie Cantor, Fred Allen, Lionel Stander, Henry Hill.....	Page 32
AGVA.....	Page 45
'Tink' Humphries dies.....	Page 45
Broadway b.o. upbeat.....	Page 49

\$2,300,000 FROM AUSSIE

Nathanson's Increasing Wartime Duties May Cause Him to Bow Out of Famous Players-Canadian

Possibility is that N. L. Nathanson, head of Famous Players-Canadian Corp., operating partner for Paramount theatres in Canada, may relinquish his post due to increasing activity in connection with British-Canadian war services. Nathanson, as vice-chairman of the Canadian Broadcasting Corp., also acts as financial adviser for the government's radio net.

Whether Nathanson will find it essential to give up Par theatre operation for duration in order to devote most of his time to various war services, is not yet definite. It is understood, however, that renewal of operating agreement with Paramount, which comes up in July, is by no means a certainty.

Discussions on new contract are reported under way and anything can happen. With the war question, uppermost at the present time in Canada, however, Nathanson may decide to limit himself to operation of his own exchanges in Canada. He also has various theatre interests of his own in the Dominion, not associated with Paramount.

Runners that the Low-Metro crowd was putting out feelers to Nathanson are pretty well discounted. Neither is there any likelihood that Nathanson will become actively associated with new theatre circuit recently set up with son, Paul, as head.

Par Attorney's Visit
Austin Keough, returning to Toronto last week but presumably pending contract negotiations were not discussed since Nathanson was in Ottawa at that time.

Question of Nathanson's continuing as Paramount operating head in Canada is not closed at yet. Problems which have reportedly arisen may be ironed out prior to termination of current contract in July. Paramount chain in Canada embraces approximately 175 theatres with about 75 more linked by partnership-operators. Though Paramount has controlling interest in common stock, much of the common is held in Canada in addition to \$5,500,000 in bonds.

Single Control
Ottawa, April 15. British authorities will shortly set up single distributing film control agency in Canada to handle government documentary and full length films. English films have heretofore been distributed through various exchanges on individual deals. More extensive plans, leading to coordination of production and distribution of all films in England under single control, are also reported under discussion.

N. L. Nathanson, head of Famous Players-Canadian Corp., has been mentioned as likely to take charge of distribution on this continent. He also works closely with British coordinator on production and distribution of all films if move toward centralization of industry in England for the duration of the war is carried out.

MARINE CORPS DUTIES HALT ROOSEVELT PROD.

Hollywood, April 15. Capt. James Roosevelt's service in the Marine Corps prevents him from producing a picture, personally, for the United Artists program of 1941-42. He will be represented in one film in which Boris Morros is associated with Alfred Hitchcock, as producer-director. Deal, which is practically closed, involves the novel, "Turn of Mind," in New York. Morros states this is a very remote likelihood.

In case Roosevelt is free from Marine service before the end of 1941, he will deliver another picture to the UA program.

Sensitive—Very

Hollywood, April 15. Many Hollywood readers of Time magazine ordered their subscriptions canceled as concrete evidence of resentment to publication of Hitler's blitz on front cover in the current issue. Criticism of choice for the cover was heard in all studios.

(Time mag made clear its reason for the Nazi man's reason.—Ed.)

Aid for Good Will Plan Urged in Buenos Aires As Boon to Local Films

Buenos Aires, April 15. Move to form Argentine film committee, to cooperate with the Nelson Rockefeller group using pictorial development of inter-American goodwill, is now being studied here. Local trade press, headed by bi-monthly Cine-Prensa, is urging local producers to take advantage of formation of Hollywood and New York groups not only to further Pan-American relations but to extend the market for Buenos Aires-made films.

Producers here are being urged to get together and establish a definite program using U. S. technical and material help. It's pointed out that such a move would not only improve local production but improve distribution chances of Argentine films in view of the cooperation which the Rockefeller group has already secured from U. S. makers.

Chances of formation of organization not considered extremely good by many observers who feel producers here need someone from outside to stir them up before stepping into such a plan. Local producers organizations have so far made no move toward acceptance of editorial and other suggestions, and individual producers, while expressing interest, have been inclined to pass the do-something buck. Possibly, one or another of the trade papers may help set up a cooperative group as a promotion stunt.

F. P.-CANADIAN'S NET PROFIT, \$1,012,270

Montreal, April 15. Statement just issued by Famous Players-Canadian Corp. for 1940 shows net profits of \$1,012,270 and after all deductions equal to \$2.35 per share on common stock. This compares with \$686,728 or \$2.09 per share outstanding in 1939. Shares totalled 430,724 in 1940 and 424,524 in 1939. Net profit for 1940 was the highest for any year since 1930.

Revenue from operations increased to \$2,624,346 during the year from \$2,145,258. Other profits were added bringing the gross revenue to \$2,834,040 compared with \$2,208,369. Taxes were \$592,500 against \$237,647 in 1939.

Consolidated balance sheet shows current assets of \$2,805,368 and current liabilities of \$957,389 leaving working capital of \$1,847,979 compared with \$1,753,978 the previous year-end.

Humberstone Draws New 5-Yr. Pact at 20th-Fox

Hollywood, April 15. As result of his direction of "Tall, Dark and Handsome," H. Bruce Humberstone drew a five-year contract as pilot at 20th-Fox. Currently he is busy on "Sun Valley," starring Sonja Henie.

PIC PACT CALLS FOR 800G LESS

Curtailed Remittance by American Companies for Fiscal 1941-42 Year Is a Compromise Over Even Lesser Figure Originally Proposed—Yanks Had Asked for at Least \$2,500,000

SETUP IRKSOME

The Australian government has notified the eight U. S. major distributors that it will allow them to remit only \$2,300,000 to the U. S. in the fiscal year ending March 1, 1942, or \$800,000 less than in the original 12-month frozen coin pact with the Aussies. The \$3,100,000 which the Aussies permitted American film companies to withdraw from Australia in the year ended last month was figured as being half of the profit earned by U. S. distributors in a recent average year.

Australia's government, in sending word of this decision, ruled that allocations would be worked out among the eight companies as was done in the first frozen coin pact.

The American distributors were seeking as close to the old figure as possible and had been asking at least \$2,500,000 when it appeared that the Australians sought to emulate Great Britain, which also trimmed the re-

(Continued on page 55)

EVERYTHING UP BUT FILM BIZ IN ATLANTA

Atlanta, April 15. This burg, known as Gate City of the Southeast, is definitely booming. Nearby Fort McPherson is swarming with troops, huge naval aviation training center has been completed and personnel is pouring in. Site of World War I's old Camp Gordon now boasts a tremendous military hospital. Factories are working overtime. Stores are crowded and all lines of biz—except motion pictures—are prospering.

Why the pic theatres are not cashing in has been a puzzle. Lee Rogers, motion pic ed of Atlanta Constitution, may have hit the nail on the head in his column of last Sunday (13). Here's what he had to say, in part: "J. Nelson Kelly had been a pretty good provider during those depression years. Always he had managed to save out enough each week to take Nancy to a picture show. 'But,' he says, 'he comes home more jubilant than formerly. There is more money in his pocket. Times are better and he wants to do something for Nancy, who has been a pretty good sport through the hard times herself.'"

"Get out that evening dress, darling," he shouts joyously on coming home. "We are going dining and dancing tonight!"

BURT KELLY RESIGNS AS PRODUCER AT U

Hollywood, April 15. Burt Kelly has ended a three-year producer tenure at Universal, resigning to make another studio connection. Kelly turned out a dozen pictures at Universal. He was previously with RKO and Republic.

U. S. Foreign Film Revenue Off 56% From Year Ago Despite Advance In Some Markets; 58.5% Since War

Now Go to Work

Hollywood, April 15. Old Man Los Angeles River, usually a dry gulch, climbed up to Republic's back door and was used for the first time in the studio's history as a background for scenes in "Jungle Girl". Season's rainfall in the valley is 59.31 inches, the highest in 50 years.

Judge Davis, Kaufman Plead 'Not Guilty' In Wm. Fox Bribery Case

Philadelphia, April 15. Judge J. Warren Davis, retired member of the U. S. Circuit Court of Appeals, yesterday (Mon.) pleaded not guilty to the charges that he had rendered decisions in favor of William Fox, ex-film magnate, in return for a bribe. Morgan S. Kaufman, Fox's former lawyer, also pleaded not guilty to conspiracy in the adjudication of bankruptcy proceedings in Fox's \$6,000,000 All-Continent Corp. Fox has already pleaded guilty.

Date for the trial of Judge Davis and Kaufman was set for May 19 by U. S. District Judge Robert N. Pollard of the Eastern Virginia District Judge Pollard was assigned to the case by Chief Supreme Court Justice Charles E. Hughes when local Federal judges asked they be relieved from trying the case because of their close association with Judge Davis.

The government claims that Fox gave Judge Davis \$12,500 and Kaufman gave the jurist an additional unstated amount in return for passing favorably on cases appealed to Judge Davis' court.

HAMMOND MOVES UP AS PRODUCER AT 20TH

Hollywood, April 15. Len Hammond, former assistant to Kenneth Macgowan, has been upped to associate producer on three pictures at 20th-Fox. Films are "Mr. Hunt," "Belle Starr" and "The Golden Touch."

Kline an M-G Director

Hollywood, April 15. Metro handed a director contract to Herbert Kline, who piloted John Steinbeck's tale of Mexican life, "The Forgotten Village."

Kline has produced several feature-length documentary films, including "Lights Out in Europe," "Return to Life" and "Crisis."

'Village' Distrib Deal

"Forgotten Village" has been packed for world distribution by Arthur Mayer and Joe Burstyn in a deal with Pan-American Film. Narration by Burgess Meredith was done in Hollywood.

Mayer & Burstyn seeking a Broadway theatre to open the picture early in May to coincide with the publication of John Steinbeck's book of the same title, which is described as a narrative adventure.

Despite considerable increases in revenue in lesser markets such as China, the Philippines and Cuba, U. S. film companies are obtaining about 56% less revenue from foreign markets than a year ago. Even a 10-20% upbeat in the smaller territories, representing 1% or less of foreign total, isn't considered sufficient to compensate for losses elsewhere.

Compared with business just before the Germans marched into Czechoslovakia, distributors are receiving about 58.5% less in N.Y. from foreign distribution. Even 10% improvement in Latin America, as indicated by some companies, represents about 1% pickup in foreign total.

In the really great foreign territories of Great Britain, Australia and elsewhere in the British Empire, frozen coin pacts and other restrictions have cut deeply into American distributor profits remitted to this country. This money ultimately may be forthcoming to American distributors, but just now it represents a 66 2/3% dent in realizable profits in the two markets. Aside from Great Britain and Australia, the latter are about two-thirds of profits are presently frozen), foreign distribution revenue is 16.9% lower than at this time in 1940.

Following are the markets lost since Hitler began his Scandinavian invasion and percentage of foreign revenue they represent: Norway, 8%; Rumania, 9%; France and possessions, 10%; Hungary, 6%; Belgium, 2.8%; Holland, 1.9%; Yugoslavia, 4%; Greece, 5%; and Germany, 1%. Total, 16.9%.

Lost the previous year: Czechoslovakia, 1.6%; Poland, 9%. Total, 2.5%. (Finland was temporarily lost during war with Russia, but shipments now are going forward on limited scale.)

Previously, U. S. distributors lost Italy's market, representing about 2.3% of foreign revenue, Japan, with its current business about 1.6%, represents a complete loss because not a cent is being remitted to U. S. In addition to losses sustained in Great Britain because of coin freezing, U. S. film distributors are obtaining less from India on account of restrictions on number of films distributed.

ATLAS' (ODLUM) RKO INFLUENCE VIA STOCK

Further indication that Atlas Corp. (Floyd Odlum) is going to have more and more influence in the affairs of Radio-Keith-Orpheum Corp. purchase of 17,631 shares of that corporation's common stock, revealed in Securities & Exchange Commission official tabulation of stock deals in February. The figures show 17,631 shares of RKO common or more than a fourth of the 2,753,053 shares outstanding on Jan. 1 this year.

This admittedly heavy interest by one group in RKO, plus the pending option deal for Mike Meehan shares of K-A-O preferred, further enhances Odlum's position with the parent corporation and the theatre section of the RKO setup. Atlas obtained about 9,000 K-A-O shares held by Meehan about three months ago with the option, expiring in 120 days for the remainder of the 26,000 shares total held by the Meehan interests.

If Atlas Corp. picks up all of the 26,000 K-A-O preferred from the Meehan group in the next 30 days, it will hold around one-third of all shares outstanding. This in effect would provide Odlum with sufficient control to practically dominate operations of the theatre subsid unless RKO later is able to make a deal bringing these shares back into the company treasury. Even if this is

(Continued on page 64)

Consent Seems to Influence Exhibs Settling Their Own Tiffs Privately

In order to avoid costs of arbitration, ill will and the gamble on an award that might be less desirable than it had been arranged privately, many exhibitors will get together and iron-out oppositional disputes among themselves. It is predicted in court decree circles that this is indicated, while on the other side of the fence, the distributors, a "give-and-take" policy is asserting itself. The distributors are trying to be anything but tough, and in some cases readily admit that existing clearance is not what it should be. Some runs are also being quickly granted.

During the past week, distributors learned of a case in the Midwest where two exhibs in opposition to each other sat down to privately compromise on the terms of the clearance, thus obviating the necessity of one or the other going to arbitration. Result was that no complaint will be filed.

It will be exhibs may settle their own oppositional disputes, thereby at the same time developing better goodwill, it is pointed out by a distributor that, where clearances on other matters—importantly involved from a revenue viewpoint, they may not be agreeable to certain suggested changes.

If an exhib, in other words, is willing to drastically reduce clearance on a distributor's pictures in favor of subsequent runs, the distributor's company's bookkeeping rental difference created might effect the situation to such an extent that arbitration could not be given. The same revenue may not figure in any appreciable extent.

However, it is noted in distribution circles, if one exhib is getting 21 days clearance, for instance, and is willing to cut it to 14, the question of revenue may not figure in any appreciable extent.

Being desirous of maintaining peace in the industry and with a view to establishing better goodwill, exhibs are inclining to a policy of quickly granting various requests made by their accounts. This recently has included numerous number of cases already brought to arbitration complaints found distributors granting concessions as soon as within 24 hours. In a representative number of cases already brought to arbitration, mostly on some run, complaints have been withdrawn after distributors voluntarily have agreed to give the exhib what he wanted.

2 Clearances, 5 'Some'

Run' Squawks Settled

According to records of the American Arbitration Assn., so far seven cases have been settled on which exhibs have actually filed arbitration complaints. Of these five were for some run and two dealt with clearance. Another case, brought under the provisions of the consent decree, which forbids ungranted withholding of principle in Denver, may be settled, it is reported.

Settlements so far, prior to hearing, have been made on the following cases: one in New York, Boston, Buffalo, Dallas and Washington. In one of the Denver cases, brought against Metro for some run, the complaint was withdrawn quickly after the distributor agreed to some run. Metro seemingly has been more disposed to avoid hearings through settlement than other distributors although Metro has been that all are indicating a strong tendency toward attempting to reach a compromise on complaints before arbitrators hear cases and make awards.

In the first case coming up for hearing before the New York tribunal, it was the two exhibs complaint who took the first step toward an agreement or settlement and, after agreeing to a compromise on days, avoided a hearing after obtaining consent of the five arbitrators under the decree. This was the case of the Regent, Brooklyn, over which the Apollo had a seven-days' clearance. No hearing was necessary as a result.

One case deciding for the exhib, brought by a Nathan N. Hume, against all of the Big Five, was heard without opposition in the Boston tribunal when representatives of the consent decree distributors attended the hearing and immediately offered some run to the exhib.

Ellis-20th Settle

Philadelphia, April 15. The case of Martin Ellis, operator of the Towers, Camden, N. J., against 20th Century-Fox has been settled out of court, it was announced here yesterday. The suit in which Ellis accused the distributors of breach of contract was sketched to be tried yesterday (Mon.) in Common Pleas Court. Terms of the settlement were not disclosed.

Ellis alleged that Edgar Moss, local exchange manager for 20th had made a verbal agreement to supply him with product but that the agreement was voided by the home office. The invalidation of the contract had caused "immeasurable loss" to the value of his property and investment, Ellis said.

Gillman Settles With 20th

Minneapolis, April 15. Filing of a compromise by Dave Gillman for his dime double feature, lower loop house, the Gayety, renamed the Floyd B. Olson, against 20th-Fox, asking for some run of picture has followed by the settlement of the differences before the case came to trial. This was revealed when Gillman withdrew the complaint and announced he had made a satisfactory deal for Fox pictures.

He still has a complaint on file with Arbitration, however, against Paramount, charging that company with refusing to sell him films at a fair rental and with making unreasonable demands in the booking of such pictures.

P-T and Women's Clubs Step in to Oppose NW Aked's Anti-Decree Law

Minneapolis, April 15. With opposition from three important outside groups making an 11th hour surprise appearance, Northwest Alliance and consent decree bill may not have the same anticipated easy sailing in the Minnesota state senate that it has in the lower house. It is scheduled to reach the senate floor for a vote this week.

The last-minute opposition emanates from the Minneapolis Parents-Teachers' Association, the Fifth Federation of Women's Clubs and the Federal Motion Picture Council which have been opposed to blocking and blocking the bill.

Four film companies—Metro, Warner, Fox and United Artists—have been opposing the measure which contravenes the decree's selling plan by requiring distributors to offer their entire season's product for sale, the same as at present, and which also compels them to allow a minimum of 20% cancellation and to refrain from forced selling of any films. Despite their fight, however, the bill will come to the senate with a favorable committee report.

If the bill passes the senate and is signed by the governor, thus becoming a law, the film companies have indicated that they will contest its constitutionality and battle it in the courts, carrying the issue to the U. S. supreme court, they say. They insist it is impractical to set up a separate sales' policy for Minnesota and that the decree, having been approved by the Government, should be given a fair trial.

She Knew It Well

Hollywood, April 15. RKO assigned Lewis Milestone to direct "Joan of Paris," the second starring for Michele Morgan, recently imported from France.

Picture follows Miss Morgan's Hollywood debut, "Joan of Paris," which rolls May 1, with David Hempstead producing and Robert Stevenson directing.

—Into the Celluloid

Hollywood, April 15. "Out of the Frying Pan," Broadway play bought by Paramount, has been turned over to Edward H. Griffith for direction.

Paul Jones is producer under the general supervision of B. G. DeSylva. Author of the play, Francis Swann, is doing the screen script.

Forrester's 'Tolly' May Be His First H'wood Pic

Hollywood, April 15. Jack Forrester, former film producer in France who recently set up his own outfit here, has taken an option on Louis Bromfield's "McLeod's Tolly."

If deal is concluded it would be the first picture to be made here by Forrester.

Arbitrator Sees 'Defect' In the Decree

Minneapolis, April 15. What may prove to be a grave defect of the consent decree is the fact that, due to the restrictions placed upon the arbitrator in his decisions, one case may give rise to another, thus, until the complaining exhibitor is able to obtain relief.

This was the declaration of A. A. Karlins, local attorney, arbitrator in the hearing of the complaint of the White Bear, Minn., seeking some runs of Warner, Fox and RKO pictures which are sold first-run to the Avalon, the opposition house in White Bear.

Karlins' comment was made in holding that it was not within his province, in deciding the current case, to rule what particular run, if any, the distributors concerned must give to the complainant and the prices to be paid for the product.

Denying the contention of L. B. Schwartz, counsel for the White Bear, that Karlins ruled that in the case before him, even if material if the opposition Avalon had overbought in order to deprive his client of product or that the consent decree proceedings have involved the Clayton or Sherman anti-trust laws or are intended to enforce that legislation. Upholding David Shearer, counsel for 20th-Fox, he declared that the decree situation is concerned with trade practices.

Moe Levy and Joe Podoloff, 20th-Fox district and branch managers, respectively, testified they refused to sell RKO, White Bear, because of town's 3,500 inhabitants made it too small for them, and the first-run account would be adversely affected by the company's desertion.

Testimony during the hearing revealed that the Avalon had had White Bear sewed up exclusively for many years before Ratner invaded the town and that the White Bear then had been having financial difficulties during the past year, with the opposition Avalon people buying up some \$5,000 of the outstanding liens against the house.

In reply to questions, Ratner testified that he was not certain and could operate his theatre profitably with second runs, but he'd prefer second runs of good pictures to first runs of poor ones. Also, he said, he'd be more certain of success if he could obtain a reasonable number of first-runs.

The hearing, which already has consumed two half-days, has been continued into this week.

Golden State Circuit Takeover by F-WC Denied by Skouras

Los Angeles, April 15. Denial that deal for the takeover of Golden State circuit theatres, and possibly T&J Junior circuit houses, by Fox West Coast through its parent operating company, National Theatres, was made here by Spyros Skouras, NTJ prexy, as well as R. A. McNeill, head of the Northern California circuit.

Skouras, on his return from San Francisco, where he was supposed to have gone to consummate the acquisition which has been an on-and-off proposition for the past several years, said that National Theatres or its subsidiaries had no intention of taking over the McNeill and Naitly houses, in which Fox West Coast circuit owns somewhat better than a 25% interest.

McNeill, speaking for himself and Naitly, as well as Gene Emmick, said that no deal of any kind was contemplated and that both the Golden State and T&J Junior circuits would continue to be operated as in the past.

Skouras planned out for Dallas late last week an route back to New York where he is due for conferences with his brother, Charles P. Skouras, F-WC prexy, now in the east.

Studio Contracts

Hollywood, April 15. Van Heflin inked contract at Metro.

Metro handed new writer pact to Charles Lederer.

Oliver Marsh drew new cameraman ticket at Metro.

20th-Fox signed Karl Tunberg to another one-year writing contract.

Metro contracted Burton Lane, composer and musical conductor.

Darrell Ware given renewal on scripting pact for one year.

Harry Kurnitz added to Metro's writing staff.

Johnny Downs signed by Cameo Productions to star in three musical pictures.

Milton Rosen drew songwriter contract at Universal.

Metro handed Deputy Freeman scripting ticket.

Ann Rutherford's pact extended one year by Metro.

Farmers picked up its option on Robert Foul director.

Leo Robin and Ralph Rainger drew one-year songwriting deals at 20th-Fox.

Universal hoisted Peter Sullivan's player option.

20th-Fox lifted Shiela Ryan's player option.

Lennie Hayton inked pact as conductor and music scorer at Metro.

Robert Weldon drew option lift at 20th-Fox.

Warners handed player contract to Jabe D'Armand.

RKO signed Dennis O'Keefe to player contract.

Marilee Keeler placed under brief term pact by Paramount.

Signing Pacts Nothing 'New to Irv Cummings

Hollywood, April 15. Irv Cummings, who directed silent pictures of the old Fox lot when most of the current pilots were still in school, closed a new deal to direct four more films at 20th-Fox in the next two years.

Contract goes into effect on completion of his current job, "Belle Starr."

Shorts Loading Charged

Philadelphia, April 15. Method of selling shorts was attacked at a meeting of Allied Independent Theatre Owners of Eastern Pennsylvania held here yesterday. Officials of the organization charged that exhibitors were being forced to "load up" on short subjects and the weekly payment plan of the exchanges was the cause of the provisions of the consent decree.

Kelly's Compromise UA Sales Plan

Block Idea Nixed — But Sliding Scale Selling May Solve It

Agent Lustig's \$525,000

Suit vs. U (Gloria Jean)

William Lustig, agent, filed suit Thursday (10) in N. Y. supreme court against Universal Pictures Co., seeking \$525,000 damages for allegedly persuading the parents of Gloria Jean, actress, to breach a 10-year managerial contract with him. Plaintiff had originally sued her parents, and not the company, and that action is still pending.

Lustig claims on Dec. 16, 1937, he entered a contract with Ferman and Eleanor Schoonover, parents of Gloria Jean, based on his having spent \$25,000 on the child. He was named her father for one year and to receive 10% of her gross income. Plaintiff claims Universal signed her to a contract without consulting him, and caused the parents to breach the contract.

Having failed in three weeks on the Coast to sell United Artists producers on the compromise plan, which he took west with him, Arthur W. Kelly, U.A. v.p. in charge of sales, reached a compromise agreement with Lustig, and the plan was made. One of the principal U.A. film makers, which failed by unanimous approval, it is understood, was a modified plan to offer for sale about 20 U.A. pictures in certain situations.

Kelly's compromise success was in obtaining an okay for the sale of some pictures in certain situations on a sliding scale of percentages depending upon gross receipts. Percentages can run as high as 50% of the gross for important pictures, Kelly said.

Sounding the blockbusting plan's knell, U.A. sales chief declared: "In accordance with the prevailing custom and basic foundation of United Artists, each picture will continue to be sold on its merits as heretofore."

Golden State Circuit

Takeover by F-WC Denied by Skouras

Los Angeles, April 15. Denial that deal for the takeover of Golden State circuit theatres, and possibly T&J Junior circuit houses, by Fox West Coast through its parent operating company, National Theatres, was made here by Spyros Skouras, NTJ prexy, as well as R. A. McNeill, head of the Northern California circuit.

Skouras, on his return from San Francisco, where he was supposed to have gone to consummate the acquisition which has been an on-and-off proposition for the past several years, said that National Theatres or its subsidiaries had no intention of taking over the McNeill and Naitly houses, in which Fox West Coast circuit owns somewhat better than a 25% interest.

McNeill, speaking for himself and Naitly, as well as Gene Emmick, said that no deal of any kind was contemplated and that both the Golden State and T&J Junior circuits would continue to be operated as in the past.

Skouras planned out for Dallas late last week an route back to New York where he is due for conferences with his brother, Charles P. Skouras, F-WC prexy, now in the east.

Pressburger-Baumfeld

(UA) Unit Gets Going

Arnold Pressburger, newest addition to the United Artists production line, leaves New York for the Coast today (Wednesday) to prepare his initial production. It will be "Shanghai Gesture," film version of the stage play.

Pressburger was accompanied to the Coast by Theodore Baumfeld, member of the New York Curb, and many men behind the new production. Aside from the financing, Baumfeld will take active part in production and will get no billing.

ST. LOUIS' FIRST TRIAL

Clearance Complaint—In Detroit One Case Waits on Another

St. Louis, April 15. The first local beef to go to bat under the new arbitration setup at that of Shiel's Theatre Corp., Cape Girardeau, Mo., which involves clearance for the Fox-Midwest Circuit houses over the Rialto, operated by Shielley Corp. C. W. Hanson, in charge of the Rialto's U.A. office, has appointed Ethan A. H. Shepley, prominent attorney, to lit in the case, which starts Thursday (17).

The delay after clearance before the local tribunal has been withdrawn because it is reported that, because of its nature, it could not be heard until next September. This complaint was brought by Louis M. Sosna, exhibitor in Moberly, Mo., who brought charges against nine producers and exchanges over first-run product. His brief charged that the exhibitors had taken 10% of distributors he expended \$40,000 to open a new 400-seater in Moberly. After the opening in June, 1939, Sosna charged only \$10,000 for the same seats. The Rialto, owned by C. M. Clay—were sold, to Frisina Amusement Co., Taylorville, Ill., which operates a chain of 40 theatres in Illinois, Missouri and Iowa, is one of the largest renters of film outside of the St. Louis metropolitan area.

5 'Thumbs Up'

Metro last week became the fifth studio to get in line for use of the label "Thumbs Up."

Four other producers, in order of their priority, who had previously laid claim to the tag which has become a symbol of British fortitude are Selznick, Universal, Warner Bros. and United Artists.

DISTRIBS' DECREE EDGE?

Bill Rodgers (M-G) Opposes Consent Won't Mean Adding Lots of Salesmen

In starting to sell the 1941-42 product under the consent decree it will not be necessary to materially increase the number of salesmen, in the Metro exchanges and very unlikely that any bookers will have to be added, in the opinion of William F. Rodgers, general sales manager of the company. Reports that Metro would put on about 80 extra salesmen, which Rodgers declares is entirely erroneous, has caused him to be deluged with job-seekers.

Doubt by Rodgers that not many salesmen will have to be hired agrees with the contention of Neil F. Agnew, distribution chief of Paramount, who believes that the addition of salesmen will be the exception rather than the rule. Both sales managers figure that perhaps some salesmen will have to be spotted in the larger and more widely spread territories where the congestion of business exists. In former years when there wasn't so much concentrated circuit strength and a higher number of account possibilities existing, the average company had double the number of salesmen than are now on the payrolls. Larger distributors now have between 100 and 125 salesmen in the various exchanges.

According to Rodgers, Metro has two salesmen in the New Haven branch, but from three to five in all the others, while in the booking division it is so well fortified that it does not appear to him that the concentration of exchange activity will have to be enlarged. In the New York exchange alone Metro has a total of 14 on the books.

Not Ready Till July
Making no plans at this time to increase forces where that may be essential under the decree, Rodgers points out that he is in no hurry to increase since his company will probably not be ready to sell the first group of 1941-42 film until early in July. Meantime, the Metro sales head points out that his company has some accounts on its books now from the 1940-41 product (M-G) it had last year or any prior season. With only a few unsold possibilities left which it could sell, he takes the view that it would be impractical to consider expansion of the staff at this time no matter whether it will have to be increased later and to whatever extent will be essential when the time comes.

Rodgers also denies that it will be the policy of Metro to promote from the ranks, raising bookers to salesmen, office managers or others, rather than go outside, but adds if he thought he'd been able to find salesmen that can be obtained from within then he'd be out trying to dig 'em up.

From his own (Metro's) viewpoint, Rodgers does not anticipate any trouble under the new form of selling, but from an industry approach he believes there may be some confusion and that sales mechanics may not be completely familiar with the new plan.

Favors H. O. Control
In that details will be concentrated in each exchange territory Metro's distribution head observes that there will be some simplification, but aside from the rather bare powers which his men in the field are given, he believes that the clear-cut contracts through the home office. He thinks this will be essential in spite of the strong manpower which Metro now has among its district and branch managers. By the time the company gets into the decree-selling, it will be set up to handle contract negotiations along strictly systematic lines.

In view of the fact that the studio has given no definite promise as to 41-42 product, though hoping he will be able to secure the initial group of five around July 1, Rodgers has sales plans in mind, but they are not in such shape this far in advance to be discussed, he says. He is more concerned at the moment with completing at the moment 41 commitments, calling for a minimum of 44 and a maximum of 52 features. Of this number 30 had been released as of Friday (11).

New contract and other forms in

Too Tough Opposih

Detroit, April 15.
Sometimes the going just gets too tough.

Operator of the theatre at Reading, Mich., announced he has cancelled his Thursday night pix to avoid conflict with the regular weekly community 'church night.'

An Overtaxed Heart Caused W. J. Merrill's Death; Mormon Family

Said to have been warned against over-exertion by doctors because of a heart condition, largely due to overwork, William J. Merrill, vice-president and treasurer of RKO, was found dead in bed Thursday afternoon (10) from coronary thrombosis. He had been planning a vacation, but was unable to leave his duties.

According to reports, Merrill was a Mormon, and had been contributing to his weakened heart. On Wednesday, after attending the special screening of 'Citizen Kane', he went back to the RKO office and worked there until midnight. He often came in Saturdays and Sundays also.

Merrill would have been 43 on Aug. 22 next. He came from a distinguished Mormon family, his father having been Mariner Wood Merrill, an Utah pioneer and apostle. Deceased was the 45th of 46 children. His father had 291 grandchildren. Born in Franklin, Idaho, the family moved to Richmond, Utah, and Merrill spent his early years on a farm, later going to Utah Agricultural College to which he returned subsequently in an executive capacity.

Harvard Graduate
Following a brief spell in line kitch in Colorado in 1917, he joined the Vitamin Co. and became secretary of the corporation after having served in the army on this side. He was graduated with high honors from the School of Business Administration at Harvard in 1925, subsequently becoming v.p. and controller of the Royal Baking Powder Co. He later held a similar post with W. & J. Sloane and was v.p. and secretary of the Great Island Holding Co. before becoming consultant for the Atlas Corp. in the RKO reorganization in 1935. He moved up swiftly in the RKO company after its release from receivership. Generally he was regarded as a Floyd Oudum (Atlas) man.

Merrill is survived by his mother, Mrs. Elma Merrill, of Richmond, Utah, and two children, June, and W. J. Merrill, Jr.

Funeral services were held Sunday (12) at River View Memorial Chapel in N. Y. Burial will be at Richmond, Utah.

WB Renews Hollingshead

Hollywood, April 15.
Gordon Hollingshead signed new contract as producer of short subjects at Warner Bros. Studio also renewed director options on William Keighly and Breezy Eaton.

line with 41-42 selling are being worked out, and will be ready when the first of the coming season's films come up for merchandising.

Sales Convention

Metro is mulling either a national convention or two different sales meetings later on, with the date dependent on when 41-42 pictures are available for screening and selling. Rodgers has always favored regional sales because it is easier to handle smaller groups, but will not make up his mind what to do this year until the company gets closer to the changeover in selling. Rodgers asserts that the minimum of 44 under this season's contracts will be delivered.

EXHBS SEE IT THAT WAY If Pix Are Good It'll Be a Seller's Market. They Fear Film Salesmen Argue It Works Both Ways

QUICK SELLING

Pictures under the consent decree, when they must be screened and sold in small groups, will produce a buyer's market when they are poor and a seller's market when they are good, according to opinion in distributing circles. Fears have been expressed among exhibitors that the new method of selling will shift the advantages more decisively to the distributor side, but salesmen deny that this will be the case.

Moreover, it is claimed that higher rentals are not going to obtain except in accordance with the value of the films, which, it is explained, means that those which deserve more money are going to get it. In this connection, it is pointed out that no one has been killed even in the past so far as rentals are concerned, because, when film has turned out bad, reductions or adjustments have had to be made. Also, with most of them on percentage, with splits figuring, it has to a great extent been up to the pictures themselves to earn their way, with the b.o. as the yardstick.

Bargaining Advantage
Among other things, under the consent, exhibitors will be seeing the films in advance and based on their judgment of boxoffice potentialities, may have much greater bargaining advantages than before. Thus, when a block-off-five does not rate so high, the exhibitor's market is created. On the other hand, when a distributor has something that's outstanding value, the market pendulum swings in his direction. In other words, where in former years a 35% picture would have to be delivered at that figure, now after being seen it might be considered worth 40% or even 50%. Therein the distributor has the advantage, but expected that generally, so far as a market edge is concerned, it's gone even up as between seller and buyer.

In that selling will be faster than before when exhibs have stalled through most of the season, distributors stand to benefit. Buyers will be closer to available pictures and to release, which means that if they are going to keep their screens supplied they will have to close their deals quicker, thus saving salesmen the trouble of calling back time and again, only to be stalled to the last. Very often a buyer who has been brought about by this stalling, with distributors finally getting tired and giving in in order to get negotiations concluded. This in the past has frequently resulted in the distributor's prior season's product still to be picked up. That's out starting with the decree system of selling, but there may be certain adjustments or rebates, depending, how blocks perform.

FORD VICE WYLER AS 'HOW GREEN' DIRECTOR

Hollywood, April 15.
John Ford moved into the director spot in 'How Green Was My Valley' a 20th-Fox, a choice originally assigned to William Wyler. Casting troubles, still unsolved, delayed the picture so long that Wyler moved back to the Hollywood lot to prepare 'The Little Foxes'.

'How Green' requires British players for the top roles. Westwood lot wanted Laurence Olivier for the male lead, but the deal collapsed when he left for England. Starting date is slated for June 1.

With Simplified 'Fantasound', RKO Probably Will Distrib 'Fantasia'

Time Marches On

March of Time appears to be getting well-plugged these days in other people's pictures.

Orson Welles' 'Citizen Kane' uses the familiar MOT technique in a lengthy sequence labeled 'News on the March'. Walt Disney's forthcoming 'Reluctant Dragon' will provide the topper, however. It doesn't camouflage the MOT title—but puts the reel in cartoon form.

Consent May Force Schine Org. to Desert Gloversville for N.Y.C.

Gloversville, N. Y., April 15.
Because of the consent decree, Schine chain's home offices, one of city's most important business organizations, may be forced to move to New York. J. Myer Schine, under of Schine Enterprises, Inc., agreed when questioned about returning rumors, that there was at this time a 50-50 possibility the circuit's headquarters would have to leave the city.

Nothing is definite, however, and no curtailment of activities at the local offices can be before fall at the earliest. Every effort will be made to continue the guidance of the nearly 200 theatres in the chain from Gloversville, but the terms of the consent decree are such that it necessitates close contact with film markets, which are concentrated in New York.

Under the consent decree, however, no more than five pic can be sold at a time. Schine organization has 175 theatres to supply. Moreover, these pictures have to be screened before they can be sold. To close a deal for five pictures, therefore, may require three or four trips to New York and as much negotiating as previously was required to contract for a studio's entire three-year output. The new method increases sharply the cost of buying and selling. For a business undertaking of the scope of the Schine circuit, it will require the constant attendance of buyers in New York watching and bidding for pictures as fast as the studio offers them in lots of five. And since the obtaining of film supply for theatres is one of the major jobs of the home office, the new buying rules tend to force the office out of Gloversville.

J. Myer and L. W. Schine who have their homes here and are important figures in the life of the community are loath to go, but may be required to, Mrs. J. M. Schine states.

Johnson Does Double Chore on 'World Shook'

Hollywood, April 15.
Nunnally Johnson plays a double-header as screen playwright and associate producer of the new 20th-Fox 'World Shook', at 20th-Fox. Play is an adaptation of the Steven Wendt novel, '800 Convents March on Calabro'.

Director is Jean Renoir, Frenchman, recently signed to a 20th-Fox contract.

Ridin' in Pairs at Col.

Hollywood, April 15.
Columbia is playing double-headers in two western series of eight pictures each for the 1941-42 program.

Charles Starrett and Russell Hayden, formerly with the 'Hopalong Cassidy' unit, are teamed in one series. Rex Riter and Bill Elliott ride together in the other group of eight.

Perfection of a simplified sound system for reproduction of the music in 'Fantasia' has resulted in the near completion of a deal for distribution of the Walt Disney feature by RKO. Arrangement, still in the talk stage, but well advanced, is for modified roadshow release in limited number of theatres across the line.

Revolutionary 'Fantasound' system now being used in engagements in 11 cities: requires shutdown of a house for two weeks for installation of the equipment. Disney and RCA engineers, who designed the original reproduction apparatus, have simplified it to the point where it can be installed overnight. Complete tests in a full theatre have not been made so, there has been no actual comparison yet between the original and modified systems.

It is also not certain yet how many theatres can be played simultaneously, for even the simplified equipment will be expensive. Present apparatus limits the film to 12 dates at one time, with the Disney office estimating over a deal for engagements altogether. New plan will permit many more showings than that, of course, with a much speedier payoff. Sound track on the film will not have to be altered.

New RKO
Negotiations on a deal for 'Fantasia' release lies up with pact inked by Disney last week for RKO to handle its feature output for the remainder of 1941. This will include four films said from 'Fantasia'. It's a switch in Disney policy, as he has released five pictures under a distribution deal with RKO for more than one picture at a time.

New films will be 'The Reluctant Dragon', to be released in May; 'The Sorcerer's Apprentice', in July; 'Bambi', to be released in September, and an untitled full-length Mickey Mouse, to be released right before Christmas. That will mean release of five pictures in one year, in contrast to the fact that Disney has finished for release only three features altogether since 'Snow White' was sent out at the end of 1938.

First bow-out of a 'Fantasia' engagement will take place either this Saturday (19) or the following Saturday (20) in Pittsburgh, depending upon the results of a film trial now in its sixth week at the Fulton theatre. It seems never to have caught on properly in Pitt.

'L. PAGE', FOUND DEAD, MAY BE OF SHOW BIZ

Toronto, April 15.
Body of elderly, handsome and well-dressed unknown, presumed by police to be connected with the theatre in some capacity because of the presence of trade-papers lying beside him, was found in a Front street alley here where, with his false teeth in his pocket, he had sat down with his back against a wall to die. Later examination at the Lombard Morgue revealed that his gray hair had been dyed black. Film industry theatre men who were asked to visit the morgue were unable to identify the body.

With the initials 'L. P.' on his belt-buckle and hat-band, plus a label: the dead man's gray herringbone-stripe suit, police believed his name might be 'L. Page.'

RKO's Hula Deal

Four-year pact for features and shorts has been signed by RKO, with Consolidated Amusement Co., one of the princely circuits in Hawaii. The deal, announced by Ned Depinet, covers some 100 theatres in that territory. Consolidated operates 28 cinemas and services 87 cities.

Smith Smith, RKO domestic sales chief, and Harry Michaelson, shorts sales manager, represented the distributor, while Edmond Parker and Fred Williams handled the deal for Consolidated.

Easter Lays an Egg in Pitt.

**'Lis' \$16,000, Under Expectations — 'Town' Tepid
\$15,500—Rest Mild**

Pittsburgh, April 15.
Easter Week biz n.s.h., and disap-
pointments are pretty general. Noth-
ing much was expected Friday and
Saturday, but pick-up with end of
rent didn't materialize when Sunday
and Monday brought hottest April
weather in quarter of a century.

'Great Le' at Penn and 'Men of Boys' Town' at Stanley running neck and neck for leadership, with former a bit ahead on strength of excellent reviews. 'Men' got panned generally for being maudlin, but marquee names holding it up. 'Fantasia' getting more action from the kids, and will out-play the closing date originally set for April 19. 'Nice Girl' must fail at Senator. H.o. of 'Andy Hardy's Private Secretary' at Ritz cheerily hanging on, and twinner of 'Victory' and 'Play Girl' at Warner only another double feature.

Estimates for This Week
Fulton (Shea) (1200; 50-75-\$1.10)
1.65—**'Fantasia'** (Disney) (57 wk),
 picking up sharply, with Easter holiday accounting for extra kiddie trade. Will do fine \$7,000, and sticks beyond the contemplated April 19 closing date. Last week, \$4,200, which means that Holy Week was better

—'Great Lie' (WB). Bette Davis starrer well liked here and exerting a strong femme pull. Should wind up No. 1 in a rather sluggish Easter Week. Looks like around \$16,000 good, but not what was anticipated for a holiday session. At that figure film will not move either to Warner

Ritz (WB) (800; 25-35-50)—'Hardy' Secretary' (M-G) (3d wk). Moved here after successive stanzas at Warner and Penn, and obviously has played itself out. Will be lucky to wind up with \$2,200. Last week, re-

Senator (Harris) (1,750; 25-35-50) 'Nice Girl' (U). Splendid notices for 'Deanna Durbin picture,' and may pick up as week progresses, but a present everybody concerned will be willing to settle for \$7,000. That's profitable, but below par for both Durbin and a holiday. House will

probably hold, looking to front-page breaks on star's coming wedding to help. Last week, 'Adam' (Col), singly, and dual of 'Tall, Dark' (20th) and 'Golden Hoofs' (20th), split nine days to mediocre \$3,500.

Warner (WB) (2,000; 25-40)—'Vic'

RECORD HOLY WEEK IN

OMAHA; 'RIO' BIG 12

—

Omaha, April 15.

Best Holy Week business recorded within the memory of local theatre men brought comfortable crowds to practically every downtown theatre. At the Omaha 'Men of Boys Town'

will do a very swell \$10,000, or better, and is a cinch to be held over. In a city where an unusually large proportion of the population is Catholic, this is doing pretty well.

At the Brandeis, 'The Devil and Miss Jones' plus 'Melody for Three' is picking up a nice business and will play around \$5,500 for probably a try at the second week. Orpheus

with 'That Night in Rio' and 'Rid Kelly, Ride,' ought to ride out a swell week approaching \$12,000. Incidentally, the State, playing a second run of 'Philadelphia Story,' is single featuring it.

Estimates for This Week
Omaha (Tristates) (2,000: 10-30-4)
—'Men Boys Town' (M-G). Ver

Orpheum (Tristates) (3,000; 10-3-40)—'Night in Rio' (20th) and 'Ride With Me' (20th) (RKO) (reissues) good \$10,000. Last week, 'Gone With the Wind' (M-G) (2d wk), fine \$9,000.

Brandels (Mort Singer) (1,500; 25-35-40)—'Miss Jones' (RKO) and 'Melody Three' (RKO). Good \$5,500. Last week, 'Girl, Guy' (RKO) and 'Vivacious Lady' (RKO) (reissues) nice \$5,000.

Kelly' (20th). Big \$12,000. Last wee
'Tall, Dark' (20th) and 'Las Veg
Nights' (Par), rather slow \$8,300.
State (Goldberg) (900; 10-20-25)
'Philadelphia' (M-G), single featur
split with 'Vigilantes' (U). 'Bit
(Continued on page 23)

Mr. Exhibitor!

WAKE UP FOR UNIVERSAL'S ALL TIME HOLDOVER CASH SMASH!

Wake up and multiply multiply the population of your town by the price of your seats... and you'll get an idea of the kind of grosses this super-surprise is rolling up!

3**WEEKS**

record-busting business of the Albee Theatre, Providence!

3**WEEKS**

in Long Beach, Cal. for the biggest grosses in many years

5**WEEKS**

at Penn Theatre, Wilkes-Barre... to shatter all house records!

5th**WEEK**

of sock B.O. in New Orleans... and no let-up in sight yet!

4**WEEKS**

at Gopher in Minneapolis... a new record for holdovers!

4**WEEKS**

in Sacramento and Oakland... they went khaki-wackii!

4**WEEKS**

of terrific business at the Lafayette in Buffalo!

HELD FIFTH WEEK
ITS REALLY SO FUNNY
"BUCK PRIVATES"

Bud ABBOTT & Lou COSTELLO
in
BUCK PRIVATES

with LEE BOWMAN · ALAN CURTIS
JANE FRAZEE · NAT PENDLETON · SAMUEL S. HINS

and The ANDREWS SISTERS
With the world's champion jitter-bugs

Original Screen Play by Arthur T. Horman · Special material for Abbott and Costello by John Grant
Directed by Arthur Lubin

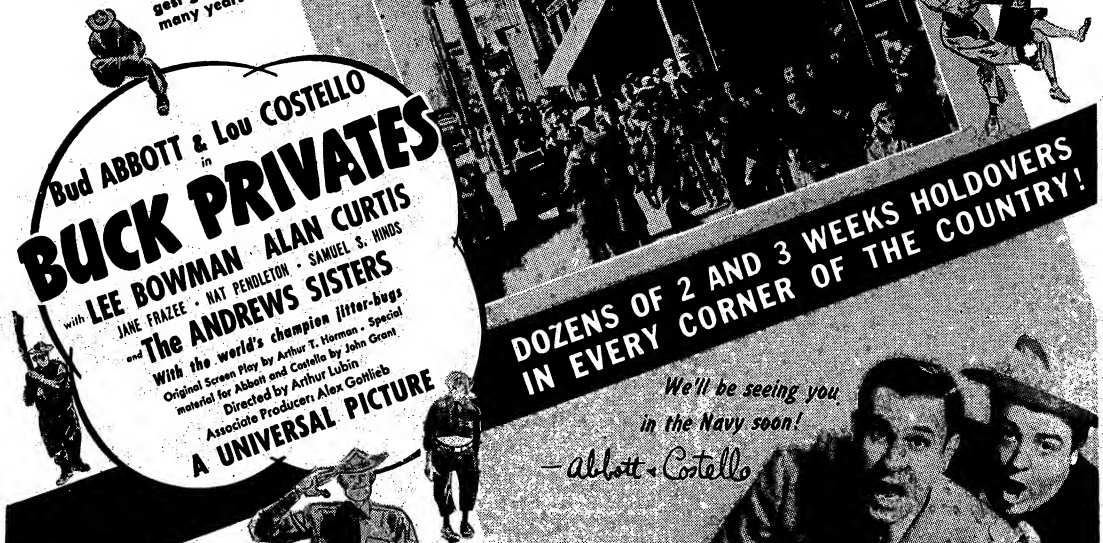
Associate Producer Alex Gottlieb

A UNIVERSAL PICTURE

DOZENS OF 2 AND 3 WEEKS HOLDOVERS
IN EVERY CORNER OF THE COUNTRY!

We'll be seeing you
in the Navy soon!

- Abbott & Costello



Weather Nicks Philly; 'Zanzibar' 18½¢, 'Rio' Bally Produces \$17,100

Philadelphia, April 15. Balmey weather, which sent tens of thousands to the seashore over the Easter weekend, is hurting the b.o. at downtown deluxers this sesh. Atlantic City and nearby resorts reported record-shattering crowds with the bulk coming from the Philly area.

The exodus was counteracted somewhat by the addition of youngsters home for the Easter weekend and the Passover holidays, Sunday returning on holiday furlough also helped a bit.

Getting good play is "Road to Zanzibar" at the Fox and "Night in Rio" at the Stanley. Holdovers of "Great Dictator" and "Boys Town" also making good showing.

Estimates for This Week
Aldine (WB) (1:30): 35-75-86-114-171—Fantasia (Disney) (9th wk), \$1,000; helping to boost this one a bit for an even \$8,000. Last week, mediocre \$7,300.

Arcadia (Sablowsky) (600): 35-46-57—Hardy's Secretary (M-G) (2d run). Winding up with a nice \$3,200. Last week, Mr. and Mrs. Smith (RKO), good \$3,500 for third run.

Boys (WB) (2:50): 35-46-57-68—Main Boys Town (M-G) (2d wk), Holding up with neat \$13,800. Opening sesh, a bullish \$16,100.

Earle (WB) (2:50): 35-46-57-68—A Vegas Night (Par) with stage show headed by Bill Bradley orchestra. Plenty profitable with \$20,500. Last week, "Road to Zanzibar" (WB), good \$20,500.

Fox (WB) (2:50): 35-46-57-68—Zanzibar (Par). Hope-Crosby-Lamour combo good for an opening \$18,100. Last week, "Boys Town" (WB), good \$18,100.

Karlens (WB) (1:06): 35-46-57-68—See Wolf (WB) (2d run). Okay \$1,900. Last week, "Eve" (Par) dragged down a sock \$4,500 for second week of subsequent-run showing.

Keiths (WB) (1:06): 35-46-57-68—Nice Girl (WB) (2d run). Nothing to get excited about with \$20,500. Last week, "Blonde" (WB), fair \$4,300 for second run.

Stanley (WB) (2:16): 35-46-57-68—Night in Rio (20th). Getting the benefit of good exploitation, and ringing up bangup \$17,100. Last week, "Nice Girl" (WB), good \$12,000.

Stanton (WB) (1:45): 35-46-57-68—Dictator (UA) (6th wk). Gaining ground as it goes along, good \$7,800. Last week, slightly under with \$7,500.

Kaye-Shot' Nice 11G, Town, 9½¢ In Spotty Indpls.

Indianapolis, April 15. Two holdovers in the downtown sector this week are throwing excess coin to Loew's where Men of Boys Town' dually with 'Tone Wolf' Takes a Chance' is doing nicely, and to the Lyric, where Sammy Kaye's orchestra is riding along to a profit, with 'Shot in the Dark' the screen. Second-stanza houses are

Indiana with 'Road to Zanzibar,' and the Circle with 'Night in Rio' and 'Scotland Yard.'

Theatre managers are still wondering if something can't be done about week-day. Friday, Saturday and Sunday are good, with houses drawing a lot of out-of-town trade, but the other four days have been dry during regularly.

Estimates for This Week
Circle (Katz-Dolle) (2:00): 25-30-40—Night Rio (20th) and Scotland Yard (20th) (2d wk). Weak \$7,000. Last week, not-so-good \$7,000.

Indiana (Katz-Dolle) (3:10): 25-30-40—Zanzibar (Par) (2d wk), Okay \$5,500. Last week, nice \$11-200.

Loew's (Loew's) (2:00): 25-30-40—Men Boys Town (M-G) and 'Wolf Chance' (Col). Big noise of the town with good \$3,500. Last week, Topper Returns (UA) and 'Rage Heaven' (M-G), jump \$4,000.

Lyric (Lyric) (1:00): 30-40-50—Shot in the Dark (Par) and 'Sammy Kaye's Orchestra.' Okay \$4,400, with all the credit given to the band. Last week, Sleepers West (20th) and Cito Rima orchestra, brutal \$4,800.

Key City Grosses

Estimated Total Gross
This Week.....\$1,842,700
(Based on 28 cities, 177 theatres, chiefly first runs, including N. Y.)
Total Gross Same Week
Last Year.....\$1,549,388
(Based on 24 cities, 166 theatres)

ROONEY-TRACY FINE \$13,000 CLEVE.

Cleveland, April 15. Lent didn't dent Cleveland as much as it did previous years. Most deluxers can't through Good Friday openings in surprisingly fine shape, especially 'Men of Boys Town' and 'Night in Rio' which have seven-league boots at State.

Topping it is 'Girl Guy and Gals' featuring a 'Tall Tale' by Sammy Kaye (12) but further behind it is 'Triple of Allan Jones, Irene Hervey and Blackstone on Stage.' Even 'Devil and Miss Jones' is enough to grooves for Hipp clientele, got off bullishly. School spring vacations also revitalizing 'Fantasia,' with rush of ticket reservations guaranteeing a 25% jump in biz for fifth week. Only slacked off being laid by 'Bad Man' at Stillman and 'Lady from Cheyenne' (second week) at Allen.

Metropolitan opera company selling out for April, but not affecting theatre trade.

Estimates for This Week
Allen (RKO) (3:00): 30-35-42-55—'Lady Cheyenne' (U). Just fair \$3,000 for moveover; that took a beating at Hipp. Last week, 'See Wolf' (WB) on a shift, swept in to-bye.

Hanna (Carl Hanna) (1:45): 30-35-42-55—Fantasia (Disney) (5th wk), \$10,000, so encouraging that it's almost certain it can hold up to nearly June. Collected \$7,800 during Holy Week.

Hipp (Warner) (3:00): 30-35-42-55—'Miss Jones' (RKO). A bit too slanted in satire for this stand, with last week, one of its fate, so good \$11,000 can be attributed to smart salesmanship. Last week, 'Lady Cheyenne' (U), weak \$7,400.

Palace (RKO) (3:00): 30-35-42-55—'Girl Guy' (RKO) with vaude. Comedy well liked, but stage combo of Irene Hervey, Allan Jones and Blackstone, the magician, is doing all the shooting for a glided \$19,000.

State (WB) (2:50): 30-35-42-55—'Men Boys Town' (M-G). Turning turbines up to fine \$13,000, mebbe more. Last week, 'Topper Returns' (UA) around \$8,800. Over \$5,000.

Stillman (Loew's) (1:30): 30-35-42-55—'Bad Man' (M-G). Had ears slapped off by critics, and dawdling at ordinary \$3,000. Last week, 'Eve' (Par) (2d wk), astonishing at \$4,800.

PROV. WEAKENS; TOWN' \$14,000, 'ZANZIBAR' 10G

Providence, April 15. Though main-stemmen are through Lent with but little damage to biz, combo of pre-Easter weekend and opening of Narragansett race track (Friday) (12) slowed nearly everything to a walk. 'Road to Zanzibar' at Strand was an exception and is riding high. Post-Easter jump hyping 'Men of Boys Town' at Loew's State for possible hold-over (but 'Night in Rio' at Majestic is enjoying a good second stanza.

Estimates for This Week
Allen (RKO) (3:00): 25-30-40—'Miss Jones' (RKO) and 'Melody Three' (RKO). Bad start hurt. Looking for only so-so \$5,500. Last week, 'Girl Guy' (RKO) and 'Vivacious Lady' (RKO), swell \$5,500.

Carlton (Fay-Loew) (1:40): 28-39-50—'Topper Returns' (UA) and 'Men Boys Town' (M-G) (2d run). Slowed to weak \$2,000. Last week 'John Doe' (WB) (do down) weak, nifty \$3,700.

Fay's (Indie) (2:00): 25-35—'City Conquest' (WB) on vaude. Slacked off. 'Night in Rio' (20th) and 'Shot in Dark' (WB) (2d wk). Looking for

ward to swell \$8,000 after knock-out \$9,500 in previous week.
State (Loew) (3:00): 28-39-50—'Men Boys Town' (M-G) and Queen's combinations pacing for swell \$14,000, and a possible holdover. Last week, 'Topper Returns' (UA) and 'Mary Dugan' (M-G), fair \$10,000.
Strand (Indie) (2:00): 28-40-50—'Zanzibar' (Par) and 'District Attorney' (RKO). Doing well, but biz for neat \$10,000. Last week 'Las Vegas Nights' (Par) and 'Plane Robbery' (Col), fair \$5,000.

'LIE'-VAUDE BIG \$21,000 IN D. C.

Washington, April 15. Easter Week finds town.

as usual, with thousands of tourists, swelling already bulging population. Balmey weather, plus opening of outdoor amusements, kept theatres from having to add extra charge for all grossed are undoubtedly above what they would normally be with same shows and opposition.

Horace Heidt 'Pot o' Gold' p.a., with 'Trial of Mary Dugan' is putting 'Lie' in early in front of The Great Lie and no-name vaude at Earle. Third place goes to 'Devil and Miss Jones' at Keiths, which drew nice opening on strength of word-of-mouth following sneak preview week before arrival. Other profits of this week is 'Men's Shock Week' combining 'Monster and Girl' and 'Mad Doctor,' representing first double feature in spot's history.

Estimates for This Week
Capitol (Loew) (3:42): 29-39-44-68—'Mary Dugan' (M-G) and vaude. Horace Heidt (1:25-26-30-31-32) took take, big \$22,000. Last week, 'Penalty' (M-G) can thank Tommy Dorsey orchestra for hefty \$23,500.

Keiths (RKO) (2:50): 28-39-44-68—'Dictator' (UA) (2d run). Back downtown for second run at top prices, with average \$5,000. Last week, 'Rebecca' (UA) (revival), passable \$4,000.

Earle (WB) (2:16): 28-39-44-68—'Great Lie' (WB) and vaude. Big \$21,000. Last week, 'Girl Guy' (RKO) and Martha Raye, nice \$18,000.

Keiths (RKO) (2:50): 28-39-44-68—'Miss Jones' (RKO). Recent sneak preview assured strong opening, and it's holding down with \$19,000. Last week, 'Nice Girl' (U) (3d wk), good \$7,000.

Met (WB) (1:00): 28-39-44—'Monster Girl' (Par) and 'Mad Doctor' (Par) Combo sold as 'Shock Week.' Will get strong \$6,500. Last week, 'Convoy' (WB) (2d wk), good \$6,000.

Palace (Loew) (2:42): 39-55—'Men Boys Town' (M-G) (2d wk). Disappointing, but still profitable \$10,000. Last week, below expectations with \$14,000.

'Zanzibar' Heads For Record 15G, Denver; 'Jones' Soggy \$7,700

Denver, April 15.

'Road to Zanzibar' is on the road to breaking the house record at the Denham, packing the place to the rafters, and is riding high. Easter holiday snapped up biz all around, although 'The Devil and Miss Jones' at the Orpheum failed to share in the upturn.

Estimates for This Week
Aladdin (Fox) (1:40): 25-40—'Cheers Bishop' (UA) after a week at the Denham, fair \$5,500.
Broadway (Fox) (1:40): 25-35-40—'Vivacious Lady' (RKO) (reissue) and 'Mary Dugan' (M-G), after a week at the Orpheum. Allright \$2,500.
Cheers Bishop (UA) (1:40): 25-35-40—'Free Easy' (M-G), after a week at the Orpheum, ditto.

Denham (Fox) (1:40): 25-35-40—'Zanzibar' (Par). Socko \$15,000, and holds. Last week, 'Round Up' (Par), fair \$6,500.

Orpheum (RKO) (2:52): 35-40—'Pot o' Gold' (UA) and 'Jennie' (20th). Nice \$9,500. Last week, 'Cheers Bishop' (UA) and 'Sleepers West' (20th), same.

Orpheum (RKO) (2:50): 35-40—'Miss Jones' (RKO) and 'Melody Three' (RKO). Poor \$7,700. Last week, 'Vivacious Lady' (RKO) (reissue) and 'Mary Dugan' (M-G), fair \$8,700.

Paramount (Fox) (2:00): 25-40—'Knockout' (WB) and Campus Confessions' (N.Y.). Nice \$5,500. Last week, 'Footlight Parade' and 'Comes Happiness' (WB), ditto.

Rialto (Fox) (1:40): 25-40—'Dictator' (UA) and 'Night in Rio' (20th) and 'Flying Wild' (Mono). Accounting for a good \$2,500. Last week, 'Tobacco Road' (20th), after a week at each, the Denver and Aladdin, and 'Devil Commands' (Col), good \$2,500.

L.A. Trade Rides High; Kyser Record \$42,000 With 'Dive', 'Wolf' Roaring 24G, 'Jones' \$26,500, 'Town' \$23,300

Weather Grosses

Estimated Total Gross
This Week.....\$371,500
(Based on 13 theatres)
Total Gross Same Week
Last Year.....\$303,500
(Based on 12 theatres)

WEATHER HITS 'CINCY'; 'RIO' \$12,000

Cincinnati, April 15.

Summer weather hit this burg in the first half, and wilted the biz to a gloomy Easter week. Weekly temperature slipped into the high 80's, encouraging natives to strut new tops in the open.

Current climate is 'That Night in Rio' with an all right Palace mark. A notch behind is 'Men of Boys Town' (M-G) and 'Model Wife' is slugging for the Grand. Revival of 'Bringing Up Baby' at Keith's is a war, and the 'Major Bowdoin' frequent dueller, 'Convoy' and 'Scattered Baines' is on the low side.

Heat wave is also hurting the combo Shubert, which has one of its best-of-the-season stage shows in the 'Red Hot and Blue' revival, linked with 'Repeat At Leisure.'

Estimates for This Week
Albee (RKO) (3:00): 33-40-50—'Men Boys Town' (M-G). Fairly good \$11,000. Last week, 'Lady Cheyenne' (U), dull \$8,000.

Capitol (RKO) (2:00): 33-40-50—'Lady Cheyenne' (U). Moveover from Albee for second week. Poor \$3,000. Same last week for 'Eve' (Par), weak \$2,000.

Family (RKO) (1:00): 15-28—'Meet Chuck' (U) and 'Murder Among the Ladies' (U). Poor \$2,000. Last week, 'Buck Private' (U) (2d run), excellent \$5,000. Pie fetched \$3,500 in initial week at Keith's four weeks earlier.

Grand (RKO) (1:40): 33-40-50—'Bringing Up Baby' (RKO) (revival). No dice at \$2,000. Last week, 'Men Boys Town' (M-G) (2d run), sorry \$2,800.

Lyric (RKO) (1:40): 33-40-50—'Men Boys Town' (M-G). Scattered. Baines (RKO) Missouri at \$4,000. Last week, 'Strawberry Blonde' (WB), seventh week on front stem, swell \$2,000, with a net \$4,000 for the run.

Palace (RKO) (2:00): 33-40-50—'Night in Rio' (20th). All right \$12,000. Last week, 'Adam' (Col), six days, very poor \$6,000.

Repeat At Leisure (RKO) and 'Red Hot and Beautiful' revue. Stage show drew a dandy net, but mild \$10,000. Last week, 'East River' (WB) and 'Stars Over Hollywood' union, season's low at \$7,500.

Town, \$8,000, Paces Port; 'Gone' No Go

Portland, Ore., April 15.

Best opener 'Men of Boys Town,' going over well for the Broadway. See Wolf looks like a good bet for the big Port town, as does 'Nice Girl' at the United Artists.

The perennial 'Gone With the Wind' is a disappointment, but biz this time is a disappointment.

Estimates for This Week
Broadway (Par) (1:00): 35-40-50—'Men Boys Town' (M-G), singled by short subjects. Looks like great \$8,000. Last week, 'Buck Private' (U) and 'Back in Saddle' (Rep) closed a second week for good \$4,900.

My Fair (Parker-Evergreen) (4:00): 40-55—'Gone' (M-G). Back again, but can't see over disappointing \$3,500. Last week, (35-40-50)—'Footlight Parade' (U) and 'Girl Havana' (Rep) low \$2,500.

Orpheum (Hamrick-Evergreen) (1:00): 35-40-50—'Night in Rio' (20th) and 'Ride with 'Oke' Kelly' (20th). Going for okay \$5,500. Last week, 'Buck Private' (U) and 'Henry' (Par), made high \$6,300.

Paramount (Hamrick-Evergreen) (3:00): 35-40-50—'See Wolf' (WB) (3:00): 35-40-50—'See Wolf' (WB)

(Best Explanation: State)

Virtually all the local first runs are heading for big profits, with the Easter holiday biz above average in most of the situations. Everything opened on the mild about Easter Holy Week, but strong attractions overcame the customary sluggishness, and during the opening frame period were far better than generally anticipated.

Paramount is making a clean sweep this time with Kay Kyser's orchestra and 'Power Dive.' Kyser power-kicked the gross to a record \$42,000, smashing old figures in the history of the theatre on Sunday, when he attracted \$9,501, which means a 14.24 admission rate, higher for the total week likewise is a new high for the Paramount under its present policy.

'The Sea Wolf' is the holiday attraction at the Warners Downtown and Hollywood, and, in spite of the fact that the piece is a remake, it should have no trouble hitting \$24,000 on the initial stanza. 'Men of Boys Town' is pulling up fairly okay grosses at the State and Chinese, and 'The Devil and Miss Jones' at the RKO and Panlages will warrant.

'The Dictator,' on first run move-over to the United Artists and Wilbur, is smashing old figures in the sweet \$14,000 to top the nearly \$34,000 garnered on the initial run. Orpheum has two first-run pictures and the 'Major Bowdoin' and 'Convoy' frequent dueller, 'Convoy' and 'Scattered Baines' at the Carthy Circle and 'That Hamilton Woman' at the four big first-run and holdover accounts of themselves.

'Men of Boys Town' was heavily exploited by 'The Wolf' and 'The Sea Wolf' in the opening, where one where a contest was participated in by all of the parochial schools in this area. We 67 girls, and eight holdovers schools took part in the contest, which was in the nature of an essay where each contestant narrated his or her own story. As a result of the tieup, announcements were made of the picture's engagement in all of the schools in the area, and Catholic (Continued on page 23)

'Zanzibar' \$5,800 In Memphis; 'Town,' 'Lie,' 'Rio' All Big

Memphis, April 15.

Four first-rate features are lighting up on local screens here this week. Sudden burst of quality attractions has split the general take, and the picture business is in a sensational turn. But the biz is okay all around.

'Road to Zanzibar' looks like the pacemaker of the Metro, but it won't be far ahead of the competition, The Great Lie, 'Men of Boys Town' and 'That Night in Rio' are all within hail of each other.

Estimates for This Week
State (Loew) (2:00): 10-33-41—'Night in Rio' (20th). Has the girls' gang, \$11,000. Last week, 'Hardy's Secretary' (M-G) (2d wk), \$3,300, socko for h.o.

Union (WB) (2:00): 10-33-41—'Great Lie' (WB). Steady Betty Davis, trade plus Brent and rave notice. \$11,000. Last week, 'Blackout' (UA), \$2,000, bad.

New Malco (Lightman) (2:00): 10-33-41—'Zanzibar' (Par). Hope-Crosby-Lamour good for easy \$5,800. Last week, 'Lady Cheyenne' (U), \$3,800, bad.

Palace (Loew) (2:00): 10-33-41—'Men Boys Town' (M-G). Swell \$3,300. Last week, 'Topper Returns' (UA), four days, and 'Play Girl' (RKO), three days, \$3,800, not bad for speed.

Union (WB) (2:00): 10-33-41—'Buck Private' (U) (2d run), and 'Road Show' (UA) (2d run). Last week, 'Night in Rio' (20th), last week 'Ape' (Mono) and 'Chamber Horrors' (Mono), three days: 'Removal of the Rites' (2d wk), and 'Dangerous Game' (U), two days, \$1,500, slightly down.

United Artists (Parker) (1:00): 35-40-50—'Night in Rio' (20th) and 'Dynamite' (U). Big \$6,000. Last week, 'Bad Man' (M-G) and 'Blonde Inspiration' (M-G), high \$4,600.

PICTURE OF A MAN BLOWING UP JUST BECAUSE HIS WIFE IS A MODEL!

He misunderstood her!
And 30 million other
misunderstood women
will rush to see why!

Does she think of me—when the men-buyers are thinking of her?

I wonder who she's modeling for now?

Why does she enjoy her work so much?

I've got a model wife—and she's always on pedestals!

Joan BLONDELL and Dick POWELL in
MODEL WIFE

with
 Charlie Ruggles Lee Bowman Lucile Watson
 Ruth Donnelly Billy Gilbert John Qualen
 Screen Play, Charles Kaufman Horace Jackson, Grant Garrett Original Story, Leigh Jason
 Produced and Directed by LEIGH JASON

A UNIVERSAL PICTURE

**NATIONAL
RELEASE
APRIL 18th**

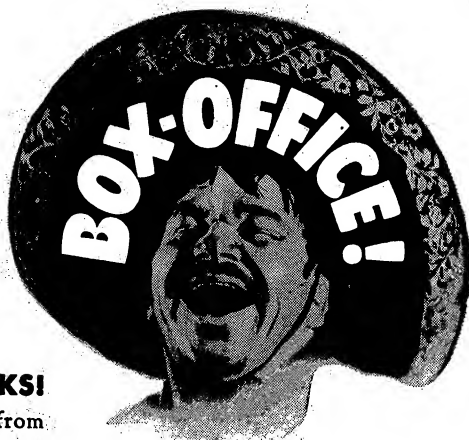
Hollywood, April 15.

As part of Warner's campaign to plug its film entitled 'Million Dollar Baby,' the record market is to be flooded with over 300,000 platters of 'I Found A Million Dollar Baby In A Five and Ten Cent Store.'

Priscilla Lane is recording it for Victor, Bing Crosby for Decca, and Nan Wynn for the Jukers.



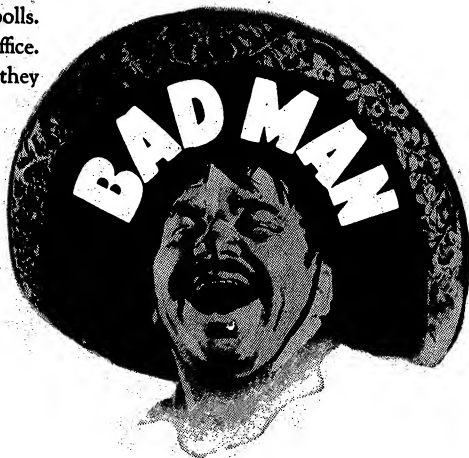
For instance,
typical Variety headline!



DOING SWELL, THANKS!

The reports of engagements from coast-to-coast are in! Again Wallace Beery proves why exhibitors voted him among the First Ten Box-Office Stars in the business in the annual polls. Beery in "Bad Man" is Box-Office. The kind of western comedy-thrill they love him in!

"THE BAD MAN" starring WALLACE BEERY with LIONEL BARRYMORE • Laraine Day Ronald Reagan • Screen Play by Wells Root • Based on the Play by Porter Emerson Browne Presented by William Harris, Jr. Directed by Richard Thorpe Produced by J. Walter Ruben A Metro-Goldwyn-Mayer Picture



Improved Production-Distribution Cue to Increasing Importance of Picture Industry in the Argentine

Buenos Aires, April 15.
Argentine picture-making continues on the upbeat—and it's going up fast.

Improving standards of production, reliability of the product and better distribution are all contributing to ward making this No. 1 city of S. A. into an increasingly important film center. And while no one believes there's any chance of Hollywood losing its hold—or not continuing to exercise the greatest influence of any factor affecting local production—Argentine picture-making is more and more getting a greater share of running time in Latin America's \$400 million houses.

It's not that the States don't know how to make pix that appeal to the Latins, but, rather, that there's something about a film in your own language that can't be ignored. Also, a big percentage of South and Central America's 85,000,000 Spanish-speaking population that goes to the movies is very anxious for pictures that don't need sub-titles, no matter how good the films with captions may be.

Therefore, Argentine pix have an advantage before they start to buy. And since audiences are willing to forgive many faults in return for the audible satisfaction of knowing exactly what's going on—upscreen heels walk them to first base—local buyers.

Distribution Looks Importantly.
Distribution, while not so much of a major upset factor at present, is likely to become more important. Spanish-language competition in Mexico and Spain continues far below that of Argentine and Mexico, in the opinion of those who know all three, both in production and quality. Imported Castellano (S. A. Spanish) pix have made little headway here. Neither have the Hollywood-made lingo epics. Since Argentina has the most important Spanish market in this hemisphere and is the best profit maker, outsiders must make good in the Pampa territory if they're going to make good at all.

Last year, for instance, this representative tabulated 322 U. S. features out of a total of 446 released in B. A. That didn't include an unknown number of cliff-hangers on which no count is kept. Local makers produced 49 features to get second place, and the French imports were third with 40. Latter, long popular, especially with the middle and upper-class, who considered France, not Britain, their spiritual ancestor, if, because of the latter's longer likelihood to hold their place. Exhibs here doubt that the German-controlled and dominated studios in Paris can make the kind of French-made long popular here. Or still less, get many people to see Nazi film propaganda in French dressing.

Germany managed to get in 10 features during '40, about half the number brought over in pre-war days. A majority of these little playing time in houses not directly subsidized by the Nazis. Not one first-run house in B. A. showed any English had nine fewer in the Pampa, six, Italy five, Spain only three and Russia two.

Cream Within Country.
Showings within the country (there are 1,208 houses, of which 980 are considered first-run) are furnished by cream, and distribution in nearby Uruguay and Chile is still handled directly from B. A. Setup for the rest of the continent is still a bit wobbly. Plenty of talk about Argentine and U. S. producer-distributors tie-ups, but there are so many pitfalls that widespread deals are off on the goodwill front. Increasing popularity of Argentine stars in Brazil, Mexico and Central America and development of talent are giving studios more and more name draws.

Difficulty has long been that lacking the international distribution setup of U. S. companies, local producers can't publicize stars and directors with the kind of glamour hoke that has made non-rankers as big names in the wilds of Brazil as in Kokomo.

First tie-up in many years between Argentine and Spanish film interests was completed not long ago and is being watched by observers who believe such deals may enlarge local production in both countries. "Ombo Involved" Generaline, Ma-

dril producing and distributing outfit, and SIDA, Argentine group, headed by Dr. Alfredo P. Murru. General may contribute up to 50% of producing costs, supplying coin in advance to enable production, the usual system here. SIDA wants to do eight features annually, slated to attract both South American and Spanish markets. Product of both companies would be sold jointly, together with U. S. indies, French, British and Italian features.

Heavy Investment.
Another step in the same direction was the recent heavy investment by Jacob Huberman of Arjston Internacional, distributors of Republic Pix and others here, in Olegario F. Fernandez's Pampa Film, one of the Big Five local producers. In return for the cash Huberman gets a percentage and exclusive distribution, Pampa dissolving its own handling department. Not only expect to improve mass of output during '41 but to achieve the first large-scale joint-selling of the Hollywood and native product.

Production of Argentine pixs was until recently much like Hollywood of long ago. Five big companies now dominate production and the few indies are closer to the present-day indies of Hollywood. They're producers who prefer to do just one or two films a year and let someone else distribute. Each of the Big Five make from eight to 12 features annually. Fact that more and more banks are investing their pesos is an indication that they consider it a big-time industry.

Leading companies are: Baires, Argentine Sono, Lumiton, Pampa and EFA.

SUNDAY SHOWS IN ENGLAND TO BOW APRIL 20

London, April 1.
April 20 has been set as start of Sunday stage shows. Deal will work under a setup whereby recognized government spokesmen, of opinion his particular area needs the entertainment for troops or industrial workers, will issue request for okay by municipal authorities to open legit or vaude houses, or both. The list is considered more or less a formality.

Sole condition attached to the opening is usual six-day week for employees. Where a locality is without adequate housing arrangements, licensing authority can commission a structure not ordinarily used for entertainment. Exhibs will be—if they're not already—"squawking plenty about this compels. Public dancing is vetoed by the new order, but same can be gotten around by forming private clubs, membership going with usual admish charge. Boxing and wrestling are nixed on the Sabbath.

GOOD EASTER WEEK BIZ FOR MEX CITY AMUS.

Mexico City, April 15.
Best biz in years is being enjoyed this Easter Week by most branches of the industry, trade being rated 25% better than that of last Easter. Upping was attributed largely to more American tourists and unusually large number of visitors from the provinces, attracted here by bargain railroad excursions. Cinemas cashed in by exhibiting outright religious pix or those with a strong religious trend. Like policy was followed by the stage-show theatres. Six carnivals flourished. Fairground activity by playing here during Easter. 'Out of towners went for all the pitches in a big way.

Poetry Readings Draw 8,000—Actually—in B.A.

Buenos Aires, April 15.
Berta Singerman, Argentine poetry reciter, whose audience draw has made her a big entertainment name in South America, is leaving shortly on a tour that makes most visiting U. S. star schedules look anemic in comparison. Jaunt which includes Chile, Peru, Ecuador, Colombia, Venezuela, Cuba and Mexico, features stops in off-the-map places that rarely get stage show talent.

Senorita Singerman—sister of Argentine film star Eugenia Suarez—usually draws more than 8,000 at the open air season of the Colon Theatre in B. A. and even bigger crowds in Mexico and Peru, where she does her reciting in 'bought rings.

Cutting theatrics to a minimum, she steps out on stage in a simple evening gown, picks something out of her repertoire of 400 poems—and lets go. They eat it up. She's made tours of S. A. and Spain since 1923.

MEX TO REVIVE HISTORIC HOUSE

Mexico City, April 15.
Restoration as a regular playhouse of the historic Teatro de la Republica in Queretaro City, capital of Queretaro state, has been undertaken by the federal and state government. Theatre was inaugurated in 1822, the year after Mexico attained her independence. By Emperor Agustín Iturbide, who soon was killed from grace because he sought to establish an empire in republican and democratic Mexico. The theatre was the scene of the collapse of another empire in Mexico, for it was there, in 1867, that the courtmartial was held that condemned to death Maximilian, Napoleon III's puppet emperor of Mexico, and his Imperialist Mexican lieutenants. The theatre was also the scene of the signing in 1917 of the new Mexican federal constitution. Some of the greatest acts of the Mexican and European stage have played the house.

The theatre has been dark for some time, mostly because of the increasing popularity of pictures. But the government intends to bring the old playhouse back in accordance with its program for assisting the theatre in Mexico. The renovated theatre would upon to be a great tourist attraction.

Par's Birmingham (Eng.) Office Blitzed, Metro Moves H.Q. 10 Miles Out

Paramount's Birmingham office in England was demolished by Nazi bombers one night last week, according to word received in N. Y. All the offices in the city have been moved previously to a safer spot but a staff member, on night watch, is listed as missing.

Metro moved its Birmingham office recently to a suburb about 10 miles away after the heavy destruction caused by Nazi bombing planes. Several other U. S. film companies have moved headquarters away from densely populated cities.

Recently delayed action bomb fell in front of the Metro office in Cardiff but fortunately all films had been stored outside the town, which enabled the company to deliver prints on schedule. The Birmingham vaults of Metro had been demolished several weeks ago but deliveries were made from other branches. This damage prompted the company to move its offices.

FORCED SHOWING OF MEX PIX AGAIN TALKED

Mexico City, April 15.
Enforced exhibition of Mexican pix, a rule that was nixed recently when the exhibitors convinced the government that it was impossible to do so, may be back there just now. Enough homesteads to go around, has bobbed up again in a bill authored by Congressman Luis Ordoñez Corda of Michoacan. Measure also includes a rule that affect foreign pix and their distributors. Congress is expected to act on this bill late this month.

French Film-Making Progresses Despite Red Tape; Nazi Companies Seek to Clear Market for Own Pix

Vichy, March 18.
Nine months after German films fled into Paris finds the French film industry concentrating its energies on keeping its head above water and with its former ambitions of surpassing Hollywood's qualitative and quantitative production completely cast into limbo.

In these nine months some progress has been registered. Ordinarily the current effort would seem slow, somewhat disorganized and held down by bureaucratic methods and still going on. Under the present conditions, the progress registered is quite commendable and demonstrates that the French spirit has not been completely crushed.

Since the signing of the Armistice seven new films have been completed and several, begun before the cessation of hostilities, have been finished as well. That more of the films, including the last Armistice days, are still going on, due to the fact that the Germans are not encouraging their completion for multiple reasons. Some of the themes are not to the liking of German audiences, controlled companies in Paris are out to do a bit of producing on their own and they would much prefer to keep the market clear for their own product.

Since the last few months the Germans have softened up a bit and permitted the exhibitors in Paris to show some of the 33 films completed before the Armistice, but not yet released. Something had to be done to hype box receipts since Parisian audiences cold-shouldered the German films and failed to show much interest in old releases. The only game was legit, with theatrical men smiling broadly and bragging that they were doing better business than ever before, both in Paris and in occupied and non-occupied provincial towns. The half dozen releases have started film fans trekking back to showcases with renewed interest.

Great Plans.
Great plans are announced for imminent productions. More than a score are announced and even if the number should be reduced by the time they get to the lot, it demonstrates a healthy desire of the French industry to get back into the running.

As the new films finished since the middle of June have been produced on the Riviera, which the French now call the "French Hollywood," although the only comparison at the present time is a climatic one since the Riviera leaves much to be desired on the French side.

'La Merveilleuse Vie' 'La Nuit Magnifique' ('Marvelous Visit' or 'Magnificent Night') was the first film to be started in Paris after the finished. Piloted by J. P. Paulin, with scenario by Andre Paul Antoine, the picture was rushed to completion in a fortnight and was released early in January. Heading the cast are Fernandel, Charles Vanel, Janine Darcey and Madeleine Robinson.

'La Fille du Pulicier' ('Well Digged Daughter') with Raimu and Josette, was the first full-lengther started and completed under the 'new order' in France. It's already been exhibited to Swiss audiences and getting good review here. Marcel Pagnol did not mope. He planned this film many months ago but with war delays couldn't get around to it until the war was a thing of the past.

'Le Chapeau de Paille d'Italie' ('The Italian Straw Hat') directed by Maurice Camille with Fernandel, Tramel, Champin, Joseline Gael, Therese Dorly and Jacqueline Laurent, is also off the lot. It's a comedy by Labrousse and Marc Michel.

Perennial Legit Star

Cecile Sorel, Set for Pix
It took the surprise of the defeat to get perennial legit thes Cecile Sorel into films, and the result is that she has come through neatly in L'A 40 (Mar 1940). Cast with her are: Marcel Pagnol, Joseline Gael, Simone Berriau, Marcelle Prance and Alerne. Yves Mirande did the scenario and Raymond

Leboursier the directing. This list of names was sure to go to town. It was released in Marseilles a few days ago but the censor came down on all fours. It has been banned until some objectionable features have been eliminated.

'Viviane' (Stick, Georges' Flamingo, with Robert Vigan and Helen Gance, have just finished 'Le Venus Aveugle' ('The Blind Venus'). Abel Gance, both directed the pic and wrote the scenario. Now that the French 'oomph' girl has gotten this film out of the way, she is planning to return to the stage. Although she got her start in vaude she now plans bigger and better things and wants to take a ding-dong at dramatics. In between she is writing her memoirs, entitled 'The Life of a Star.'

'Parade on Sept Nuits' ('Parade in Seven Nights'), series of sketches planned before the war; is also completed. Sketches have been written by Marcel Achard, Rene Leleuvre and Henri Jeanson. Raimu holds main role. Marc Allegret did the directing.

Nous les Jeunes' ('We the Young'), a propaganda pic, winds up the list of completed films. Piloted by Marcel Cloche, it has actors with well established rep., including Raimu, Joseline Gael, Jacqueline Rame and Jean Daurand. It's all about the life of Captain Henri Bournazel, French North African military hero.

Details Lacking.
Several films are on the lot but precise details are presently lacking. In Paris, the picture 'Fantastique', based on the life of French composer Louis Berlioz, is being piloted towards completion by Christian. (Continued on page 54)

'HONOR SYSTEM' WOULD RULE BRIT. QUOTA

London, April 1.
Latest to-do around film quota, which continues to concern producers and exhibitors alike, has been a revolutionary proposal put forward to trade biggles that scrapping of the Act altogether precede a scheme governed entirely by good intentions. British exhibs would operate via a committee embracing whole film industry and pooled finances; renters would agree to up coin against present quota obligations, and give a grandstand promise to go for local product to an extent not less than now required by the quota. Exhib support is stated to be clinched as result of attention it's given British films and production conditions, that screen would take homeland pix sans compulsion by law.

It listens like a symphony in something flat. As for the plugged exhibitor backing, not long ago there was wild squawking in production circles as British exhibs threatened that screen would take homeland pix sans compulsion by law. Planning bug has hit the film trade as follow-up to looming Government Commission, regarded by them as a British film and production. Also, Films Council recently threw out exhibs' proposal their quota percentage should be cut in view of shortage of available British pic.

Black's 'Vanities' Clicks In Brighton, Eng., Bow

London, April 15.
Georgie Black's 'Vanities' opened at the Hippodrome, Brighton, suburb of London, on Friday (11) and indicated 'click' possibilities when it preems shortly at the Victoria Palace in the West End. Flanagan and Allen and Frances Day are outstanding among the cast.

Of the more unbelievable moments, the one in which a British destroyer captain permits the notorious sea pirate, Cabiñi, to escape even after a thorough search of the halted vessel is perhaps outstanding. The final slugging match between the munitions crew and the pirates is stretched mighty thin.

John Lodge, formerly of some Hollywood films, but better known for his work in British and French screen productions, makes a competent pearl smuggler and winner.

back by the sheer weight of numbers. A German first-aid officer examined my leg, but an officer ordered me to leave me.

Our Evzones (mountain troops) were attacking from the heights of a position in the foothills of the Balkan Mountains. I was ordered to our soldiers who transported to Kiklis.

I was lying in an ambulance in German armored columns attacked the pass. Our tankists, using aerial bombs, grenades in the darkness, went against the tanks, which moved in mass formation. A British bomber that night landed outside Kiklis, so, you see, I seem to be touching the times, a week ago.

British
LONDON, April 15 (P)—A War Office communique:

In Greece our patrols have been in touch with the enemy in the Monastir Gap since the night there is no report of the fighting between the Germans.

On April 14, our patrols reported that there was a leaving of the area.

aircraft, one of which was shot down. The other was shot down by the sea.

On April 14, a German machine gun was shot down by our troops.

On April 14, a German machine gun was shot down by our troops.

hit by bombs and shelling. At night German troops to the British 5,000-ton steamer and sent it to a safe place. Several thousand place.



ACE REPORTER COVERS THREE FRONTS AT ONCE!



WAR = 1
That argument in Europe!



WAR = 2
With a brunette bliss-kreig!



WAR = 3
With that 'Strawberry Blonde' Bomber!

MERLE OBERON
of 'Wuthering Heights'



DENNIS MORGAN
of 'Kitty Foyle'



RITA HAYWORTH
of 'Strawberry Blonde'

"Affectionately Yours"
with lots of love

WARNER BROS.

a big surprise - like a kiss in a Blackout!

with **RALPH BELLAMY • GEORGE TOBIAS • JAMES GLEASON • Hattie McDaniel • Jerome Cowan • Directed by LLOYD BACON**
Screen Play by Edward Kaufman • From the Story by Fanya Foss and Aileen Leslie • A Warner Bros. First National Picture

"FRANKLY FASHIONED FOR THE BOX-OFFICE!" ...

said Newsweek Magazine which was proven by business at the Roxy, New York, where picture was held over for 2nd week. Second Sunday played to 18,600 admissions!



"THE STUFF OF WHICH MOVIE HITS ARE MADE!" ...

tipped off Cue Magazine, as the Denver Theatre, Denver, crashed thru to one of the three biggest U. A. grosses in the last two years. Moved over to Aladdin for second week of continuous first run!



"A HIGHLY SATISFACTORY GROSSER BEYOND QUESTION!" ...

predicted Hollywood Reporter—and the romantic combination of Stewart and Goddard made the prophecy come true in Oklahoma City, Worcester, Springfield, Youngstown and Scranton where "Pot O' Gold" piled up a pot o' money!



"IT PRESENTS A WEALTH OF EXPLOITATION MATERIAL!" ...

said Film Daily...and the intensive radio campaign put on by Horace Heidt and His Musical Knights for 13 weeks has made "Pot O' Gold" one of the greatest potential grossers your theatre has played in a long time. Just tie in your campaign with many national exploitation stunts already set!



JAMES STEWART GODDARD PAULETTE

**STEWART GODDARD
POT O' GOLD**

HORACE HEIDT AND HIS MUSICAL KNIGHTS CHARLES WINNER

Released thru
UNITED ARTISTS

Non-Vaude Theatre's Setback by Grips In St. L. May Create Nabe Precedent

St. Louis, April 10. Placing of grips in most of the neighborhood picture houses in Maplewood, Mo., and adjacent St. Louis county, is overshadowed in capitation of Bess Schuller, owner of the Powhatan, Maplewood, to demands of the Theatrical Brotherhood (Local 6) for employment of a stagehand. The theatre has never presented stage shows. Under terms of an agreement reached last week, resulting in unopposed packing of the Powhatan, 850-seater, on Easter Sunday, the stagehand will be engaged at \$75 per week to do so-called maintenance work. When Mrs. Schuller asked the demand originally on grounds that a stagehand would have nothing to do, execs of IATSE local number 243 pulled out the two union projectionists and the house was shuttered.

Since Mrs. Schuller is a member of a syndicate owning and operating four other St. Louis nabs, it was deemed not to employ union operators at the Powhatan because of the danger of involving the other houses in labor strife. The 1,600-seat Aldrome, adjoining the Powhatan, is a big main theatre run with the open air season about to begin. Mrs. Schuller reached an agreement so as not to jeopardize that source of revenue.

"Maintenance work" will divide his time between the Powhatan and the Roxy, another house in the Schuller chain. The Roxy has never employed a stage or 'maintenance man' before.

Film row observers opined that Mrs. Schuller's concession from local No. 6 adds up to zero. The Powhatan is bracketed by local No. 143 in the class where it pays projectionists \$80 per week each. It was because of this classification that Local No. 6 decided to insist upon employment of a stagehand. In several other St. Louis picture situations stagehands split duties between two nabs.

'DIRTY ROPE' SUIT

Bauer's \$25,000 Claim Vs. U. S. Halls

Universal on April 21 will ask the N. Y. supreme court to dismiss a somewhat tragic comedy suit against it. It is alleged that the film company has "angled" a man with a dirty rope and so badly infected him that he died. The man sought \$25,000 damages. However, he has failed to press his claim.

The plaintiff is Boris Demitroff, a professional wrestler. The occasion was March 28, 1938, in the RCA Bldg., New York, in which Universal was making a picture, and Demitroff was chosen as the willing subject to the hanging.

Marx Bros.

Continued from page 3

to go their separate entertainment ways, for a time at least, will mark another phase of their career which started when the trio were part of the family act in vaudeville as kids with their mother and their aunt, under the monicker, 'Six Musical Mascots.' Later they toured as the Zeppo, Harpo, Chico and Groucho. Harpo, Chico and Zeppo, now the agents, are expert on the saxophone and other instruments.

Following a couple of musical shows, they came to pictures under the Paramount banner in 'The Cocoanuts,' 'Animal Crackers,' 'Monkey Business,' 'Horsefeathers,' and 'Duck Soup.' Then for two years they were off the screen. They made out for RKO in 'Rhythm,' 'Follies,' 'Warners they made 'The King and the Chorus Girl,' for Metro, 'A Day at the Races,' 'A Day at the Circus' and 'A Night at the Opera,' the last names having marked the new start of professional life under the late Irving Thalberg. With completion of 'Bargain Basement,' Groucho, Chico and Harpo will have made a total of 11 pictures since 1929. Their last few pictures were produced at the rate of about one per year, and the time lapse for each is said to have had a good deal to do with the Marxes' decision to call a film recess.

\$5,000,000 SUIT

Chaplin's 'Dictator' Claim By K. Bercovic

Charging that Charlie Chaplin used his idea and original plot in production of 'The Great Dictator,' Konrad Bercovic, novelist and short story writer, filed suit for \$5,000,000 damages in N. Y. supreme court Monday (14) against Chaplin and United Artists Corp.

Bercovic claims that Chaplin broke an agreement and misappropriated literary material after it had been agreed between Bercovic and Chaplin that they would collaborate on a series of motion pictures. In his complaint Bercovic alleges that on March 15, 1938, he originated a satire on Adolf Hitler and dictatorship, that he proposed that Chaplin produce a picture based on the satire, and that it was agreed that Bercovic was to develop the idea and Chaplin would produce the film.

Bercovic further alleges that on April 19, 1938, Chaplin informed him he did not believe it feasible to produce the picture for 'political and other reasons.'

DRIVE-INS STARTING EARLIER THIS YEAR

Detroit, April 15.

This town's two drive-in theatres will open earlier than usual this year, getting away on April 18. Spring has come earlier than usual this year in the north and it follows an unusually mild fall last year which kept the same outdoor picture places six weeks beyond their usual fall season.

According to Alden Smith, district manager, both the theatres will get an earlier start on pictures than they have in the past. The reason for this location beyond the usual booking areas has won them a special consideration. The Drive-In chain is expanding here since a third is underway to service the downriver suburbs in the River Rouge-Wyandotte sector.

Warners Keeping Its Talent on the Hop

Hollywood, April 15.

All but three of the top names at Warners are busy, either in Burbank or on loanout, and all but nine of the featured weeks are earning their salaries. In addition to the contract roster of 84, the studio is using 22 freelancers.

Vacationers in the top bracket are Boris Davis, James Cagney, and Geraldine Fitzgerald. On loan are Olivia de Havilland to Paramount and George Brent to Edward Small.

Freelancers Spared Clip

Sacramento, April 15.

Freelance film actors get a 'break' under Senator Robert W. Kennedy's bill, passed in the upper house, to prevent overpayments to the State Unemployment Insurance Fund. Act provides that the 1% employees' contribution to the fund will not have to be paid in wages in excess of \$3,000.

Arthur's Racing Yarn

Hollywood, April 15.

Dir. track auto racing is the background for 'Arthur's first picture' for Republic, titled 'How to Die Young.'

Story, written by Robert Andrews, is about the rugged individuals who have racing careers on horseback. Shooting starts April 28.

UNIVERSITY'S STARTER

Hollywood, April 15.

First feature by University Film Productions is 'No Greater Sin,' formerly titled 'Kiss of Death,' slated for a May 1 start at Fine Arts studio. William King directs the picture, written by M. C. Rauson.

NLRB Vs. Disney

Hollywood, April 15.

The National Labor Relations Board is preparing to press charges of unfair labor practices against the Walt Disney studio despite further conferences which are scheduled for today. A score of affidavits have been filed with NLRB by the Screen Cartoonists Guild and Society of Motion Picture Film Editors accusing Disney of sponsoring a company union.

TRENDLE'S PAR SUIT IN COURT APRIL 24

George W. Trendle, former theatre owner, will be examined before trial April 24 in N. Y. federal court in connection with a suit being brought by Trendle against Paramount Pictures, Inc., and John H. King, formerly known as John H. Kunskey. Plaintiff is seeking to break a 50-year agreement made in 1929 when he sold out his theatre, holdings to Paramount.

On June 22, 1929, Trendle and King sold their holdings in Kunskey Theatre, the State theatre, Detroit, Adams Theatre Corp., and the Madison Realty Corp. Part of the agreement was that the plaintiff would not operate within a 150-mile radius of Detroit for 50 years. Trendle claims that this agreement violated the Constitution of the U. S. and imposes an unreasonable restraint of trade. King is joined as a defendant because he has retired permanently from the theatre business and refuses to join plaintiff in a party in the action. King-Trendle Enterprises operates a Detroit radio station also.

Another U Stockholder Would Sue the Company

René B. Meyer, holder of 100 shares of common stock of Universal, applied to N. Y. supreme court Monday (14) for permission to join Samuel I. Posen, Universal director, in a stockholder action against the company. Posen and Meyer are accusing the company of fraud and mismanagement and seeks an accounting on \$2,000,000 allegedly wasted.

The stockholder claims that by allowing the intervention, more diversified suit will be the result. It is pointed out that a stockholder suit can be settled for private gain, and while no implication is suggested that this will be done, it is still a possibility, and plaintiff does not want to risk loss of rights.

FRENCH INTO CELLULOID

Jeon Renor Has 20th. Interested in De St. Exupery Book

Antoine de St. Exupery, French refugee author, left New York for the Coast last week to huddle with Jean Renor, French director, who recently joined the 20th-Fox staff, on screen treatment of de St. Exupery's best seller, 'Wind, Sand and Stars.' Renor has interested 20th in the book and the studio has agreed to buy it. Renor and the author can work out a satisfactory treatment.

Non-fiction yarn was published about 18 months ago. It is about flying 'Type 29' in the aviation picture, 'A Yank in the R.A.F.,' at 20th-Fox.

Currently the actress is working in 'Miami.'

Betty a High Flyer

Hollywood, April 15.

Betty Grable gets the co-star spot with 'Tyne Weir' in the aviation picture, 'A Yank in the R.A.F.,' at 20th-Fox.

Currently the actress is working in 'Miami.'

JASON'S 'THREE GAIS'

Hollywood, April 15.

Leigh Jason reported at Columbia to direct the Joan Blondell starrer, 'Three Girls About Town,' scheduled for an early June start.

Producer is Sam Bischoff.

Geller in N. Y.

James T. Geller, story editor for William Morris, is in New York on a periodic visit. He met Manheim in the latter's office, and the latter has been installed as N. Y. rep for the story department.

Geller returns to the Coast the end of this week.

Studios Face Labor Shortage As Government Draws Heavily For Its Nat'l Defense Work

Hollywood, April 15.

With hundreds of film technicians already working double shifts, the major studios are threatened with a serious labor shortage if the workers continue to desert the industry to accept jobs on defense projects. Frank Carothers, Aubrey Blair and other Coast tops in the American Federation of Labor say the situation is certain to become acute when the rains stop and the Government program gets into full swing.

Carpenters now are at a premium. Most of the younger ones are working for the U. S. and many of the studios are refusing to dismiss their men at the end of a shift for fear they will need them a few hours later and will not be able to get a call. Painters are scarce. Few machinists, plasterers and property men are available.

While the hourly Government pay is lower than the film industry, the men are guaranteed steady employment. This means their weekly earnings are larger, and they are permitted to work as much overtime as they desire, and in many instances seven days a week. Machinists are being guaranteed a year's employment.

H. C. Rohrbach, secretary of Studio Utility Employees Local 724, recently experienced difficulty in filling a section of the U. S. Navy. He was guaranteed \$110 per week if they wanted to work seven days. Film laborers also are being guaranteed.

WYLER'S REHEARSAL PRE-SHOOTING 'FOXES'

Hollywood, April 15.

Unique step in Hollywood production is being taken this week as William Wyler in direction of 'The Little Foxes' for Samuel Goldwyn.

He is putting the complete cast and crew through a full week's rehearsal of the entire production. He hopes in this way to avoid retakes and bad scenes resulting from lack of understanding of what's expected of them by players or technicians.

Show Biz Child Labor After 10 OK in Calif.

Sacramento, April 15.

Two bills passed by the State Assembly during the past week ease ban on kids working in legit, films, radio or television shows after 10 p.m.

New law allows minors to work until midnight provided permission is obtained from a State Labor Commissioner.

Directs 'Ladies'

Hollywood, April 15.

Charles Vidor drew the director chore on the film version of the stage play, 'Ladies in Retirement,' to be produced by Gilbert Miller and Lester Cowan at Columbia.

Ida Lupino and Louis Hayward have been signed for top roles.

'Cay' Gets Bleaching

Hollywood, April 15.

'Didlo Cay' goes from brunet to blonde in the new shift which spots Madeleine Carroll instead of Dorothy Lamour in the female lead. 'Cay' starts production ahead of its original schedule, while Miss Lamour is busy in 'Aloma of the South Seas.'

Stirling Hayden plays the male lead in 'Cay' with Edward H. Griffith as producer-director.

Geese Call Bennett

Hollywood, April 15.

Joan Bennett gets the co-starring spot with Henry Fonda in 'Wild Geese Calling,' slated to roll early next month at 20th-Fox with Harry Joe Brown producing.

Picture is based on a novel by Stewart Edward White.

teed \$78 per week on government jobs.

Carothers, secretary of the Motion Picture International Committee, has suggested that the Producers put all key men on a guaranteed employment plan of so many weeks per year. The suggestion has been approved by Blair, Herbes, Sorrell, business representative of Moving Picture Painters Local 644, and other tops of studio unions. Sorrell offered to turn back a 1937 pay boost for his men if the companies would guarantee them 42 weeks' work per year.

Even the actors are beginning to feel the pinch. Thousands of extras are working for the first time in more than a year. Freelancers and stock players also are being put under contract. With many of them being called into military service, a scramble has started for the services of the top ones who are exempt from military calls.

Although no general agreement has yet been made, it is generally understood that the Howard R. Philbrick will be retained as general manager of Central Casting Corp. Several producers were inclined to make a change, but others insisted that Philbrick has not had sufficient time for the first time in, and that his plans to reorganize the bureau have been tied up by unionization of employees at Central. Victor H. Clarke had been mentioned for the job, but a general belief now is that Philbrick will get one other shot at it when his one-year trial term expires this month.

A showdown in the AFL drive to unionize the Hollywood Studio is expected this week. Tops in AFL were to confer with Gunther Lessing, company attorney, today but union leaders themselves expressed the opinion that Lessing was stalling for time. The big fight centers around the Screen Cartoonists Guild, which claims to represent a majority of the 700 cartoon workers. Negotiations for the Guild are being handled by Herbert Sorrell, Aubrey Blair, Joseph Tuohy, of the Teamsters, and George E. Bodie, attorney for the SCG.

Publicists to Meet

A special membership meeting of the Screen Publicists Guild has been called for tomorrow (Wednesday) to call on the Screen Actors Guild for support in its drive for recognition. The flicks will act also on the new national constitution, and will appoint a committee to go to Sacramento to meet union men in fighting State legislation aimed at labor.

Negotiations between the Screen Writers Guild and the producers and the Screen Actors Guild and the Screen Writers Guild will be resumed the last of this week. While the producers and the Guilders are still far apart on a new contract, the screenwriters are said to be near an agreement with the Guild. The Screen Actors Guild has asked the International for aid in setting new deals with the major companies, a real battle is expected if the International attempts to take over control of the market. The major difference between the two latter groups is over the SWG request for appointment of a negotiator to secure bids on all story material before it is sold.

Studio locals of the International Alliance of Theatrical Stage Employees are keeping their ears to the ground to get a rumble on what the Screen Actors Guild is planning in the east. While several of them have asked the International for aid in setting new deals with the major companies, a real battle is expected if the International attempts to take over control of the market. The major difference between the two latter groups is over the SWG request for appointment of a negotiator to secure bids on all story material before it is sold.

Bluff has been keeping in the background for months, but the general feeling here is that he still is pulling the strings from behind the curtains. Several of the 'local' leaders have been firing with the Congress of Industrial Organizations, and are now in the east, to talk with Browne and international heads of the unions in the Studio Basic Agreement.

Great IN TALENT ...
Great IN SHOW-VALUES ... Great IN BOXOFFICE

Alice FAYE
Jack OAKIE
John PAYNE
Cesar ROMERO



THE GREAT AMERICAN BROADCAST

7 SMASH SONGS
 by Mack Gordon
 and Harry Warren!

WHERE YOU ARE
 I TAKE TO YOU
 RUN LITTLE RAINDROP, RUN
 LONG AGO LAST NIGHT
 I'VE GOT A BONE TO
 PICK WITH YOU
 IT'S ALL IN A LIFETIME
 THE GREAT AMERICAN
 BROADCAST

with

THE FOUR INK SPOTS
 (favorite radio and record stars)

JAMES NEWILL

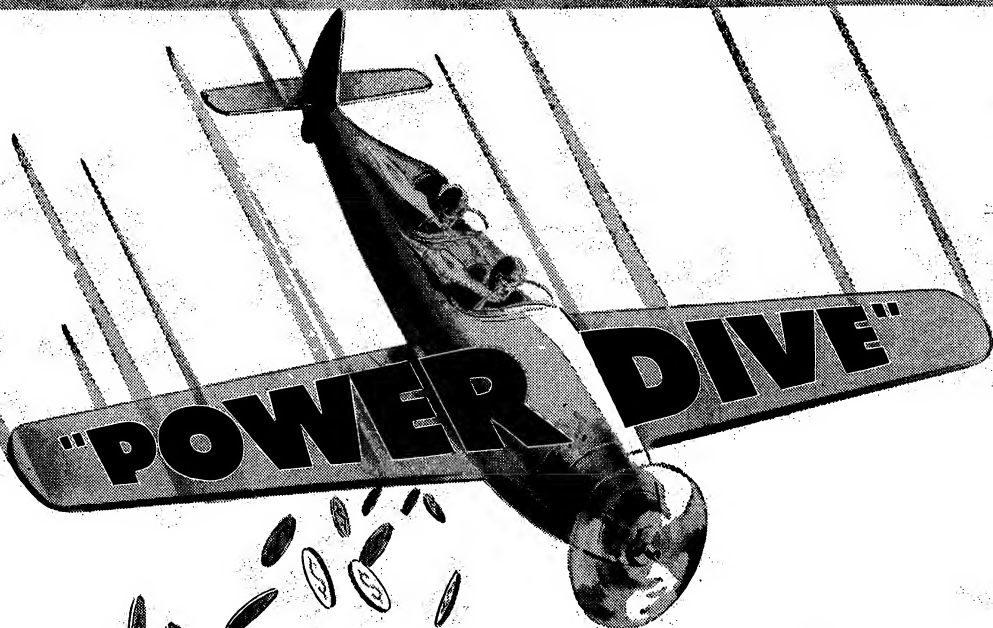
NICHOLAS BROTHERS

WIERE BROTHERS

Directed by Archie Mayo

Associate Producer Kenneth Macgowan
 Original Screen Play by Don Ettlinger and
 Edwin Blum, Robert Ellis and Helen Logan





THERE'S A GOLD MINE IN THE SKY!

"Packed
with
thrills,
action
and ro-
mance!"
—M. P.
Daily

"Will
hand
the cus-
tomers
a terrific
thrill!"
—Los
Angeles
Examiner

"Packs
thrills.
Has every-
thing it
takes to
win the
fans!"
—Hollywood
Reporter

"Replete
with thrills
enough,
suspense,
coupled with
romance to
satisfy even
the most
exacting of
fans!"
—Daily
Variety

AVIATION... the No. 1 interest in the public eye today—and Paramount gives you three super-charged aviation thrillers... while all America has its eyes on the skies!

...and No. 1 of the series
zooms home a winner!



Paramount Presents

RICHARD ARLEN and JEAN PARKER

in

"POWER DIVE"

with

Helen Mack • Roger Pryor • Don Castle • Cliff Edwards • Billy Lee

Directed by JAMES HOGAN • Screen Play by Maxwell Smart
and Harold Churchill • Based on a Story by Paul Francis

SOON TO TAKE OFF...



1940-41 Prod. Windup

Continued from page 2

procession, with Paramount second with three already in the vaults. United Artists, Metro and Warners each have at least one feature in the new program, and the possibility looms that several of the other producer-distributors will decide well in advance of the closing of the current year to make use of their output for the new slate.

Paramount and Warners each has six films in work for '41-42 and Universal and RKO have two each, with 20th-Fox having one picture shooting for the forthcoming season.

Indies' Output

Columbia still has 15 to go and Republic 14 on the current year's output. Monogram trails with 12 still to make to fulfill requirements. Paramount has three features in RKO, and the same applies to RKO. Universal, with seven to go, completes the list. Studios with clean slates for 1940-41 are 20th-Fox, United Artists and Warner Bros. Among the known '41-42 features already completed at the several studios is Metro's 'Dr. Jekyll and Mr. Hyde.' Paramount has 'Skykirk, New York Town' and 'The Night of January 13th' and is now in production and is presently filming 'Hold Back the Dawn.' 'The Great Man's Lady,' 'Nothing But the Truth,' 'World Pleinere,' 'Buy Me That Town,' and 'The Great Flamingo' are also in the 'Mr. Bug Goes to Town,' for the new program.

At RKO new season's pictures filming are 'Before the Fact' and 'Paradise Battalion.' In the RKO summary it must be noted that 'Citizen Kane,' shortly to be released, is being sold apart from the regular season's output. In addition, company released a relatively new picture, 'Lady on the current year and is also bringing back the Buckle Up, 'Bring 'Em Back Alive.'

Completed '41-42 Pix

Completed pictures for '41-42 at United Artists are 'Sing Another Chorus,' 'Hello, Gals,' 'The Great Flamingo,' 'Unfinished Business.' Presently filming for the new program are 'Halfway to Shanghai,' 'Beyond the Law,' and 'Rhapsody in Stripes.'

United Artists has wound up its current season with a picture, extension of releasing the Hal Roach production, 'Broadway Limited.' Preparing for next season, with early starting dates already set, are:

Ernst Lubitch (unfinitied to start within 30 days; 'Savage Victor,' a Sol Lesser picture; 'Night Music,' which Loew-Lewin will film; 'Corsican Brothers,' an Edward Small production; 'Illusions,' an Alexander Korda picture, to go in about three weeks; 'G-Men vs. Scotland Yard' (tentative title), another Edward Small picture, slated to start filming in a couple of weeks; 'Jungle Book,' another Korda film, slated to start the cameras during the next 30 to 60 days, and 'Sundown,' which Walter Wanger will produce, scheduled to start filming soon, time in May.

In addition to 30 already released this season, Metro has set national release dates up to June 6, with a total of eight films to be issued during that period. These include 'Ziegfeld Girl,' 'People's Choice,' 'Love Crazy,' 'Washington Melodrama,' 'A Woman's Face,' 'The Enemy Within,' 'Billy the Kid' and 'I'll Wait For You.'

Of these, on which release has been set, two are nearly completed, while a total of five are in production awaiting dates. Under contract, Metro is obligated to deliver a minimum of 44 and a maximum of 52. It will deliver the minimum of 44, which means, according to releases set, it still has only six to go. Release after June 6. Question of whether the company will deliver more than the minimum contract requirement of 44 depends on production progress, which is being well advanced, making delivery of more than 44, although with a view to getting blocks-of-five ready at the earliest possible date anything over the 44 will have to go over onto the 1941-42 program.

Three Blocks?

Some of the principal producers, particularly those bound under the consent decree, hope to have up to 75 features completed when the new selling program starts, in order that at least three blocks of 25 each be determined to sell in this manner, can be offered. Others hope to have at least several packages of five each.

On the other hand, such producer-distributors as Columbia and Universal which are not bound by the

Government decree are going ahead with block sales of their entire season's product. Universal's output has been placed at 81 and Columbia figures on at least 48 features and the customary 16 westerns.

United Artists, also apart from the consent decree, has reduced its promise of 22 pictures to 17, already released.

Mpls. Continues As Closed Town; Bldg. Elsewhere

Minneapolis, April 15. Minneapolis continues closed town as far as new theatre construction is concerned. Reaffirming its policy of prohibiting any more show-houses here, the city council voted against issuance of a permit for one of the neighborhood districts. The matter came before the body on a minority report from the license committee which had recommended that the permit not be granted.

For the past six years no license has been granted by the city council for the building of a new theatre. The American theatre has been losing fight to obtain such licenses and if the bars were let down it is indicated that fully a dozen would be sought.

In taking its stand against more theatres, the council has heeded the contention of the Minnesota Amus. Co. (Paramount) and independent exhibitors that the town already is considerably over-saturated and further theatre building would jeopardize present investments.

New Havana Theatre Opens

Havana, April 15. The America theatre has been opened here. Modernistic theatre represents outlay of \$350,000. 'All This, and Heaven Too' (WB) was opening picture.

For the benefit of a Cuban orphan's home, Valdez, owner, also operates the Rialto and Payret, second-run houses, and formerly ran the smart Radio-Cine.

Blank-Knight's 1,000-Seater

Omaha, April 15. Ralph Blank and Walter Green, building the new Admiral theatre, start work April 22. Will seat 1,000.

Pickwick and Greenwich (Conn.) Anti-Trust Suit

New Haven, April 15. Papers filed in U. S. District Court here by Prefect Theatres Inc., Fairfield Holding Corp. and Grenfield, Inc., all of Greenwich, Conn., charge eight major film corporations with conspiring to monopolize and restrain interstate commerce in connection with film distribution in New York and Connecticut, specifically in the vicinity of Greenwich. Amount involved is approximately \$5,500,000, this figure representing triple damages asked by plaintiffs on losses totaling \$1,800,000 over a period extending back to 1933; during which time plaintiffs claim defendants conspired to ruin business of select theatres and cause withdrawal of independent exhibitors through the Pickwick and Greenwich theatres of Greenwich.

Defendants named are 20th-Fox, RKO, Vitaphone, Paramount, Universal, Columbia, United Artists. Monogram and Republic are mentioned also but are not named as defendants as the complaint states they were persuaded and convinced when house was operated by RKO up to 1933 but from that year on, when Prefect took over, it has been impossible to get films except on 7-days' clearance for nearby theatres.

Prefect claim is that 'Pickwick theatre had no clearance difficulties when house was operated by RKO up to 1933 but from that year on, when Prefect took over, it has been impossible to get films except on 7-days' clearance for nearby theatres. The suit in regard to pick shown in Stamford, also close by. Prefect claims this setup was instituted by defendants order to acquire a monopoly in Greenwich by forcing Prefect out of business.

Pickwick was built in 1928-29 by indie group at approximate cost of \$1,000,000.

In Case You Didn't Know, Court Defines a 'Stooge'

Boston, April 15. In reviewing the case of James Curran versus Dorchester Theatre Co., the Supreme Judicial Court of Massachusetts has handed down an opinion as to the definition of a 'stooge.'

Case involved ejection of a 15-year-old patron by a substitute usher who was not on the payroll, but was reimbursed with passes for sundry chores around the theatre. The Supreme Court found in the testimony of a member of the theatre management that 'stooge' was a boy 'that assisted in getting out circulars, window ads, and any little job that they might do around there—that there comes a time when various one of the employees needs one of these stooges to do some little job out there (in the theatre) and that they call these stooges to do them.'

The court sustained the decision of the lower court to award James Curran the election prize, \$5,000 for damages sustained when his arm was shoved through a glass door by a 'stooge.'

I. A. R. WYLYE'S RKO PIC IDEA

Deal has been set by RKO with author I. A. R. Wylye to do a script from an idea she suggested to Collier Young, RKO's Coast story editor, while he was in the cast recently. Agent Carl Brandt has gone to Hollywood to set final details and will follow Miss Wylye on a four-week trip. Yarn is a modern American love story. Contract provides that if the author later works it out into a book and it is published, she gets an additional fee.

Eric Knight's new novel, 'This Above All,' is commanding prime attention currently from story department and appears a likely sale at a top price shortly. Agent Alan Collins has reportedly already nixed a \$40,000 offer, holding out for a deal in which price will be based on number of copies sold. Book, a love story amid amidst bombings and war in present-day England, had a 40,000 advance sale, considered tremendous by booksellers' without a great deal of advertising. It's expected to head the best-seller lists at the end of this week.

Number of studios, particularly 20th-Fox, are interested in 'Junior Miss' by Sally Benson, which will be published by Random House late in May. A compilation of sketches from the New Yorker, it has been selected as the Book-of-the-Month for June. Benson, Fox purchased from Moore, who is also acting as agent in the film sales, is asking \$50,000.

Morse Buys Hollywood, April 15.

RKO bought 'Powder Town,' a story of munitions, by Vicki Baum. 20th-Fox purchased 'The Love of Love,' by Helen Vreeland and Eve Benedict. RKO acquired screen rights to a novel to be written by I. A. R. Wylye. Jack La'it, Jr. sold his yarn, 'Caviar for Two,' to Universal. 'Take a Letter, Darling,' by George Beck, bought by Paramount. Warners bought the Clements Ripley novel, 'Mississippi Belle.' Warners bought Clements Ripley novel, 'Mississippi Belle.' Joel Malone sold his radio script, 'Chances,' to Metro. Sol M. Wurtzel bought 'Hearsees Don't Hurry,' by Stephen Ransome, for future production at 20th-Fox.

Geo. Walsh Takes Over RKO Yorktown in N.Y.C.

A major operator of theatres with Paramount for 20 years, George Walsh, who recently resigned from the company to confine himself to his personal interests, including real estate, has been closed a deal with RKO for the acquisition of the Yorktown, N. Y., which marks his entrance into the eastern field as an independent exhibitor.

Walsh takes position of the Yorktown, an upper west side (Manhattan) house, tomorrow (Thurs.). The same policy of double bills will be continued for the present at least, he states.

The theatre was formerly in the chain of the late Lee Ochs who formed a 50-50 partnership with RKO over this house and others some years ago, with RKO operating.

Pitt Would Drop Banko If Cops Also Clamp Down on Pa.'s Bingo

Pittsburgh, April 15. Pittsburgh theatre men, speaking of the record, say they'll be very happy to drop banko and other giveaway lotteries if authorities clamp down, too. Bingo games that are thriving among Western Pennsylvania community under different disguises. Operators consider this serious competition, pointing out that bingo games certain fairly large towns draw as many as 5,000 people nightly, and claim the only way they

can meet this is with a cash lure of their.

Recently Better Business Bureau appealed to theatres to drop Bank Night of their own volition, pointing out that it was not only illegal but also poor merchandising, and short time after that, Kiwanis Club endorsed BBB plea and also called upon pix owners to eliminate practice.

So far, theatres have ignored both appeals, answering BBB indirectly suggesting that organization get at the root of the evil, which they claim are the variously-sponsored bingo lotteries, likewise illegal but running without molestation. Circuit chamberlains have suggested to Better Business Bureau that if it can eliminate this first, they would be willing to lend a sympathetic ear but not until then.

Banko, bingo, etc. Federal violation but so far the Government has maintained a hands-off policy locally.

Bates Bank a Lottery in N. Y. An important ruling-term bank night a lottery was handed down by Judge Edward A. Conger in N. Y. federal court Wednesday (9) in connection with a suit by Louis Kessler, doing business as Novelty Games Co., against Abraham Schreiber, doing business as Premium Producers Co. Plaintiff's action was dismissed by the court.

Plaintiff has a game called 'banko' in which it uses cards and sells this game to theatres. Defendant's game is allegedly an exact copy, called a 'banko' by the court. Injunction, accounting of profits and damages.

Judge Conger's ruling declared that the games were similar but that the games constituted a lottery and were used to bolster theatre attendance. While the mere selling of the games to theatres might not constitute a crime, declared the court, there is no question as to the use they are being put to. The fact that those persons in the lobby of the theatre can play by registering does not change the situation as this is just a subterfuge. Since the games are a lottery, no relief in equity can be granted and the complaint is dismissed.

ONTARIO OKAYS 'LOVE' DESPITE CHURCH BEEF

Toronto, April 15. On charges that the film 'cheapens the ideals of marriage,' Christian Social Council of Canada has formally protested showing in this country of 'This Thing Called Love' (Col) but O. J. Silverthorn, chairman of the Board of Censors, denies anything improper and will take no action; the churchmen were told. Rev. J. R. Mutchmor, president of the Council and spokesman for the delegation, criticized the 'new Hollywood technique' whereby a couple might get married in the early part of the film and do what they liked for the rest of the reels.

Censor Silverthorn retorted that he had seen the film, that this was the first complaint he had received regarding 'This Thing Called Love,' that it was playing to holdover business in the U. S. and Canada, that only a four-word sentence had been deleted for Quebec, highest censorship province in Ontario.

\$50,000 Virginia Fire

Lynchburg, April 15. Loss of \$50,000 resulted from blaze that destroyed the Zephyr at Abingdon, Va. Patrons in the house were alerted to safety. Louis E. Strome, manager of an adjoining store, received minor burns in aiding Dorothy Dennison, cashier, to escape. Theatre is owned by Lincoln Interests.

New York Theatres

State (4th)
Last Time With
CHARLIE CHAPLIN
THE GREAT DICTATOR
In Person
JOE EGG, LEWIS JONES, LARRY BURNETT

Starts Thurs., Apr. 17
Barbara Henry
Helen Park
"THE LADY EVE"
In Person
Clyde McCoy & Orch.
ELMER A. KELLEY
THE LADY EVE

Held Over!
Smash Week
Spencer
TRACEY
"Men of Boys Town"
A Metro-Goldwyn-Mayer Picture

PARAMOUNT
2ND WEEK
"ROAD TO ZANZIBAR"
In Person
BENNY GOODMAN
with
BING ROBBY
BOB HOPE
Dorothy Lamour
A Paramount Production
Lillian St. John
Screen: Shaw

RADIO MUSIC HALL
CITY
HELD OVER
"THAT HAMILTON WOMAN"
Spectacular Stage Productions

The FRANK CAPRA Prod.
Starring **GARY COOPER**
BARBARA STANWYCK
in **"MEET JOHN DOE"**
RIVOLI THEATRE 8th and 6th Sts.

2ND WEEK
BETTE DAVIS in
"THE GREAT LIE"
A New Warner Bros. Hit with
GEORGE BRENT Mary Astor
In Person Extra!
JIMMY DORSEY Extra!
and His Orchestra
Buddy Schutz
STRAND Broadway
and 6th Street

WALT DISNEY'S
FANTASIA
The Miraculous World of M. S. G. Pictures
BROADWAY 42nd St. & 7th Ave.

Col's Regular Divvy
Columbia Pictures maintained its usual \$2.75 annual rate on the preferred shares last week by declaring the customary 68% per share on the convertible preferred.
Divvy is payable May 15 to stockholders of record, May 1.

NOW LIKELY FCC WILL SPUR TELEVISION BY CONDITIONS CONGENIAL TO INDUSTRY

New Rules Expected Shortly—Sponsorship Restrictions Probably to Be Lifted—Government to Answer All Alibis for Non-Action

Washington, April 15.—Series of compromises, with general regulations following their fury, is expected to end the hot controversy over television policy and permit early commercial operation on terms pretty much to the industry's liking. The Federal Communications Commission's revised rules are expected by the end of the month.

Full commercialization—on all of the 12 slotted out video channels—is expected to end the hot controversy over television policy and permit early commercial operation on terms pretty much to the industry's liking. The Federal Communications Commission's revised rules are expected by the end of the month.

Full commercialization—on all of the 12 slotted out video channels—is expected to end the hot controversy over television policy and permit early commercial operation on terms pretty much to the industry's liking. The Federal Communications Commission's revised rules are expected by the end of the month.

Full commercialization—on all of the 12 slotted out video channels—is expected to end the hot controversy over television policy and permit early commercial operation on terms pretty much to the industry's liking. The Federal Communications Commission's revised rules are expected by the end of the month.

Full commercialization—on all of the 12 slotted out video channels—is expected to end the hot controversy over television policy and permit early commercial operation on terms pretty much to the industry's liking. The Federal Communications Commission's revised rules are expected by the end of the month.

Full commercialization—on all of the 12 slotted out video channels—is expected to end the hot controversy over television policy and permit early commercial operation on terms pretty much to the industry's liking. The Federal Communications Commission's revised rules are expected by the end of the month.

'Info, Please' May Return to Blue

Its Ratings Down Since Move to Red—Now Fears Weekend Exodus

Lucky Strike is giving thought to the idea of returning its \$5,000-a-week 'Information, Please' to its original spot (Tuesday, 8-9:30 p.m.) on the NBC-blue. In the meantime the account intends to conduct an intensive survey to determine what effect the summer weekend habit may have on the program's specialized listening group and whether the show's downward trend in rating is merely part of the general reaction to quiz sessions.

When Lucky brought 'Information' to the show last time on the day 8-9:30 p.m. slot, despite pleadings of Blue executives, Latest C.A.B. report gives the program an 11.9 rating. When the show left the blue its rating stood at 16.9.

Dr. Leon Levy, president of WCAU, Philadelphia, is recovering from a strep infection of the throat.

Crack-Proof

Vaudevilian Ruth Warren (Wayne) and sum up the radio talent situation thus:

What a sucker they would make of Jimmy Valentine nowadays if he tried to break into radio instead of a safe.

Diamond Salt Acct. Gets Kate Smith Noontime Periods for Summer

Benton & Bowles will have the noontime Kate Smith period on CBS all to itself starting June 20 to plug Diamond Salt (General Foods). Out of the 78 stations now used for the co-plugging of the salt and Swansdown Cake Flour only 18 will be retained for the summer.

Under the current setup the daytime is shared between Benton & Bowles and the Young & Rubicam agency, with the latter taking the billings on 60 stations in behalf of Swansdown and B. & B. credit with the business on the other 18 outlets.

N.A.B. ADMINISTERS ROOM DISTRIBUTION

National Association of Broadcasters has taken over all the room availabilities at the New Jefferson hotel in St. Louis for the duration of its convention, May 11-14. People in the trade who have inquired about reservations are receiving letters from the hotel's management informing them that all such requests are being turned over to the N. A. B.'s housing committee for action.

Indications are that the Chase hotel will be the stamping ground for the attending broadcasters who are affiliated with Mutual. Bob Convey, head of KWK, which is now exclusively MBS, had started a campaign to get his co-affiliates to gather under the same roof, the Chase, during their stay in St. Louis.

Extend Kaitenborn

H. V. Kaitenborn has had his three times a week evening spot on the NBC-red renewed for another year by the Pure Oil Co. Latest tender becomes effective May 13.

Leo Burnett is the agency. Any time licensees may be required to embody advances and improvements in order to assure the public of the most up-to-date transmission possible.

'SHOW BOAT' GOING OFF

Renfro Southern Shows Also Exits in B. & W. Program Shifts

Chicago, April 15.—On April 28 the Brown & Williamson Tobacco Co. will drop its current and will institute a series of changes in the B. & W. program set-up. 'Uncle Walter's Dog House' show, currently heard on Tuesdays, will shift to Fridays from 8-9:30 p.m. CDST, starting May 2 over 82 outlets; and a new variety program with Tom Wallace, Virginia Verrill, Marlin Hurt and Bob Strong's orch will take over the Tuesday spot for Raleigh cigarettes.

On April 29 also, Raleigh will start a five-minute dramatized program by Lynn Borden over an NBC-Red web at 10:55 p.m. EDT.

Also quitting on April 28 will be the Renfro Valley Folks show now on an NBC-Red southern hook-up. 'Plantation Party' and 'Wings of Destiny' programs continue in their present set-up.

STANDARD OIL ON 34 BLUES

Standard Oil of Indiana has bought a midwest hookup of 34 stations on the NBC-blue for a Friday night quiz show, starting July 18. It's the 8 to 8:30 period, and the contract is on a 52-week basis.

McCann-Erickson, Chicago branch is the agency.

MEDICAL SOCIETY NAME OKAY COMMERCIALLY

Medical Society of the State of New York has agreed to permit use of its name in connection with any sponsorship of the 'Doctors for Defense' half-hour dramatic program over WMCA providing product is advertised in the N. Y. State Medical Journal and approved by the society.

This is reportedly the first time that Medical Society has been willing to allow use of name on a sponsored radio program. Mention of society, under agreement with station, is to be limited to opening, when an announcement will read: 'Medical Society of the State of New York, in association with sponsor, presents.' Society will get no revenue from commercialization of show, and will continue to pay for the scripts being written by Milton Wayne. Believed that the name will be keenly interested in maintenance of the 'Defense' program as institutional advertising for the 17,000 membership as a whole.

MOTHS TO A FLAME

Baseball Draws Sponsors Before, During and After Games

San Jose, Cal., April 15.—All games played by the San Francisco Giants are being broadcast over KQW under alternating sponsorship of General Mills, for Wheaties, and the Goodrich Rubber, with M.J.B. Coffee bankrolling dug-out interviews before each game and Folger Coffee sponsoring 10-minute newscasts after the final inning.

Other pre-game sponsors are Progressive Optical, with a five-minute newscast, and Maxford Jewelry interviews as well as the play-by-play descriptions.

Fewer Getchell Shares

Albany, April 15.—J. Sterling Getchell, Inc., New York, has made a second change in capital stock. Latest one reduces the number of shares from 12,794 to 10,486.

The new setup provides for 2,750 shares of preferred at \$100 par value, and 7,736 of common at par value.

Hughes, Richards, Hubbard & Ewing, N. Y. C., were filing atorney.

Discontinued

VARIETY is discontinuing its Radio Directory, thereby eliminating the edition for this year. There have been four annual issues.

No secret as to the reason—just too much red.

The mess of information compiled in Directory files will, of course, be retained and departments deemed of value will appear in the weekly edition of VARIETY from time to time. Possible, though highly improbable, is that the Radio Directory may be revived at some future date.

Broadcasts Nightly From Lebbhar Home Climax To WHN Man's Gallop

Bert Lebbhar started a new sports series over WHN, New York, this week for 'Nedick's' refreshment stands, originating the programs at his home at New Rochelle, N. Y. Stanza is tabbed 'Bert Lee's Sports Final' and airs at 10:45 seven nights a week with Max Glickman substituting on the Saturday and Sunday editions. Nedick also signed for a UP news series at 7:15 a.m. seven days a week.

Lebbhar already does a 'Today's Baseball' program at 7:15 nightly for Axton-Fisher tobacco. In addition, he's WHN sales manager. Besides which he competes in various championship bridge tournaments, and during the winter months, does the New York professional ice hockey matches for Pabst beer.

KING, HAWK, BRYSON FROM WCCO'S STUDIOS

Minneapolis, April 15.—Three different major CBS network shows are originating from Minneapolis within a month. 'People's Platform', with Lyman Bryson presiding, will have mid-westerners participating in a free-for-all discussion of the St. Lawrence Waterways when they broadcast from here April 19. While at the Orpheum, Wayne King will broadcast his network bridge tournament over WCCO April 26. Because of the acoustic perfection necessary, it was decided not to originate the show from the theatre. The public will not be admitted.

Now on tour, Bob Hawk's 'Take It or Leave It' show hits here May 18 and will originate from the Hotel Nicolet grand ballroom.

Chesterfield Considers Orson Welles Show

Chesterfield is still looking around for a half-hour show and among those that it talked with is Orson Welles. No decision has been made about the continuance or dropping of the Chesterfield program at the end of its present contract with the cig company.

Guy Lombardo has made a presentation to Newell-Emmett, agency on the account, and the thing is still under consideration.

NBC Sues Mike Jacobs and Mutual

Seeks to Force Promoter to Live Up to 'Oral Contract' on Prize Fights

EX-STAGE MANAGER IS NBC SPORTS HEAD

A separate sports department has been established at NBC under the leadership of Bill Stern who will report directly to Sid Strotz, the program vice president. Stern has been with NBC since 1934 and is an experienced caller in the major games. He came to radio sportscasting out of Radio City Music Hall where he was stage manager under the late S. L. 'Roxie' Rothafel.

Stern will have the title of Director of Sports Events, a new one.

John W. Scott, news analyst of KABC, San Antonio, signed by Scully Brewing Co. Will start April 29.

AFRA VICTOR IN MIAMI ACTION

Agreement worked out over the weekend by the National Labor Relations board gives the American Federation of Radio Artists a sweeping victory over the management of station WFLA. The settlement gives AFRA a guild shop covering announcers, actors, singers and sound effects men, with wage raises and minimums, including extra fees for all commercials. In addition, settlements were made with the two announcers allegedly fired for union activity.

John Stinson, one of the spikers, goes back on the staff with pay (including commercial fees he would presumably have received) for the 16 weeks he was out. Bill Pennell, the other announcer, was given pay for the 16 weeks out, plus 31 weeks in advance, both amounts including commercial fees theoretically involved. He and the management agreed his return to the station might involve strained relations, so he will look for a job elsewhere.

Settlement of the case was made by John Jaffe, law partner of Henry Jaffe, AFRA attorney. He was handling the matter at the NLRB hearings last Thursday and Friday (10-11) in Miami and carried on the huddles with the station management over the weekend.

Settlement of the NLRB-approved agreement in the (14). He returns to New York yesterday (Tuesday).

AFRA's transcription code, now approved in all except minute details, will probably be needed tomorrow (Thursday) or Friday. It becomes effective at once, and, according to its terms, all existing performer contracts and regulations will be revised to conform with its terms.

Singer-Orchestra Combo For New Lever Show

Lever Bros. will use a singer and an orchestra in a show which has been picked, for the half hour (11-11:30) that it has bought on the NBC-red's Saturday morning schedule. Starting date is July 12.

Ringo and Spry will be the products plugged and Ruthrauff & Ryan is the agency.

Plaque to Gulf Show

Hollywood, April 15.—First plaque ever given a radio show by the motion picture industry will be presented to Gulf's Screen Guild Theatre at the close of the season Sunday (20). Mary Pickford will make the presentation for the Producers Association and Actors-Virtues Guild.

'Gulf' carries the following inscription: 'Award to Gulf Oil Company's program for eminent achievement in furthering advancement of radio as a source of motion pictures and radio.'

In three seasons on the air Gulf Oil contributed \$80,000 for the construction of a home for indigent industry workers.

Will be on for a five-a-week basis during first nine weeks of extra time and three shots weekly for the final eight weeks.

Set through the Henri, Hurst & McDonald agency.

SENIOR OFFICER RESPONSIBILITY

The New Need In Radio Public Relations

By Robert J. Landry

Just now there is a good deal of talk within the broadcasting industry concerning the obvious need for improved type and volume of public relations activity by the radio industry generally and by the networks and clear channel stations in particular. The networks and the big stations have the greatest problem because—being big and prominent—they are the easiest and most visible targets for attack.

It is already evident that senior officers of the networks, of the clear channel stations and of the industry leadership generally will hereafter personally concern themselves with public relations. Some of these executives have some natural understanding or flair for public relations. But most of them palpably do not. So much so that their naive mis-understandings are the subject of wisecracking among their publicity-wire subordinates.

They Often Misunderstand Nature of the Problem

It is fairly evident to the amused underlings that the senior officers of the radio industry could profitably hold a clinic among themselves on the subject of public relations, what it is, what methods and means are available or could be made available, and what has retarded the industry from previously developing a more streamlined and intelligently planned effort.

The general impression of informed insiders (and shared by professional observers) is that the greatest handicap to senior officer understanding of public opinion management is that few of the involved personages have been in the newspaper or publication business except occasionally in the advertising departments. 'Business office' attitude, with its exaggerated and low grade 'cynicism,' is known to be something most edi-

tors and newspapermen dislike and resent and it has been observed on occasion that radio brass hats sometimes reveal assumptions that are insultingly wrong about the press and self-misleading to those holding such ideas. These false notions, based on hearsay and a suspicious nature, are often behind the sudden, excited, impossible demands high executives sometimes make upon their subordinates who are supposed to possess a control over news columns and other channels of information which does not and cannot exist.

'Publicity Department' Not Set Up for Full Job

One basic misunderstanding of top executives is their frequent failure to distinguish between 'public relations' and 'publicity departments.' The latter is merely a small, limited, circumscribed function of the former. On the whole there is no press department in radio with any real authority to attempt, or the funds or means to execute, a 'creative public opinion.' Execs. in the view of critics, must first of all get this relationship straight. Otherwise they will remain babes in the woods. They will continue to imagine—which is a great error—that the existence of a publicity department automatically means that there is organized public relations activity in the full sense. No first rate press agent has any such illusion about his own work.

Public relations in the broader sense can only be achieved through the personal awareness of its value and attention to its encouragement. This is a senior officer responsibility primarily.

As regards the networks, it seems fairly clear that the program department, not the press department,

produces radio's effective artillery fire. At NBC, through the Blue, the "co-sponsorship" system of network partnerships with pressure groups has been especially shrewd as a beginning in public relations. Recent hints are that the public interest program is really enjoying a new—very new—respect. It took the recent Peabody award to Columbia to stir up NBC and since that time it is an open secret around New York that there have been more conferences than any single jarring has caused in years. This episode alone seems to have dramatized the need for public relations to receive the personal attention of seniors rather than be left to subordinates who have no authority to spend money or order things done or to revise policies to suit the needs of strategy.

Respect for the Present Values of Broadcasting

Bluntly stated the radio industry's public relations problem presumably is something like this:

To decide upon and then to apply, with appropriate public reminders from time to time, such fixed and unchangeable minimums as will persuade the people, as such, that the present American system of broadcasting is truly a people's system; good system substantially free of serious faults, and that its numerous virtues are a logical result of the anatomy and organization of the industry and that known limitations, democratic virtues and service satisfactions may be lost, lessened or messed up by bureaucratic agencies interfering with the known present good for the sake of a supposed unknown future betterment.

This improvised definition recognizes a distinction between the peo-

ple, as such, and the people's agency, the Federal Communications Commission, that people and politicians are distant relatives rather than twins. In any altercation between them, both look for signs of approval or disapproval, interest or disinterest by the people.

What makes the threatened "monopoly" action of the FCC serious is that it implies "progress by catastrophe," or the wiping out of established business (and careers) for the sake of preventing imagined, not real, misuses of facilities in a future, still theoretical, social struggle.

Complacent Selfishness Would Defeat Industry

Realists are saying that the successful development of an improved public relations by radio must be clear-eyed in separating reasonable wants from wishes, which public opinion would support and bureaucrats would respect from foolish and unreasonable assertions of merit and claims for special consideration in which complexity and greediness are too obviously present.

The radio industry cannot say to the FCC or the public what the mid-west station wired its sales representative in New York: "Just tell them that we're the best!"

Radio must keep on, regularly and imaginatively, to dramatize and drive home the impressions that it wants both citizens and politicians to have. But radio must prove its case by episode and incident, names and addresses, so to speak. All-inclusive catalogs of glittering generalities won't do.

Edward Klauber, executive vice-president of the Columbia Broadcasting System (and a former newspaperman) is the chairman of a committee recently formed within the

National Association of Broadcasters which will appeal to the coming N.A.B. convention (St. Louis, May 12-15) for the industry itself to set up a special industry-wide public relations budget to support and implement what is to be a clearing center for organizational suggestions of public relations opportunities.

Meantime at NBC its Director of Sales Promotion, Ken Dyke, has been authorized to act as a clearing center for organizational suggestions of public relations opportunities.

In terms of intra-industry leadership, or the impression of leadership, there have been several useful springboards. RCA-NBC lost one of these, television, when the FCC stepped in and halted its plans. However, NBC may soon regain the springboard. (See Washington column on this issue.) Meantime Columbia has derived much benefit since last summer with its color television demonstrations.

Both major waves have, of course, scored repeatedly by their work in emergencies and at public affairs. In latter years the "educational" and "democracy" programs have loomed large. International radio is spicuous just now in view of the world situation. This has now gone beyond the routine of reporting war bulletins from Europe for daily round-ups. Radio elects itself the partner of the State Department in abetting Latin good will.

Radio is also embarking upon a job in connection with the United Nations (see Washington column on this issue) that is a harbinger of developing industry policy. Radio, too, has a rendezvous with destiny—and that is why any business man who narrowly regards radio as simply a channel of merchandising is as dated as high button shoes.

Mary Hiller Charges 'Interventionists' Get Breaks; Sneers at Wheeler Praise

Albany, April 15.

Mary Hiller, secretary of the New York Chapter of the America First Committee, participated in a forum on WABY here and used the opportunity to scatter a lot of verbal bombs of her own. She accused H. V. Kallenborn, Elmer Davis, Gabriel Heatter, Arthur Hale, Dorothy Thompson and Walter Winchell of being 'pro-interventionists' and said that only Fulton Lewis and Brooke Carter among radio commentators were 'non-interventionists.'

It all started out mildly enough with the speakers including Kenneth Bartlett of Syracuse University and Harold B. Johnson, station-owning publisher of the Watertown (N. Y.) Times. The subject was 'Who should make up our minds in times like these?'

In reply to a statement by Bartlett that Senator Burton K. Wheeler has praised broadcasting for its fairness to both sides during the Japanese bill the sarcastic lady cracked that "was after the fight was over." She added "we had bouts, almost knock-out bouts to get equal time at times." Miss Hiller charged that George J. Denny, "usually eminently fair," had "tried to let the listening audience" the visual audience "was equally divided" in opinion on the NBC Town Hall debate "evening." This, she continued Miss Hiller, despite the fact attendees demonstrated, via applause, etc., they supported Senator Brooks, of Illinois, and did not sympathize with Chairman Wilson, who took the other side and had a "rough time of it."

Roth Bartlett and a man in the audience insisted that Miss Hiller's claim that "some of these should be put on air controversialists was of no force;" they were identified as "commentators," which meant they were expressing individual opinions. The man also asked Miss Hiller how, if she was the classed as "interventionists," were known to be such, any un-

fair advantage of listeners was taken. Miss Hiller, admitting that radio "tries to be fair," argued it was not "fair" to have a "balance" of time was not being given to commentators on the 'non-interventionist' side.

She also emphatically disagreed with Bartlett and Johnson that radio and press presented the news calmly or dispassionately. Miss Hiller insisted it was human nature to want the "sensational"—nothing was more sensational, more moving than war, with men fighting on the battlefields. If this were not true, what about motion pictures? "We go to motion pictures not for calm but for excitement!" Bartlett had made the point radio, despite opportunity, had not broadcast air raid bombings, sinking of ships, battlefield scenes, although opportunity was there. He stated the Canadian Broadcasting Corp. had even refused to let him have a 15-minute recording of bombing noises, etc.

BOONE COUNTY UNIT SOLO ON WLW LIST

Cincinnati, April 15.

To avert conflict with its own Boone County Jambores next week, WLW will sever connection with the Renfro Valley Barn Dance program May 1. Renfro, directed by John Lair, started on the Crosley station several years ago and for the past two years has originated from its own barn-and-tourist-cabin colony in Renfro Valley, Ky., 130 miles south of Cincinnati.

James D. Shouse, general manager of WLW, explained continued growth of WLW's own Boone County Jambores, both as an air show and as a touring attraction constituted a conflict. "WLW's Jambores has played to 500,000 paid admissions; and we feel that a surprise of such scope demands all our promotional efforts,"

WHA TO REGENT CONTROL State Agriculture Dept. Loses Madison Educational Station

Madison, Wis., April 15.

Gov. Joseph P. Hill Wednesday signed a bill, introduced by Assemblyman Ludvigsen, which transfers control of WHA, state-owned educational radio station, from the department of Agriculture to the Wisconsin Board of Regents of the University of Wisconsin.

The bill, which becomes effective July 1, also appropriates \$47,640 annually for operation of the station, and the sum of \$15,750 yearly to station WLBT of Stevens Point.

AMERICAN ASSOCIATION ARRANGEMENTS SET

Columbus, April 15.

As in recent years General Mills (for Wheaties) and Socony Vacuum will again alternate in sponsoring broadcasts of games in the American Association. Season opens in the east Thursday (7:15), first play-by-play on the following day; in the west the initial game May 2, radio booths to open on the third. By the middle of May the AA will be playing five nights a week.

Situation shows three station changes from last season: Indianapolis, IND, with sportscaster, Bert Wilson; Minneapolis, WLOL, Harry McTigue; and Milwaukee, WEMP, announcer yet to be named. Other AA cities are: Columbus, WOOL, Connie Desmond; Toledo, WGL, Bert Hingham; Louisville, WAVE, Doc Hill; St. Paul, WGN, George Higgins; and Kansas City, WREN-KCKN, Walt Lochman.

Agency accounts is Knox Reeves, Minneapolis, representing Socony Vacuum as well as General Mills.

WGL'S 'BRUNCH BREVITIES'

St. Wayne, April 15.

'Brunch Brevities' is title of new three-week morning series on WGL, Melody Spinners orchestra and Rex Dale and Lillian Lane are used. Dale and Lane also have new show, "King's Garden of Harmony," on WOWO, Tuesdays at 4:15.

Ohio State's Biggest Gathering

Added Speakers Include Allen, Newton, Bushnell, Lasswell, Saerchinger, Granik—Stress Timeliness

REGIONAL GETS ST. LOUIS BASEBALL FROM KXOK

St. Louis, April 15.

The Hyde Park Breweries, through the local Ruthrauff & Ryan agency, has lined up an eight station web in Missouri and Illinois to carry the play-by-play of all home games, except Saturday and Sunday, of the Cardinals and Browns played at Sportsman's Park. The broadcasts will originate through KXOK with France Saux, chief gabber at KXOK, bought by the state maker to team with Charles 'Gabby' Street, former major leaguer. Additionally 'Laux' will carry a daily sports review for the same sponsor over his home station.

The Missouri stations that will carry the baseball stuff are, KFPR, Columbia; KWOS, Jefferson City; KDR, St. Louis; KFSV, Cape Girardeau. The Illinois stations are WTAD, Quincy; WTAX, Springfield; WSOY, Decatur, and WJPF, Herrin, Ill. This makes the second year that the Hyde Park organization is back rolling a web for baseball. Last season the web consisted of seven stations in the two states.

CBS-Phil Stong Settle

Suit of Phil Stong, writer, against Columbia Broadcasting System, Inc., and the William Winkley, Jr., Co., was settled and discontinued Monday (14) out of the N.Y. federal court. Action-claimed plagiarism of plaintiff's book 'Career,' in the radio Columbia 'Playway to Hollywood,' of the defendants. Plaintiff says the radio program used his book as a basis from July 9, 1939, to Oct. 1, 1939. He asked an injunction, accounting of profits and damages.

Columbus, April 15. Tentatively complete program for the 21st annual Institute for Education by Radio, arranged by the Ohio State University, indicates that the conference, scheduled for May 4-7, will be the top educational event of its kind in the country. This year the committee, headed by Drs. W. W. Charters and I. Keith Tyler, director of the Institute, has had particular attention to subjects of more general interest to the entire radio industry. The emphasis is placed on timeliness.

From the very first event of the opening day, a three-man Town Hall-type discussion by Dr. Kirby of the U. S. Army, Clifford Under of the Chicago Council on Foreign Affairs and Robert J. Landry, radio editor of the University, the program has been devoted to treat with the subject of radio within the framework of modern tensions and war.

Added to schedule (Wednesday afternoon) is a third and final session devoted to radio in a national emergency. Shannon Allen, United States Department of Interior, is to preside over this forum. W. M. Newton, BBC, will discuss 'The Role of Radio in Wartime England,' while Ernest Bushnell, CBC program supervisor, will outline a similar situation in Canada. Additional participants will include Harold Lasswell, Theodore Granik, Cesar Saerchinger, and Louis Wirth, University of Chicago.

NBC's 4 New Sustainers; V. Cleaves 'Leather Pushers'

NBC's production department is working on four new sustaining programs for regular scheduling on the blue network. One of these is 'Leather Pushers,' for which the web's continuity department has just cleared the rights.

None of the contemplated productions is of musical classification.



"BREAKFAST CLUB" COPS PROGRAM TOPS!

NBC Blue's "Breakfast Club"
voted favorite of ALL programs—day and night—
by readers of Movie-Radio Guide

Don McNeill, self-styled "Messer of Ceremonies," who topped all comers as best M. C. in Movie-Radio Guide poll

Blue Network First Place Winners of the Movie-Radio Guide Poll

My Favorite Program... *Breakfast Club*
Best Variety Program... *Breakfast Club*
Best Master of Ceremonies... *Don McNeill*
Best Sports Commentator... *Bill Stern*
Best News Commentator... *Lowell Thomas*
Best Children's Program... *Quiz Kids*

PROFESSIONAL, radio and advertising men have long been aware of the popularity of the NBC "Breakfast Club," heard over the Blue Network every day except Sunday, from 9 to 10 A. M. But even the hard-boiled "mike"-men of Radio Row may well rub their eyes in amazement at the record of the "Breakfast Club" in the Movie-Radio Guide poll, just out today.

The "Breakfast Club" took top program honors from far more expensive shows to win the title as "My Favorite Program."

It scored again in a highly competitive field to win the award as "Best Variety Program."

And its genial Master of Ceremonies, Don McNeill, led a host of star names as "Best Master of Ceremonies," for the second consecutive year.

The Movie-Radio Guide poll is the largest annual listener-election—pulling in ballots from more than 50,000 listeners. While in no

sense a measurement of audience size, it is a definite reflection of audience loyalty.

The "Breakfast Club's" amazing record indicates once again that low-cost, high-interest programs on the Blue rank among the best buys in radio. The loyalty of the Blue audience as demonstrated by the ballot box is reflected again in the cash register.

The "Breakfast Club" is now sponsored three times a week by Swift & Co. It has pulled in thousands of fan letters every month for years.

A number of fifteen-minute units on the "Breakfast Club" are open to national advertisers, Monday through Saturday. Here is a live talent show with proven popularity, available at a participation cost so low, it barely pays for one of the many NBC "Breakfast Club" stars. Call in a Blue Network representative now for complete details.

THE NATIONAL BROADCASTING COMPANY
A Radio Corporation of America Service

THE Blue NETWORK OF NBC
Sales thru the air with the greatest of ease

'American Network' Name of F-M Group Formed by John Shepard; Will Have 42 Links Next Year

Boston, April 15. The American Network, a new chain of Frequency Modulation stations, will handle national spot sales for individual F-M stations as well as network spots for itself according to President John Shepard, 3d, head of the new net. The uniform discount schedule will prevail.

Thus far three F-M stations have commercial licenses: Shepard's W39B, Mt. Washington, N. H.; W47NY, Nashville, and W55M, Milwaukee; al-

For Film Ballyhoo?

Attracted by the inexpensiveness of Frequency Modulation radio station installations, major film companies have recently been mulling the possibilities of such FM station outlets in key cities. They would be set up for the major distributors' affiliated circuits as a future medium of publicizing product as well as providing a cheap entree to the radio field.

The film officials who have checked with veterans in the equipment field have discovered that FM stations can be established for as little as \$10,000. They further have discovered that a local station comparable with some of the largest N. Y. outlets can be set up for around \$25,000 to \$40,000, depending on the type of premises used for housing equipment.

though there will ultimately be 42 station members, but not for another year.

Within a week the American network expects to file incorporation papers in the State of Delaware, having cleared the title.

W39B, formerly WIXER, is the Yankee network's F-M station that started commercial operation April 8. Its first commercial will be play-by-play descriptions of the home games of the Boston Red Sox and Boston Bees by sportscaster Jim Britt, sponsored alternately by Wheaties and Atlantic Refining. This station will carry the complete games, which are always cut at 5:45 p.m. on Shepard's Colonial net when they run overtime.

Yankee's other F-M station, WIXOJ in Paxton, Mass., is not commercial but will also carry the games

with the advertising blurbs free to the sponsor.

Wayne Students on W45D
Detroit, April 15. Getting warmed up to their work by playing before a studio audience in advance of hitting the air, Wayne University's "Saddlehoses and Swing" college variety hour, has been appearing every Saturday p.m. in the auditorium studio of WWJ. Gang of college comedians, singers, musicians are getting the feel of their material in advance of the commercial opening of W45D, frequency modulation station of the Detroit News, over which they are scheduled.

Milwaukee Delay
Milwaukee, April 15. Because of delays due to priority of national defense orders for needed materials, The Journal's new F-M station will not be ready for operation before early summer, and the FCC has consequently granted permission to place the erstwhile experimental station W9XAO on a commercial basis.

After closing down for four days to make necessary changes in equipment, the F-M cabin came back on the air Friday (11) under its commercial call letters W55M and under its commercial time schedule—10 a.m. to 10 p.m. but with no commercial announcements. Programs for the time being are chiefly musical and newscasts, with the A-M station WTMJ taking care of the chatter broadcasts.

NEW WMCA FILES

Directors are Noble, Cushing, Anderson—26,775 Shares Authorized

Albany, N. Y., April 15. WMCA, Inc., has been chartered to conduct a radio broadcasting business in New York. Authorized capital stock is \$38,607.50, with 26,775 shares of preferred at \$13 par value each, and 20,000 common at \$1 par value.

Directors are: Edward J. Noble, Greenwich, Conn.; Harry C. Cushing, Oyster Bay; Earl E. Anderson, Montclair, N. J. None is listed in the incorporation papers filed with the Secretary of State as a stockholder. Subscribers, each owning to one share, are: Kendall Williams, G. Mathers, Clark and Walter Hoffman, New York City; Alvord & Alvord, 40 Wall street, New York City, were filing attorneys.

I. J. Fox on F-M

What seems to be the first full-length commercial series in F-M history was signed by WOR, New York, last week for W71NY, the WOR frequency modulation subsidiary. Sponsor underwriting the series is I. J. Fox, turner. Plugs will be of the strictly institutional type.

Program which started yesterday (15) is labeled "Unbroken Melodies" and consists of half-hour light classical recordings on Tuesdays and Fridays, 8:30-9 p.m. Plugs are inconspicuously inserted toward the start and finish of the musical.

Understood that the Fox firm is paying \$60 per program for the series, and that no guarantee of the number of sets in the coverage area was made. Fox's interest in the programs apparently centers around the fact that they are establishing a "first" and thus have publicity value.

John Nell, WOR salesman specializing in retail accounts, handled the deal.

U. S. Wants Unity

Continued from page 27

cerned about immediate results than long-range reforms (the latter classification applies to various FCC attorneys and certain Commissioners) think the prospect is anything but a good time for stirring up the two industries.

FDR Likes Radio

While there is no doubt—and hasn't been for several years—that the President personally has a deep affection for radio and an animosity toward the press as a whole, any order or regulation declaring that the public interest in radio broadcasting facilities violates the public interest is bound to inflict severe pain on many potent and loyal New Deal backers. Especially in the South, where the preponderance of major transmitters are under control of publishers.

As a matter of fact, setting up a barrier in the way of press-owned outlets would be more painful to Democrats than Republicans. Among the victims would be the McClatchey papers in California, who were loyal in 1940, while most of the big publishers on the West Coast were at present pro-Willkie. Members of the President's official family would be hurt, like Secretary of Commerce and Federal Loan Administrator Jesse Jones and Democratic party leaders, such as James M. Cox, Harry Bingham, Amos Carter, et al.

Persons with interests in both newspapers and radio broadcasting are friendly to the New Deal have waited to their friends in official positions, in Congress and in executive posts, to the extent that the White House is undoubtedly distressed and there have been expressions of regret that the investigation order was forced through. Sample of the reaction—but by no means the only move to point out to influential people in the administration the lack of wisdom behind the FCC action—is the recent White House visit of Mark Eblinger, chairman of the committee created by the press-radio crowd to prepare for the hearings.

May Be Forgotten

Postponement of the hearings—even to the point where the order is virtually forgotten—will not be difficult. The commission still has enough chores to keep it occupied until the hot weather arrives. Besides the chain-monopoly report which still is taking about every minute that can be spared from routine functions, the regulators have ordered several investigations into common carrier (telephone and telegraph) matters and are pondering more vital issues, notably television licensing policy and the clear-channel theory. Few observers will be surprised if the summer lull occurs before a date is set for the press-radio inquiry, and then it will be at least three months before enough members can be assembled to get down to business. By that time, other problems of urgent nature unquestionably will have arisen.

Mutual Checks In 178

Station KDTN, Dubuque, Ia., joins the Mutual network April 27, bringing the number of affiliates to 178. Outlet has 1,000 watts power and frequency of 1370.

About half-a-dozen small stations, members of the Oklahoma network, will drop Mutual affiliation next month.

Fitzpatrick Addresses Parliament As Yankee Broadcasters Do Ontario in Whirlwind Visit

Some 26 Americans representing radio stations affiliated with the Columbia Broadcasting System were flown from Buffalo to Toronto Tuesday (14) to spend a crowded day of dining, winning, sightseeing and participating as spectators at the pageantry of the proroguing of the Ontario parliament. As a climax of the affair, Leo Fitzpatrick, of station WJR, Detroit, occupying a chair on the Liberal side of the House, four away from Premier Mitchell Hepburn, had the unusual experience of addressing the Ontario parliament.

Only other Americans ever to do likewise were Senator Claude Pepper and Wendell Willkie.

Whirlwind junket was entirely at the expense of the Ontario Travel and Publicity Bureau and was arranged as a preview party in advance of the debut on 52 CBS stations April 20 of an Ontario travel program with comedian Ned Sparks, now retired from Hollywood and living in his native Toronto. Arranged by the Travel Bureau, of which Douglas Oliver is director, and the Toronto Walsh advertising agency of Windsor and Toronto, the affair was an eye-opener to the Yanks in the progressive exploitation methods of the Canadians.

Statement to Americans

During the day of festivities this brief statement, in substance, was made to the American broadcasters:

"This is a lot of money for us. We've tried to spend it intelligently. We're trying to accomplish maximum radio results in one 13-week contract. We need to make every broadcast count. To do so we need the biggest audience we can get for our 'Ned Sparks' program. We have provided a book that tells you all about the program and tells you what you can do to help in special ways if you want to. We simply put our problem up to you as a challenge. We need American tourists this summer to help us pay for all the things we're buying in the United States."

With the radio program (Sundays at 5:30 p.m. EST), supplemented by magazine and newspaper insertions the Ontario Travel Bureau is reportedly spending in excess of \$300,000 to stimulate tourism, and to offset the propaganda that hurt so much last summer when rumors of red tape, border embarrassments, etc., dented the usual vacation flow badly. It was strongly suspected at the time that German sources started the whispering campaign.

How to Treat Tourists

By way of a novelty the one Canadian station to carry the Sparks program, GFRB, Toronto, will have a special substitute for the tourist copy heard in the U.S.A. Ontarians will be told through the program how best to help make Americans have a good time while in Canada.

In addition to Larry Lowman, Thomas Connolly, William Ensign and Ted Weber of the CBS staff in New York the American delegation to Toronto included:

James Kane, WBBM, Chicago.

Lester Lindlow, WFBM, Indianapolis.

Henry Walker, WEOA, Evansville, Robert Swintz, WBSB, South Bend, W.B. Quorton, WMT, Cedar Rapids, Lewis Milbourne, WCAO, Baltimore.

Albert Martin, WMAS, Springfield, Mass.

Leo Fitzpatrick, WJR, Detroit, Charles Phillips, WFLB, Syracuse, Elizabeth Gledhill, WHEC, Rochester.

Michael Hanna, WHCU, Utica.

Ike Losberry, WGR, Buffalo, John Patt, WGAR, Cleveland.

Robert Thomas, WBNS, Columbus, James Legate, WHIO, Dayton.

C. A. Baker, WKBN, Youngstown, George Coleman, WGBI, Scranton, Charles Denney, WRBC, Erie.

Joseph Burwell, WMBS, Uniontown, Pa.

Don Inman, WNAX, Yankton, S. D. Every visitor got a quart of 13-year-old Canadian whiskey upon arrival and a Hudson Bay blanket as a parting souvenir of the trip. The broadcasters seemed agreed that they had really been places and done things.

EARLIER WORK HOURS

Defense Factory Policy Opens KJB Half Hour Earlier

Seattle, April 15.

KJB now goes on the air at 8:30 a.m. instead of 7. Change was made because thousands of the city's workers in defense industries go to work earlier now, and the station added the extra half hour in order to reach these people with news and entertainment.

P. Lorillard has bought the 645 news spot for Union Leader tobacco.

More Power For You

NOW
DAY AND NIGHT
5000
WATTS
NO ADVANCE IN PRICES

ONLY BASIC CES OUTLET IN INDIANA

WFBM

National Representatives
THE KATZ AGENCY, INC.

In the
Intermountain Market
people prefer the lively
Showmanship of

KATZ
The POPULAR Station

NBC
RED
NETWORK

WEED
AND COMPANY
NEW YORK
DETROIT
CHICAGO
SAN FRANCISCO
★
RADIO STATION
REPRESENTATIVES

SPONSORS SHARE AIR DATA

UNUSUAL TREND CAUSING TALK

Speculation of Possible Significance Called Already Out-Running Probabilities—But Networks Are Taking Note of What an Advertiser's Entente Might Imply

NON-RIVALS ONLY

Growing practice of such top ranking radio advertisers as Procter & Gamble, General Foods and General Mills in collaborating on matters affecting their participation in the medium is beginning to cause speculation in the trade. This sort of entente is something new for the business and the No. 1 question which the situation seems to have aroused is just how far the collaboration will be carried and what part will it play in the future of network broadcasting.

So, for the relationship has only dealt with exchange of information about markets and costs of programs and time. Also specific effectiveness. With a mass of records and results gathered over the years now available to them in their own files, these important customers of radio can do their own checking. In advertising they are the leaders in their respective fields and the extent of their potential influence may be indicated by the fact that jointly they were responsible for 23% of the NBC-CBS billings in 1940. P & G ranked No. 1 network spender with \$10,999,416, General Foods, No. 3, with \$5,887,349, and General Mills, No. 8, with \$3,139,652.

Far-fetched?

Trade observers are expressing various, and in some cases probably far-fetched, thoughts on the outcome of a 'collaboration' of such proportions. Some are wondering whether it might some day go beyond the 'exchange' motive and develop into a suave but potent coalition in dealing with network sales and other policies.

With a big drug and a big cigaret account added to the group, the potential pressure could, it is suggested, cause drastic changes in such policies.

Within the networks all these speculations are regarded as not only baseless but distorted interpretations of a natural trend. Radio, it is pointed out, is advertising's most complicated and sensitive medium. The problems that it offers are many-sided and it is to be expected that, after a high point of development has been reached and masses of data are available, major participants should seek to enhance the efficiency of their operations by the co-operative route.

Ford Summer Indefinite

Ford Motor Co. hasn't given any consideration as to whether it will continue on CBS through the summer and what program it will use because of the attention that it has had to give in recent weeks to its labor troubles.

Account's current Sunday night concert series expires May 11 and so does its obligations for time.

New Mutual Salesmen

Mutual made several changes in its sales staff this week. Curtis J. Harrison, for 10 years advertising manager of Photoplay mag, joined the network's eastern sales staff. Tom Harker was shifted from eastern sales to the Chicago staff, succeeding Howard Keefe, who resigned to join the Chicago office of Dodge Reports.

Network also established a sales service division, with John Mitchell, formerly with the Erwin, Wasey agency, in charge in New York and Donald Pontius having similar duties in Chicago. Pontius also continues on the Mutual midwest sales promotion staff.

Short List for Summer Keeps 'Armstrong' Alive

Chicago, April 15.

General Mills has decided to stick along with 'Jack Armstrong' on a short network schedule during the summer. Has signed for 13 stations on the NBC-Red web starting June 2 and running through Sept. 2. Eastern 11 stations will get the program at 5:45 EDT, while WLW, Cincinnati and WMAQ, Chicago, will have a repeat show at 5:45 CDT. For Wheeles as usual and through the Knox-Reeves agency.

New Haven—Carey Cronan upped to news editorship of WELI replacing Bill Dukeshire, who's taken job with Eskimo Pie Corp., in New York.

• Radio Daffodils •

New York City—Bill Berns, film chatter and reviewer for WBNX, the Bronx, is interviewing midgets on what they think of the new coin-in-the-slot midget films.

San Antonio—Kay Kyser, upon arrival here, will be made an admiral in the newly-created San Antonio Navy and a boat will be named in his honor, all broadcast over WOAI.

Chicago—Chicago radio station press departments are now going overboard in stunts to attract some sort of public attention. WGN came up with a decision to organize a W.G.N. club composed of people whose initials match the call letters of the station.

Not to be outdone, NBC division here now springs up with its 'International Association for the Protection of the Rights of Left-Handers,' with a membership open to all southpaws. Will hold a banquet in the 'Portside Room' of the Hotel Sherman to draft a constitution for left-hand rights.

SHELBYVILLE, IND.

1½ hours from Cincinnati by train,
but part of Cincinnati by WLW.
Population 1940 10,751

**"INCREASED
BUSINESS
INVARIABLY
FOLLOWS
WLW CAMPAIGN"**



The H. H. Walker Wholesale Grocery Company travels three men in six Indiana counties.

"As wholesale grocers active throughout our trading area, we find that products advertised over Station WLW move regularly. When a new product goes on the air over the Nation's Station, our organization goes into action to obtain our share of the increased business which invariably follows. Our salesmen are unanimous in agreeing that WLW advertising, reinforced by WLW merchandising services to the wholesaler and retailer, make for better business for all concerned."

(Signed) George M. Walker
H. H. Walker Wholesale Grocery Co.
Shelbyville, Indiana

REPRESENTATIVES: New York — Transamerican Broadcasting & Television Corp. Chicago — WLW, 230 N. Michigan Avenue. San Francisco — International Radio Sales.

WLW

THE NATION'S

most Merchandise-able

STATION

NOW—Day & Night

5000 WATTS

NO INCREASE IN PRICES

W F B M

ONLY BASIC CBS OUTLET IN INDIANA

National Representative: The Katz Agency, Inc.

ELEANOR WILSON MCADOO
Commentary
15 Mins.—Local
Sustaining, 8:45 p.m.
KFWS, Hollywood

Supercharged with historical TNT is this quarter-hour period by the daughter of the World War president, Woodrow Wilson, and widow of his Secretary of Treasury, William Gibbs McAdoo. The lady packs a wallop in every line of her monolog, but delivered discreetly and in scholarly fashion. Her diction is flawless and there's no trace of mikes fright. What she's got to say and how she goes about it make for a potent package.

In most of her passages she alludes to 'my father.' Books are hard to wade through, and she says, and points out that important details are often omitted. 'These facts,' she explains, 'are what I will talk about.' And she lets go with both barrels. Once she builds up an audience she'll not only hold it but the numbers should multiply as the series progresses. For instance, who wouldn't look forward to her next broadcast when she declares 'next week I will tell you how the hate of one man toward my father changed the whole course of the world.' Further, 'I was sitting at home with my husband when J. P. Morgan called and asked Mr. McAdoo if he thought it was wise to close the stock exchange.' Heim.

'That apparently is just a sample of what is to come. Her comparisons between this war and the last one are attention-arresting. 'It's the same war,' she says, 'the war that never ended.' Undoubtedly the lady has a mass of info at her finger tips, history-changing data heretofore unrevealed. Her approach to the more dramatic passages are apologetic rather than know-it-all. She at once puts the listener at his ease, that here is a recital of facts that she picked up first hand and now times in their discussion, dovetailing, as they do in the current trend of world events.

'SWAP SHOP'

With Jack Steek
Sustaining
Daily, 10:45 a.m.
WFIL, Philadelphia
This is a novel program with some listener interest. Steek, a veteran speller, keeps things moving smoothly by he reads letters from listeners who have articles to swap. When caught last Thursday (3) he offered everything from a pair of ice skates to a bungalow on Barnegat Bay. Among the deals made was a delicatessen store for a \$500 auto. Telephone calls are taken during the show from listeners who've gotten articles desired by potential swappers.

It's a mail puller. Shal.

WBIG Faces



Our
**MERCHANDISING
MANAGER**

He knows the sales people in every store in WBIG's Magic Circle... J. Merchandising Handy... and he is merchandising manager. He does everything from taking signs to building window displays. His weakness: Verbosity.

the MAGIC CIRCLE

More people make more products, earn more money, and grow in their own area in WBIG's Magic Circle... and he is merchandising manager. He does everything from taking signs to building window displays. His weakness: Verbosity.

WBIG
GREENBORO, N.C.
GEOP-HOLL-VERBOSITY CO. NAT. REP.

'HOLLYWOOD SHOWCASE'
With Mary Astor
30 mins.—Coast
RICHARD HUDNUT
Tuesday, 8:30 p.m.
KNX, Hollywood

(Benton & Bowles)
There are probably not a half dozen distasteful in the select cinema circle who can carry a half hour variety show. Luckily for Hudnut, Tom Revere of Benton & Bowles picked one of them in Mary Astor, whom, it develops, must be ranked among the best of the am. Few celluloid belles would even attempt what Miss Astor so heart-warmingly wraps up in mistresses of ceremonies of a Major Bowles-type of show. With out her it would still be trudging along doing sustaining duty on the Coast. And being her natural self gives the program its winning ingredient.

Miss Astor gives off a first impression that she's on the show to help some young kids get 'start. Unaffected, plain-talking and warmly sympathetic, she registers solidly she is a definite radio personality and some of the others would do well to steal her technique.

'Showcase' is no different from many another exposition of talent—begging. Those successful auditioners who appear are paid talent. This week's roundup, failed to uncover any sleepers although Norman MacDonnell, dramatic actor, won the jury's vote for the second time. He sounds promising enough but won't get far unless he produces material. The stock list of young males for air duty is too formidable for young upstarts. Miss Astor helped the lagoon by playing his vice-sits in a nub skit of 'Jane Eyre.'

Program is given a professional mounting and backdrop by Producer Russ Johnston and Lud Gluskin on the music. Tempo is smooth and no attempt is made at pretense. It's pulled up as the modest package it is, fanfare, no bombast, a glove-fit for Miss Astor's unassuming personality. Novel manner of picking a jury to determine the winners is the tossing of a dozen ping pong balls into the audience. Those who catch them serve on the panel. The foreman is some personality picked by the agency or network, Irving Reiss being the headman in the box on this hearing. Plugboos for Hudnut's 'marvelous face powder are smeared rather than dabbed, with Miss Astor also on the make for trade. Piece is taking a trial spin on eight Coast stations and will fan out if it does a selling job, which it should.

'GOLD, IF YOU CAN FIND IT'
Audience Participation
10 Mins.
Sustaining
Saturday, 10:30 a.m.

WABC-CBS, New York
This is a half hour devoted to trifling items that are missing or wanted—a brass pig, a potato shaped like a cat or a dog, a mustache cup, an old English playbill between 1850-1860, bearing the name of John Barry. While the production effort to invest the 'treasure hunt' with some dramatic values is workmanlike the essential frivolity and unimportance of the subject, the small, not to say petty, preoccupations of the dramatization cannot be dressed up into anything exciting or worthy of preservation on a network. As a device for increasing the audience and sales prestige of Saturday morning it seems distinctly sterile.

Actual persons are brought to the radio to speak of the missing button off grandpa's long coat and does anybody have one like it, circa 1890-1900? B. Hayes. One wistful lady sought a horse from a merry-go-round (they are quite easily found in any Second Avenue antique shop—Ed.) and CBS offered to pay \$20 but hastened to iterate and re-iterate that no carousel nags should be shipped to 485 Madison. All the program wanted was letters. And that's about all the program will get—letters.

It's a reduction ad absurdum of the audience participation cycle. A gigantic so-what. Land.

'MARRIED TO A GENIUS'
Dramatic
30 Mins.
BBC, London

Unfortunate matrimonial venture or Sara, wife of Coleridge, plus the temperamental bearing of the poet himself, would seem to lend readily to sound dramatics. But this milky session (6) left one out in the cold, minus any fire and scripted in a manner which from the outset precluded either pace or action.

Method of reading Sara's letters was novel—a voice switch back and forth between chronicler and character as latter answers thoughts, questions—but completely out of harmony with the subject involved. It made a panorama out of something which yelled for pin-point dramatics. Dialog interludes were held to a minimum—the narrator reads of an incident and one, or perhaps two, of its principals, tell how it all came about. Result was something that provoked lots but served a flat drink. Cecil Troncher caught as 'Mr. Poole,' chronicler of the Coleridge family, with Theo Holme voicing as the saddened Sara. She achieved splendid vocal control in transition from youth to age. Other players were restricted in scope.

Follow-Up Comment

'My Client Curley,' the whimsy about a caterpillar that aroused raves and talk when first produced by Norman Corwin, was performed last Friday (11) on CBS by the Campbell Playhouse. Directed by George Zachary, it was converted into a starring vehicle (Everett Sloan did it originally) for Fred Allen, supported by such radio personalities as Beatrice Kay, John Brown, Carl Eastman, Ted Dicks, Louis Van Rosten, Arthur Elmer, Joseph Julian, Larry Robinson and Jackie Grimes, the latter a hip-high vet of radio trouping. The Campbell presentation was pleasant enough and Allen did a straight actor job that was surprisingly legit and good. But somewhere along the line, either in the pacing or in the shifted emphasis from a disingenuous novelty into a ballyhoo stunt for Allen, et al., something of the original flavor escaped. It didn't help at all that the ASCAP situation made the key song 'Yes, Sir, That's My Baby' unavailable. 'My Bonny Lies Over the Ocean' was hardly a suitable substitute. At other points the cramping choice of available music could also be sensed.

Ernest K. Lindley, newspaper columnist acting as moderator in the absence (vacationing) of Ted Granik on Mutual's 'American Forum,' pulled up short when one of the speakers sarcastically cracked that 'Congress would learn of war-aiding by the Roosevelt administration through a Walter Winchell advance tip.' Said Granik: 'If we are to fog columnists, don't confine it to one Senator. Clark of Idaho replied: 'There are columns and columns. Yours (Lindley's) is the golden one. I'll be hard to get that.'

Incidentally, Lindley 're-buked' at one point for asking what his rebuker thought to be a leading question. He laughingly asked Lindley whether 'you are joining in this argument or acting as moderator. Lindley, who proved a capable radio moderator on the whole, declared he put the question to clarify a point.

Eddie Cantor alternated between the serious and the comic in an appearance with 15-year-old Oliver Major on 'We, The People.' Cantor received a whistling reception on introduction by Gabriel Heatter as 'my old friend, you have been famous as a star for many years but also famous for discovering unique talent.' Deanna Durbin, Larry Adler and Miss Major named). Cantor alluded to lean days as a youngster trying to make a start in show business, and his determination then to 'help kids get a break' when he had clicked. Comedian drew a big laugh with remark that he had introduced open toed slippers to the East Side, and another reference to 'getting thrown out on my second throat.' He dreamed of playing the Palace and winning success there—but 'only in my imagination.'

First show business job was 'like pennies from heaven' and the 'pay' was about the same. It was Gus Edwards, continued Cantor, who but really started him gave me a job in his new show.' As the continuity developed into the introduction of Miss Major, Cantor how Cantor had hired her after heart-breaking turn-downs at various film studios, etc., the dynamic comedian jestingly predicted that his program would be heard the following night 'on another network—see your local paper for time and station identification.'

'Invitation to Learning,' Columbia's sustainer, started a spring series with a down-to-earth discussion of Mark Twain's 'Huckleberry Finn.' This was not a tune-out, as Variety reported the previous week's half-hour with Bertrand Russell. Nor was it on that foolish 'high cerebral' plane of snobbish affection reached on a number of other broadcasts. For the most part, the critics kept their criticism within reasonable bounds, although at one point they started to tee off on Homer and at another on William James. Discussion of high points in the Mississippi River story, quotations from it, and evocation of a distant pleasant era were such that the purpose of the programs—to encourage listeners to read or re-read—seemed achieved.

Henry Hall guested Sunday (13) night with Helen Hayes in Philo Higley's adaptation of 'Bill of Divorcement.' He gave a pliant and steadily believable performance as the father who has returned home sane after years in an asylum. However, the program was chiefly notable for the fact that Miss Hayes was provided with a suitable vehicle for the first time in many weeks. Play was drastically altered in adaptation, but afforded the actress several strong dramatic scenes and an extensive emotional scope, which she handled superbly. Musical background, with piano emphasized, helped. Program originated in New York, as Miss Hayes' current tournee letter, 'Twelfth Night,' was leaving off the latter half of Holy Week.

More people listen to WBIG during the late evening than any other radio station in New York



WOR will be glad to send my agency time from a disingenuous novelty into a ballyhoo stunt for Allen, et al., something of the original flavor escaped. It didn't help at all that the ASCAP situation made the key song 'Yes, Sir, That's My Baby' unavailable. 'My Bonny Lies Over the Ocean' was hardly a suitable substitute. At other points the cramping choice of available music could also be sensed.

Ernest K. Lindley, newspaper columnist acting as moderator in the absence (vacationing) of Ted Granik on Mutual's 'American Forum,' pulled up short when one of the speakers sarcastically cracked that 'Congress would learn of war-aiding by the Roosevelt administration through a Walter Winchell advance tip.' Said Granik: 'If we are to fog columnists, don't confine it to one Senator. Clark of Idaho replied: 'There are columns and columns. Yours (Lindley's) is the golden one. I'll be hard to get that.'

Eddie Cantor alternated between the serious and the comic in an appearance with 15-year-old Oliver Major on 'We, The People.' Cantor received a whistling reception on introduction by Gabriel Heatter as 'my old friend, you have been famous as a star for many years but also famous for discovering unique talent.' Deanna Durbin, Larry Adler and Miss Major named). Cantor alluded to lean days as a youngster trying to make a start in show business, and his determination then to 'help kids get a break' when he had clicked. Comedian drew a big laugh with remark that he had introduced open toed slippers to the East Side, and another reference to 'getting thrown out on my second throat.' He dreamed of playing the Palace and winning success there—but 'only in my imagination.'

'Invitation to Learning,' Columbia's sustainer, started a spring series with a down-to-earth discussion of Mark Twain's 'Huckleberry Finn.' This was not a tune-out, as Variety reported the previous week's half-hour with Bertrand Russell. Nor was it on that foolish 'high cerebral' plane of snobbish affection reached on a number of other broadcasts. For the most part, the critics kept their criticism within reasonable bounds, although at one point they started to tee off on Homer and at another on William James. Discussion of high points in the Mississippi River story, quotations from it, and evocation of a distant pleasant era were such that the purpose of the programs—to encourage listeners to read or re-read—seemed achieved.

Henry Hall guested Sunday (13) night with Helen Hayes in Philo Higley's adaptation of 'Bill of Divorcement.' He gave a pliant and steadily believable performance as the father who has returned home sane after years in an asylum. However, the program was chiefly notable for the fact that Miss Hayes was provided with a suitable vehicle for the first time in many weeks. Play was drastically altered in adaptation, but afforded the actress several strong dramatic scenes and an extensive emotional scope, which she handled superbly. Musical background, with piano emphasized, helped. Program originated in New York, as Miss Hayes' current tournee letter, 'Twelfth Night,' was leaving off the latter half of Holy Week.

Payroll Traffic

Hartford—Paul Morency of WTIC has upped Paul Lucas to newly created post of production manager. Added to the production department is Fred Wade, formerly head announcer. Wade's post is being filled by Phil Becker.

San Antonio—Jack Copeland has been named program director of station KABC at the same time C. J. Felte has been appointed to the announcing staff.

Fort Worth—KGKO's Thaine Engle, assistant publicist, became a draftee and Milton Atkinson was transferred from continuity assist-

antship to fill this vacancy. Jean Fisher Campbell fills continuity spot. Other station newcomer is Robert West as Radio News Editor. He's from United Press.

Denver—Elmer Fonden, of KGGM, Albuquerque, now promotion director of KILZ.

New London, Conn.—Ray Edwards replaced Frank Boone on WNLC announcing staff.

Minneapolis—Les Potter, WCCO salesman, departs from the station May 1 to announce staff on the May 1. He'll be replaced by Robert Buechner, brother of the Ted Bates agency's president, Thomas.

Philadelphia—Willard Bott, WPIL engineer, resigned last week to enlist in the U. S. Army Signal Corps. John Paul Weber, gabber, now at Fort Bragg, N. C. Joe Novenson, former NBC page.

boy and more recently speller with WFIL and WIPZ, joins the WDAS announcing staff. He replaces Bob Knox who left to join staff of WRAW, Reading.

Morris Schulson is pinch-hitting for Nathan Feinberg, who has left the WDAS Jewish newscasts. Later is sailing at Northern Liberties Hospital.

Denver—KMYR set to open within two weeks. Added to staff are Mark Scetis, formerly KILZ, to handle sports and special events; John M. Foster, from the C. F. Cusack agency; Robert L. Bissell from the Denver News; Jack Gertz, newspaper man; William J. Bradford, from KXAN Cheyenne, as engineer.

Spartanburg, S. C.—Roger Shaffer has joined stations WORD and WSPA as assistant manager. Formerly with WMAR, Portland, Me. and KTV and WBBM, Chicago. Mrs. L. W. Murray named WSPA woman's editor.

San Luis Obispo, Cal.—Larry Lansing now in announcer at KVEC. From KHJ, Hollywood.

New York—Alice Smart, formerly with the Pepper agency and previously secretary for Noel Coward,

will become secretary for Dick Vaynow, radio director of the Ward Wheelock agency, New York.

Robert E. Shelby named development engineer of NBC. He succeeds R. M. Morris, who has joined the radio-recording division. George M. Nixon, formerly of the development group, is promoted to the post of assistant development engineer, succeeding W. A. R. Brown, who is resigned to take a job with the RCA central frequency bureau.

Regina, Sask.—Trevor Beggs, new speller at CJRM, Regina, replacing Joe McKinnon, now with the Royal Canadian Air Force.

Louisville—Bob Kay, from WTAX, Springfield, O., has joined the WAVE announcing staff, replacing Dick Noble, who goes to NBC, Chicago.

San Francisco—Jack Bennett has been appointed announcer for the Pacific beam of the General Electric short wave station, KGEL, broadcast from 3:20 to 9 a.m. He formerly handled the Musical Clock programs on KPO.

Boston—Fred Cusick, Northeastern University athlete, has joined WCOF as sports announcer, with daily programs, 6:15-6:30 p.m. Cusick holds varsity letters in football, baseball and hockey, and will be graduated in June from N. U.

Albany—Ed Bailey is a new announcer at WOKO.

Chicago—Gordon Wiggin, formerly of the staff of KOY, Phoenix, Ariz., has been shifted to the sister station, WLS, here. Will also handle merchandising and sales promotion for KOY.

Des Moines—Don Parker, KSO-KRNT announcer, has resigned to join the Fred Weber Transcription Co., where he will write shows and handle transcription productions.

Yankton, S. D.—Betty Jean Bates, former hillbilly girl singer with KSO, Des Moines, Iowa, has joined WNAX, Yankton, S. D. WNAX and KSO are part of the Cowles chain.

Fort Wayne—Carl Erickson announcing at WOVO-WGL. From Vincennes, Ind.

San Antonio—Ray Betch is new control room engineer at KTSA.

Nashville—Virginia McDonald is new voice behind Cain Sloan's personal shopper, 'Jane Dalton', on WSL. Replaces Jane Allen, who married last week. Charles Birch has also been added to WSIX engineering staff. He's from Sparta and has worked for WHUB. Frank Bobo, pianist, is another addition to WSIX staff.

St. Louis—Mrs. Ellen Lee Brascher, author of 'Land We Live In', directed series over KMOX, has joined the station as director of educational programs. She succeeds Harriett Edwards who held the post for four years.

Fort Ransom, recently program director of WKY, Oklahoma City, has joined gabbing staff at KMOX.

Hartford—Allyn Corris, for two years head of the announcing and music staff of WIS, Columbia, S. C., last week joined WTIC speller roster. Corris has played with Joe Haymes and Bob Crosby dance bands.

Charlotte, N. C.—Olin Tice, formerly with WIS in Columbia, S. C., has joined the WBT staff. William Winter, for several years news analyst for WBT and southern education director at CBS, leaves next week for San Francisco where he will be heard as news analyst for the Pacific Coast network too, CBS over KSEI.

Asheville, N. C.—Caldwell Cline, formerly with WBT, Charlotte; WSSS, Winston-Salem, N. C., and WIS, Columbia, has joined announcing staff of WUNC here.

Walter J. Brown, operating Stations WORD and WSPA, honored at special luncheon by Spartanburg Kiwanis Club.

New York City—John M. Carney, formerly with General Amusement Corp. and Music Corp. of America, has joined the sales staff of WINS, New York.

Arthur Chapman, Jr., has joined the publicity staff of CBS as a writer. E. Schuyler Ensell, formerly a time buyer for B.B.D. & O. and more recently with International Radio Sales, with sales staff of WABC, New York. Beverly M. Middleton, of the

WABC sales department, to salesman post in Radio Sales division of CBS. Ruth Drake, formerly with Pedlar & Ryan, has joined the radio commercial department of Benton & Bowles.

Richard Dorf joined announcing staff of WOR's FM station, WTNY, replacing Len Sterling, who was moved to the WOR staff. Dorf was formerly announcer at WNYC and other New York stations.

Stuart Buchanan, who comes from the Coast and more recently did a brief stretch at WOY, New York, has been added to CBS' program service department. He replaces Dick Vaynow, who is now with the Ward Wheelock agency.

Gordon Lloyd of WMCA has joined sales staff of WNEW.

WSYR's Musical Advisor

Syracuse, April 15.
Dr. Nicholas Guallilo, conductor of the Syracuse Symphony orchestra, has been named musical advisor of WSYR.


He heads the musical staff which includes Victor Miller, Fred Jeske and Charles E. Thomas, pianists, and Lansing Lindquist and Terese Johnson, organists.

FAIRMONT

A Fort Industry Market

Socko!

Give your sales a Big League batting average on the station that serves the Monongahela Valley. Radio sales with a Socko!




From The Production Centres

IN NEW YORK CITY

Bill Kostka, wife and one son off for a week visiting Civil War battlefield, a hobby of the NBC press chief. Fox case of KNX, L. A., in and out of town last week. CBS director of engineering, E. K. Cohan, will summer on his cruiser, The Electron, in Manassas, Bay again. His marine station, W-E-K-C, frequently tunes in private crafts of three other radio engineers, Van Dyke of RCA, O. B. Hanson of NBC and Franklin Doolittle of WDBC, Hartford. Bob Hanon, Paul Kapp's singing boy, has a CBS schedule. First following his pinch-hitting trip for Lanny Ross, A. M. Spencer, manager of production and talent buying for J. Walter Thompson, has trained out to the Coast with Hector Calvin Kuhl for the opening of Old Gold's show with Tommy Riggs on the CBS Pacific network. Kuhl will be the program's regular producer.

NBC has under consideration half-hour script by Ed Birmeyer for Russell Swann, musician currently at Hotel Warwick. Titled 'How's Tricks?' show is on wax for prospective sponsors. May go on as sustainer in meantime. Show would personalize Swann's rabbit, Gus, making of him a sort of Jimmy Crichton who hops out of hat to sass trickster from time to time. Orchestra, vocalist, and weekly guest star would be utilized. Radio editors in various vicinities (including one on N. Y. street) still showing resentment at p. s. team of Davis and Lieber for bit of copy they received from latter recently. Team, which handles Benny Goodman among other accounts, sent out item to effect that Eddy Duchin would join the Goodman band. Copy was slugged 'to be used April 1', publicists thinking editors would understand it to be April Fool's Day stunt. However, several scribbles used it, and were immediately showered with denials from many sources.

IN HOLLYWOOD

Jim and Marion Jordan this week celebrate the sixth anniversary of 'Fibber McGee and Molly'. Jordans originally came to radio in 1924 but after a short whirl gave it up as not for them and went back to vaudeville. Seven years later they were 'rediscovered' and have been on air ever since. Bing Crosby doesn't go calling on the host of the latter's program very often so it'll be a red letter event with Alec Templeton Friday. Silver Theatre calls it a season Sunday (20) with Myrna Loy the closing attraction. NBC's C. W. Horn checking up on the chain's properties along the coast. Hal Block taking a Florida breather before swapping his mufli for a pair of olive drab. John E. Hughes, Don Lee newscaster, came down from Frisco to make a talk on 'The Pacific Peril' for Greek war relief. Wayne Griffin is back from New York so the Hollywood Producers Club were back in their meeting hall this week. Eddie Davis inked a 13-week deal to write the comedy spot on Chase & Sarnoff with Abbott and Costello. Ken Niles took a five week deal to announce Bob Hawks 'Take It or Leave It' as far east as Denver. Kate Smith and Ted Collins just plain tourists this trip. They passed a couple days at Catalina Islands and then took an air jaunt for a look at the Grand Canyon. Frankie Graham, who plays all the characters on Columbia's 'Nightcap Yarns', asked his listeners if they liked the show and would they vote for its continuance. Within a week the KNX mail clerks counted 10,068 replies, all favorable, an all time high for the station, with or without giveaways. Russ Johnson directed a test audition of Parkyakarkus and Billy Gilbert in a dialect comedy serial at KNX. Victor Young swings the stick on the Tommy Riggs Coast regional for Old Gold, his first air job in some months. Lewis Allen Weiss trained east for another Mutual sitting with Ascap's.

IN CHICAGO

Pierre Andre filling in as commsch speaker on the 'Wings of Destiny' show while Cleve Conway takes a three-week rest and Franklyn McCormack takes over the announcing job on the 'Dog House' program for two weeks while Charles Lyons vacates. Radio performer Juliet Forbes slated to marry non-pro Car! Hess this week. Max Hartman added to Chi NBC speller staff, replacing Walter Hagen, Jr., who exits, and Dick Noble comes up from WAVE, Louisville, to become an NBC announcer here.

Norman Ross is making a series of recorded comment to be used with the Falstaff Brewing Co. Sherman K. Ellis is the agency on the account. Discs are being waxed by NBC recording division here.

Radio script editor of Knox Reeves Advertising, Inc., Minneapolis, Elizabeth Reeves now blossoms out with a novel, 'A House for Emily' (Farrar & Rinehart). Mrs. Reeves' second book, 'Sweet Air the Days', is in preparation for October publication.

Fritz Block set as producer for new strip show tagged 'Treasure Island' through Blackett-Sample-Hummert agency. Gene Filip moves from the Chicago Tribune editorial department to the WGN news room. WGN Talent Division is handling Charlene Kerr, new singer, who until two weeks ago was checkroom girl at the Ambassador Hotel's Buttery room. Three members of the WIND engineering staff joining U. S. military forces; chief engineer Kenneth Shirk, Navy lieutenant, going to Canal Zone to conduct experiments in under-water sound transmission, while Clark Hood and Claude Tindlerlake join the army. Rambl's Red Foley back on WLS shows after picture date for Monogram in the Tex Ritter picture, 'The Pioneers'. Curt Roberts has new WLS three-a-week tagged 'The Scene Changer'. Shirley Snyder, daughter of WLS v.p. and manager Glenn Snyder, in show biz as member of the Dorothy Dorben Dancers now in the Edgewater Beach hotel's Marine Room.

WABC
50,000 WATTS
NEW YORK

CBS

Best-known, best-liked station in the world's largest market

Ask any Radio Sales office for more information about WABC one of the sixteen CBS 50,000 watt stations.

RADIO ADS IN LATIN PAPERS

New Procter & Gamble Schedule

*Tentative new schedule of Procter & Gamble programs, effective April 28, is as follows:

NBC RED

'Road of Life' (Chippo).....Mon.-Fri., 10:45 a.m.—Pedlar & Ryan
'Mary Martin' (Ivory Snow).....Mon.-Fri., 11:00 a.m.—Compton
(Goes to Benton & Bowles, July 1)
'Guiding Light' (white naphtha).....Mon.-Fri., 11:15 a.m.—Compton
'Lone Journey' (Duz, Dref).....Mon.-Fri., 11:30 a.m.—Blackett-Sample-Hummert
'The O'Nells' (Ivory).....Mon.-Fri., 12:15 a.m.—Compton
'Against the Storm' (Ivory).....Mon.-Fri., 3:00 p.m.—Compton
'Ma Perkins' (Oxydol).....Mon.-Fri., 3:15 p.m.—B-S-H
'Pepper Young' (Camay).....Mon.-Fri., 3:30 p.m.—P. & R.
'Vie and Sade' (Crisco).....Mon.-Fri., 3:45 p.m.—Compton
'Knickerbocker Playhouse' (Drene).....Sat., 8:00 p.m.—Kastor
(May go off for summer)
'Truth or Consequences' (Ivory).....Sat., 8:30 p.m.—Compton
(Probably continues through summer)

CBS

'Life Can Be Beautiful' (Ivory).....Mon.-Fri., 1:00 p.m.—Compton
'Woman in White' (Ivory).....Mon.-Fri., 1:15 p.m.—P. & R.
(Slated to shift from Camay to Oxydol and move over to B-S-H)
'Right to Happiness' (Crisco).....Mon.-Fri., 1:45 p.m.—P. & R.
'Road of Life' (Chippo-repeat).....Mon.-Fri., 3:00 p.m.—Compton
'Mary Martin' (Ivory-repeat).....Mon.-Fri., 3:15 p.m.—P. & R., July 1
'The Goldbergs' (Oxydol).....Mon.-Fri., 3:15 p.m.—B-S-H
(Changes to Duz and Compton, July 1)
'The O'Nells' (Ivory-repeat).....Mon.-Fri., 3:30 p.m.—Compton
'Those We Love' (Teel).....Monday, 8:00 p.m.—Kastor
(May go off for summer)

(Revised schedule apparently leaves no room for four current P. & G. serials, which thereupon go off April 26, at least temporarily. They include 'Kitty Keene' (Dref)—B-S-H, 'Houseboat Hannah' (Lava soap)—B-S-H, 'This Small Town' (Duz)—Compton, 'Man I Married' (Oxydol)—B-S-H. Arch Oboler's 'Everyman's Theatre' (Oxydol)—B-S-H went off with the April 4 show.)

Edgar Lee Masters As Himself in Soap Tale 'Against the Storm'

Edgar Lee Masters will appear on 'Against the Storm' next week, playing himself and reading some of his 'Spoon River Anthology' verses. Sandra Michael will also write him into the script for periodic future dates. Believed the first time Procter & Gamble has had a 'guest star' playing himself on any of its shows.

MEXICAN ON WRUL, BOSTON

Fernando Aldana to Broadcast Shortwave Series on Fridays

Fernando Aldana, Mexican journalist, will broadcast through WRUL, Boston shortwave to Latin America, starting April 18. Will be 15 minutes at 7:45 each Friday night, using comment and interviews in Spanish. Will remote from New York City to land wire to Boston transmitter.

More Power For You

NOW DAY AND NIGHT

5000 WATTS

NO ADVANCE IN PRICES

ONLY BASIC CBS OUTLET IN INDIANA

W F B M

National Representatives
THE KATZ AGENCY, INC.

DON FRANCISCO MOVES; RICHARDSON LIAISON

At the suggestion of a member of the Government that the private broadcasters operating shortwave radio stations should appoint an individual liaison man between themselves and the Government the job has gone to Stanley P. Richardson, in recent years a secretary and assistant to Joseph E. Davies. He gets the title 'co-ordinator of international broadcasting' of the six companies in that field domestically. The move is described as the mobilization of America's most powerful shortwave stations for national defense and the will, and the companies involved are NBC, CBS, General Electric, Westinghouse, World Wide (WRUL, Boston) and Crosley (WLWO, Cincinnati). These represent nine shortwave transmitters from Coast to Coast with a total of 450,000 watts.

After serving 16 years with the AP Richardson quit to become confidential secretary to Davies, then Russian ambassador, and has been with him ever since. His last post was as executive assistant to Davies when the latter was appointed chairman of the President's Committee on War Relief Agencies.

Following return to private business of James W. Young his post as director of the communications division of the Nelson Rockefeller committee on Latin-American Cultural relations is being filled by Don Francisco, \$1-a-year man who has spent past three months in a radio inspection trip of South America. Francisco has been coordinator of the radio part of this work since leaving Lord & Thomas.

His assistant, Guy Hickok, ex-NBC, will carry on but sans the Francisco title. Hickok is a regularly salaried employee. Hickok working in New York, will continue to report to Francisco, who moves to Washington.

Transradio May Reopen An Office in Boston

Boston, April 15. Although Transradio Press Service switched its New England headquarters in January to WTIC, Hartford, with Thomas Eaton in charge, Transradio may return to Boston. Meantime, Fred Cottesman, directing City News Bureau, is local correspondent.

SPOTLIGHTING OF YANK SHORTWAVE

Rockefeller Inter-America Committee Helps Work Out Cooperative Institutional Copy and Its Placement

NO TRADE-MARKS

Plan is underway for radio set manufacturers in the U.S. to jointly finance the printing of logs of shortwave news broadcasts in advertising space in Latin American papers. Complaints have been received by Yank stations of confusion about times of the 22 daily news airings beamed south.

Advertising will be strictly institutional in nature. It will carry under the listing of broadcasts no other identification than that it is placed by the Radio Manufacturers Association of U.S.A. Times of Nazi and Fascist news broadcasts are similarly advertised in S.A. papers but with coin provided by the German and Italian governments.

Rockefeller Committee on South American Relations is cooperating in getting this plan underway and will work with the agency placing the copy.

This will prevent ads going to papers lined up with Axis. It will supplement the Committee's travel advertising, which is likewise exclusively placed in 'the right papers.'

Sift and Grade Dept.

Buffalo, April 15. 'Program planning committee' has been set up from WEBR's staff to collect ideas, put a price on them and submit them to sales department. Pete Krug, production man, clears the ideas.

Inside Stuff—Radio

Contract between KSFO, San Francisco, and Columbia expires Dec. 31, 1941, and whether that station, Ralph Brunton's KJBS will have the CBS affiliation after that date will depend on which gets the nod from the Federal Communications Commission on the dual plea for 50,000 watts on 740 k.c. CBS has a deal with both stations and is now sitting on the fence waiting for the FCC to hand down a decision.

Brunton already has an okay for 740 plus 5,000 watts day and night and he is now asking for 50,000 watts, while KSFO is not only opposing such grant but is asking for both 740 k.c. and 50 kilowatts for itself.

Report has been current in the ad agency field during the past week that Colgate-Palmolive-Peet was clearing the way for another switch in its account. The loser, it is said, will be the Ward Wheelock agency and the winner, the Ted Bates agency.

When C-R-P took its business away from Benton & Bowles Jan. 1 Wheelock got the Palmolive brand, and Bates part of the Colgate outlay. Rest of the Colgate outlay. Rest of the Colgate advertising is held by Sherman & Marquette, of Chicago.

NBC-blue sales execs have obtained copies of some of the data that Mutual has included in its latest presentation and will make an answer to it within a month without referring directly to the other network. The blue's new presentation will deal particularly with the coverage that will be available to clients when station substitutions are made in the Pittsburgh and Baltimore areas.

Stockholders of Columbia Broadcasting System are voting today (Wednesday) on the 6% additional compensation proposal for leading executives at the annual meeting of the corporation. They also have been asked to pass on the plan for an independent public accountant plan for auditors. In addition, stockholders will elect seven Class A directors and seven Class B directors.

Earle Anderson, who is the new president of WMCA, New York, has been with Edward Noble for years as a financial assistant. He continues this relationship at the station, being, like the Lifesaver manufacturer himself, a novice in radio. Noble now occupies the old Donald Flamm layout at WMCA, with Anderson adjacent. Donald Shaw, as general manager, actually is running the station.

Pittsburgh's oldest radio commentator, Dr. A. R. Cratty, 77, known professionally as Jim Jab, will retire at the end of this week, making his last broadcast Saturday night (19). For last four years Dr. Cratty has been reminiscing about his 50 years in sports for Joe Tucker's Sports Slant show on WWSW, and admits it's getting to be a little too much for him now.

Within two weeks Ralph Atlas' station, WJJD, Chicago, has received four individual citations and awards for public service. Recognition was received from the Peabody Committee, the Daughters of the American Revolution, the National Youth Administration and the American Legion.

Law Valentine, after two and a half years as 'Dr. I. Q.' over the 'ear lines' and in theatres, last week left the combo in Seattle due to series of misunderstandings, he says. Valentine spent the weekend in Los Angeles and heads soon for New York.

Jack Shook, Missouri Mountaineers leader, rushed from WSM, Nashville, to his home when told his three-year-old daughter tumbled off a 70-foot cliff on his farm. When rushed to hospital by her father, doctors found her only injury was fright and she was merely 'shaken up.'

ADD STANDOUT LOCAL

PROGRAMS TO PROVEN

CBS NETWORK LEADERSHIP



DENVER'S
STANDOUT
STATION

5000 WATTS
ON 560

announcements, direct

'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., EST
WABC-S-15-5-30-CBS
IN . . .
COAST TO COAST
Dix. COMPTON ADVERTISING AGENCY
MGT. ED. WOLF-RKO RLDG. NEW YORK CITY

Lockheed Aircraft Plots 3-Week Campaign on KNX to Fill Jobs

Los Angeles, April 15. All units hit the skies last week and landed precariously near the low levels. There wasn't a bright spot or cheering note anywhere along the line.

KNX took heart with a new piece of business from Lockheed Aircraft, the first time in the station's history that a company bought time for three consecutive weeks to solicit applications for employment. Newspapers were used extensively but apparently failed to bring the needed help so radio was resorted to.

KNX: Arrowhead-Puritas Water, 26 quarter-hour periods, through Lockheed - Shackelford; Southern Pacific Railroad, 52 half-hour broadcasts of "All About Broadway" and Thomas; Golden State Milk, 14 announcements, through Ruthrauff & Ryan; Grayson's Dresses, eight participations in Fletcher Wiley combination, through "Forrest & Toney."

KHJ: Thrift Outlet Co., 13 half-hour programs, through United Adv.; Best Toothpaste, 39 spots, through Erwin, Wasey; Mac's Super Gloss, 180 announcements, through Elwood Robinson; Reiner Brewing, 65 spots, through Stodel Ad.

KFI: Talbot Liquid Grow, 13 participations, "Mirandy's Garden Patch," through J. Russell Miller; Beech-Nut Biscuits, 15 announcements, through Newell-Emmett.

KECA: Beech-Nut Biscuits, 88 announcements, through Newell-Emmett; Fantasies, 24 announcements, through Milton Weinberg.

Comparative Unit Count			
	April 12	April 5 Change	% of
Network	12,774	13,097	-2.4
Local	5,571	5,839	-2.9
Na'l Spots	1,412	1,593	-6.1
Total	22,917	22,529	-1.8

(Included: KECA, KFI, KFWB, KHJ, KNX)

MOTOR CONCERN TOP AIRERS IN SAN ANTON

San Antonio, April 15. Victor Marava, of the merchandising staff of KRGV, Weslaco visitor at KTSa over the weekend.

Largest block of time sold to one sponsor was chalked up here by the sales staff of station KABC, with 40 spots and a full-hour program sold to the Glen Foster Nash Co. for Saturday (12) opening day and three quarter-hour programs per week thereafter.

Steady increase is noted in all departments, with new highs to be reached within the next few weeks.

WOAI: Ex-Lax, through Joseph Katz, five announcements per week for 26 weeks; Plymouth Division of the Chrysler Corp., through J. Stirling Getchell, 10 announcements; United Drug Co., for Rexall, three quarter-hour transcribed programs; Johnson & Johnson, for Tek toothbrushes, through Ferry-Hanley, 25-word announcements, five per week for 175 times; Lehn & Fink, for Hind's Honey, through William & Co., 76 t.e. and live announcements; Beech-Nut Packing Co., through Newell-Emmett, for Beech-Nut, 12 t.e. per week for 13 weeks; Houston Milling Co., for American Maid Flour, through Segal-Weed, three quarter-hour programs per week through the Texas Quality Network for one year.

Comparative Unit Count			
	April 12	April 5 Change	% of
Network	6,225	6,255	-0.5
Local	8,715	9,577	-8.7
Na'l Spots	1,459	1,459	+0.1
Total	16,474	17,482	-4.8

(Included: KABC, KNAC, KONO, KTSa, WOAI)

Joseph Ries, WLVW, Cincinnati director of public service programs, was joined by his son James, 13, in Deaconess hospital April 9, a week after undergoing an appendectomy. Boy got a similar operation.

DETROIT UNITS REVEIVE

Local Beaches 6.8%—Hudson Cars on WXYZ

Detroit, April 15. Still showing a tendency to be skittery, Detroit this week took a marked gain of week of hand-sold business. It is the most marked gain of the season, coming after weeks of steady improvement followed by weeks of remaining stationary before going on to the next gains.

Present list, carrying through all categories, puts the town on one of the highest levels in many years, it was reported. 33th local business, up better than 6%, and national spot not far behind, were spread quite generally through the stations most benefiting by the business increase. Network gains still haven't caught up with last week's aid.

However, the units of local time now have soared over 14,000 for the six local stations, one of the peaks for general distribution sales lists.

WXYZ: Hudson Motors, three announcements daily, seven days, 13 weeks.

Comparative Unit Count			
	April 12	April 5 Change	% of
Network	9,280	9,205	+0.8
Local	14,110	15,239	+8.8
Na'l Spots	1,412	1,593	-6.1
Total	22,802	27,041	+4.4

DENVER 2.6% UP LOCALLY

Denver, April 15. KFEL topped the sales picture with several quarter-hour sales running three months and longer, while KOA rang up a contract for 26 half-hours.

KFEL: Denver Representative Loring & Co., through Robertson agency, six newcasts weekly, three months; Progressive magazine, through Advertising Sales, 13 quarter-hours; Pepsi-Cola, through Newell-Emmett, four announcements daily, six months; Paramount Cleaners & Dyers, 52 spots; Public Service Co. of Colorado, two quarter-hour weeks, three months; Leo Spears, 104 quarter-hour; Marthe Washington Candy, 13 announcements.

KOA: Tivoli Brewing Co., through Lane-Freiberger, 26 weekly half-hours; S. H. Kress Co., 14 announcements; Mountain States Telephone & Telegraph Co., 14 station breaks and 12 announcements; Weicker Transfer & Storage Co., through Robertson agency, 312 ten-minute reports over a year's time; Cottrell's Clothing Co., through Robertson agency, 312 announcements, six a week.

KLZ: Crown Hill Centry Association, through John Bodkin, four spots; Planter's Nut & Chocolate Co., through Raymond R. Morgan, three half-hours; Industrial Federal Savings & Loan Association, through

McCann-Erickson, six quarter-hours; Adolph Coors Co., through MacGregor agency, seven weekly 10-minute spots reviews; United Drug Co., through Spot Broadcasting, three quarter-hour programs.

(Included: KFEL, KLZ, KOA, KVOD)

Comparative Unit Count			
	April 12	April 5 Change	% of
Network	9,228	9,175	+0.6
Local	4,778	4,864	+0.8
Na'l Spots	1,694	1,701	-0.4
Total	14,692	14,532	+1.1

(Included: KFEL, KLZ, KOA, KVOD)

McConnell-Erickson, six quarter-hours; Adolph Coors Co., through MacGregor agency, seven weekly 10-minute spots reviews; United Drug Co., through Spot Broadcasting, three quarter-hour programs.

(Included: KFEL, KLZ, KOA, KVOD)

McCann-Erickson, six quarter-hours; Adolph Coors Co., through MacGregor agency, seven weekly 10-minute spots reviews; United Drug Co., through Spot Broadcasting, three quarter-hour programs.

(Included: KFEL, KLZ, KOA, KVOD)

McCann-Erickson, six quarter-hours; Adolph Coors Co., through MacGregor agency, seven weekly 10-minute spots reviews; United Drug Co., through Spot Broadcasting, three quarter-hour programs.

(Included: KFEL, KLZ, KOA, KVOD)

McCann-Erickson, six quarter-hours; Adolph Coors Co., through MacGregor agency, seven weekly 10-minute spots reviews; United Drug Co., through Spot Broadcasting, three quarter-hour programs.

(Included: KFEL, KLZ, KOA, KVOD)

McCann-Erickson, six quarter-hours; Adolph Coors Co., through MacGregor agency, seven weekly 10-minute spots reviews; United Drug Co., through Spot Broadcasting, three quarter-hour programs.

(Included: KFEL, KLZ, KOA, KVOD)

McCann-Erickson, six quarter-hours; Adolph Coors Co., through MacGregor agency, seven weekly 10-minute spots reviews; United Drug Co., through Spot Broadcasting, three quarter-hour programs.

(Included: KFEL, KLZ, KOA, KVOD)

McCann-Erickson, six quarter-hours; Adolph Coors Co., through MacGregor agency, seven weekly 10-minute spots reviews; United Drug Co., through Spot Broadcasting, three quarter-hour programs.

(Included: KFEL, KLZ, KOA, KVOD)

McCann-Erickson, six quarter-hours; Adolph Coors Co., through MacGregor agency, seven weekly 10-minute spots reviews; United Drug Co., through Spot Broadcasting, three quarter-hour programs.

(Included: KFEL, KLZ, KOA, KVOD)

McCann-Erickson, six quarter-hours; Adolph Coors Co., through MacGregor agency, seven weekly 10-minute spots reviews; United Drug Co., through Spot Broadcasting, three quarter-hour programs.

(Included: KFEL, KLZ, KOA, KVOD)

McCann-Erickson, six quarter-hours; Adolph Coors Co., through MacGregor agency, seven weekly 10-minute spots reviews; United Drug Co., through Spot Broadcasting, three quarter-hour programs.

(Included: KFEL, KLZ, KOA, KVOD)

McCann-Erickson, six quarter-hours; Adolph Coors Co., through MacGregor agency, seven weekly 10-minute spots reviews; United Drug Co., through Spot Broadcasting, three quarter-hour programs.

(Included: KFEL, KLZ, KOA, KVOD)

McCann-Erickson, six quarter-hours; Adolph Coors Co., through MacGregor agency, seven weekly 10-minute spots reviews; United Drug Co., through Spot Broadcasting, three quarter-hour programs.

(Included: KFEL, KLZ, KOA, KVOD)

McCann-Erickson, six quarter-hours; Adolph Coors Co., through MacGregor agency, seven weekly 10-minute spots reviews; United Drug Co., through Spot Broadcasting, three quarter-hour programs.

(Included: KFEL, KLZ, KOA, KVOD)

McCann-Erickson, six quarter-hours; Adolph Coors Co., through MacGregor agency, seven weekly 10-minute spots reviews; United Drug Co., through Spot Broadcasting, three quarter-hour programs.

(Included: KFEL, KLZ, KOA, KVOD)

McCann-Erickson, six quarter-hours; Adolph Coors Co., through MacGregor agency, seven weekly 10-minute spots reviews; United Drug Co., through Spot Broadcasting, three quarter-hour programs.

(Included: KFEL, KLZ, KOA, KVOD)

McCann-Erickson, six quarter-hours; Adolph Coors Co., through MacGregor agency, seven weekly 10-minute spots reviews; United Drug Co., through Spot Broadcasting, three quarter-hour programs.

(Included: KFEL, KLZ, KOA, KVOD)

SALT LAKE STEADY

Units Mainline Fast Pace—Wasatch Oil on KSL

Salt Lake City, April 15. KDYL reports its highest national spot level since last September, and units generally are keeping up a speedy stride.

KDYL: Chrysler Corp., through J. Stirling Getchell, 10 announcements; Wesson Oil and Snowdrift, through Fitzgerald Agency, 512 chain breaks; Cudahy Packing, through Erwin, Wasey, 20 announcements; Waltham Pens, through United Advertising, six announcements and one five-minute program; First Federal Saving, 36 five-minute programs; Martell's Marvels, 52 five-minute programs.

KSL: Wasatch Oil Refining Products, 10-minute newcast, five days per week, featuring Arthur Gaeth, news commentator; Morrison Auto Supply Co., 28 fifty-word announcements; Merriam & Wilkins Wool Auction, six five-minute spots weekly; Pullman Tailors, five-minute daily spots; Dupuy Rug Co., five-minute spots; Salt Lake Furniture Dealers, fifty-word daytime spots; Chandler Shoe Co., 10 fifty-word spot announcements; Paramounting Co., 1,000 fifty-word announcements; Flint Advertising Co., daytime announcements; Christensen Furniture Co., additional spot time; I & M Rug, increased spot-announcement schedule; Westwood Air Express, 10 spot announcements; Z.C.M.I. Department Store, increased spot announcements; Auerbach Department Store, increased spot announcements; Planter's Nut & Chocolate, Raymond R. Morgan Co., three half-hour evening programs; Plymouth Motor Co., through J. Stirling Getchell, evening spot announcements; American Chile Co., through Badger, Brownling & Hetsely, five one-minute announcements weekly; Lehn & Fink Products Corp. (Hind's Honey & Almond Cream), through William Esty Co., one-minute announcements.

KUTA: Fisher Baking Co., through Featherstone Advertising Agency, 52 spot announcements; 15 furniture stores participating in daily quarter-hour program during Furniture Week; Acme Paint Co., direct, 26 spot announcements; Success Tire and Rim, direct, 300 spot announcements; Zink's Sporting Goods Co., direct, 130 quarter-hour newcasts.

Cluquet Club Blurbs

Cluquet Club joins the minute announcement hold Monday (21) with a 17-week campaign calling for two blurbs a day, five days a week. N. W. Ayer is the agency.

McCann-Erickson, six quarter-hours; Adolph Coors Co., through MacGregor agency, seven weekly 10-minute spots reviews; United Drug Co., through Spot Broadcasting, three quarter-hour programs.

(Included: KFEL, KLZ, KOA, KVOD)

McCann-Erickson, six quarter-hours; Adolph Coors Co., through MacGregor agency, seven weekly 10-minute spots reviews; United Drug Co., through Spot Broadcasting, three quarter-hour programs.

(Included: KFEL, KLZ, KOA, KVOD)

McCann-Erickson, six quarter-hours; Adolph Coors Co., through MacGregor agency, seven weekly 10-minute spots reviews; United Drug Co., through Spot Broadcasting, three quarter-hour programs.

(Included: KFEL, KLZ, KOA, KVOD)

McCann-Erickson, six quarter-hours; Adolph Coors Co., through MacGregor agency, seven weekly 10-minute spots reviews; United Drug Co., through Spot Broadcasting, three quarter-hour programs.

(Included: KFEL, KLZ, KOA, KVOD)

McCann-Erickson, six quarter-hours; Adolph Coors Co., through MacGregor agency, seven weekly 10-minute spots reviews; United Drug Co., through Spot Broadcasting, three quarter-hour programs.

(Included: KFEL, KLZ, KOA, KVOD)

McCann-Erickson, six quarter-hours; Adolph Coors Co., through MacGregor agency, seven weekly 10-minute spots reviews; United Drug Co., through Spot Broadcasting, three quarter-hour programs.

(Included: KFEL, KLZ, KOA, KVOD)

McCann-Erickson, six quarter-hours; Adolph Coors Co., through MacGregor agency, seven weekly 10-minute spots reviews; United Drug Co., through Spot Broadcasting, three quarter-hour programs.

(Included: KFEL, KLZ, KOA, KVOD)

McCann-Erickson, six quarter-hours; Adolph Coors Co., through MacGregor agency, seven weekly 10-minute spots reviews; United Drug Co., through Spot Broadcasting, three quarter-hour programs.

(Included: KFEL, KLZ, KOA, KVOD)

McCann-Erickson, six quarter-hours; Adolph Coors Co., through MacGregor agency, seven weekly 10-minute spots reviews; United Drug Co., through Spot Broadcasting, three quarter-hour programs.

(Included: KFEL, KLZ, KOA, KVOD)

McCann-Erickson, six quarter-hours; Adolph Coors Co., through MacGregor agency, seven weekly 10-minute spots reviews; United Drug Co., through Spot Broadcasting, three quarter-hour programs.

(Included: KFEL, KLZ, KOA, KVOD)

McCann-Erickson, six quarter-hours; Adolph Coors Co., through MacGregor agency, seven weekly 10-minute spots reviews; United Drug Co., through Spot Broadcasting, three quarter-hour programs.

(Included: KFEL, KLZ, KOA, KVOD)

McCann-Erickson, six quarter-hours; Adolph Coors Co., through MacGregor agency, seven weekly 10-minute spots reviews; United Drug Co., through Spot Broadcasting, three quarter-hour programs.

(Included: KFEL, KLZ, KOA, KVOD)

McCann-Erickson, six quarter-hours; Adolph Coors Co., through MacGregor agency, seven weekly 10-minute spots reviews; United Drug Co., through Spot Broadcasting, three quarter-hour programs.

(Included: KFEL, KLZ, KOA, KVOD)

McCann-Erickson, six quarter-hours; Adolph Coors Co., through MacGregor agency, seven weekly 10-minute spots reviews; United Drug Co., through Spot Broadcasting, three quarter-hour programs.

(Included: KFEL, KLZ, KOA, KVOD)

McCann-Erickson, six quarter-hours; Adolph Coors Co., through MacGregor agency, seven weekly 10-minute spots reviews; United Drug Co., through Spot Broadcasting, three quarter-hour programs.

(Included: KFEL, KLZ, KOA, KVOD)

McCann-Erickson, six quarter-hours; Adolph Coors Co., through MacGregor agency, seven weekly 10-minute spots reviews; United Drug Co., through Spot Broadcasting, three quarter-hour programs.

(Included: KFEL, KLZ, KOA, KVOD)

McCann-Erickson, six quarter-hours; Adolph Coors Co., through MacGregor agency, seven weekly 10-minute spots reviews; United Drug Co., through Spot Broadcasting, three quarter-hour programs.

(Included: KFEL, KLZ, KOA, KVOD)

McCann-Erickson, six quarter-hours; Adolph Coors Co., through MacGregor agency, seven weekly 10-minute spots reviews; United Drug Co., through Spot Broadcasting, three quarter-hour programs.

(Included: KFEL, KLZ, KOA, KVOD)

McCann-Erickson, six quarter-hours; Adolph Coors Co., through MacGregor agency, seven weekly 10-minute spots reviews; United Drug Co., through Spot Broadcasting, three quarter-hour programs.

(Included: KFEL, KLZ, KOA, KVOD)

McCann-Erickson, six quarter-hours; Adolph Coors Co., through MacGregor agency, seven weekly 10-minute spots reviews; United Drug Co., through Spot Broadcasting, three quarter-hour programs.

(Included: KFEL, KLZ, KOA, KVOD)

McCann-Erickson, six quarter-hours; Adolph Coors Co., through MacGregor agency, seven weekly 10-minute spots reviews; United Drug Co., through Spot Broadcasting, three quarter-hour programs.

(Included: KFEL, KLZ, KOA, KVOD)

McCann-Erickson, six quarter-hours; Adolph Coors Co., through MacGregor agency, seven weekly 10-minute spots reviews; United Drug Co., through Spot Broadcasting, three quarter-hour programs.

(Included: KFEL, KLZ, KOA, KVOD)

McCann-Erickson, six quarter-hours; Adolph Coors Co., through MacGregor agency, seven weekly 10-minute spots reviews; United Drug Co., through Spot Broadcasting, three quarter-hour programs.

(Included: KFEL, KLZ, KOA, KVOD)

McCann-Erickson, six quarter-hours; Adolph Coors Co., through MacGregor agency, seven weekly 10-minute spots reviews; United Drug Co., through Spot Broadcasting, three quarter-hour programs.

(Included: KFEL, KLZ, KOA, KVOD)

McCann-Erickson, six quarter-hours; Adolph Coors Co., through MacGregor agency, seven weekly 10-minute spots reviews; United Drug Co., through Spot Broadcasting, three quarter-hour programs.

(Included: KFEL, KLZ, KOA, KVOD)

McCann-Erickson, six quarter-hours; Adolph Coors Co., through MacGregor agency, seven weekly 10-minute spots reviews; United Drug Co., through Spot Broadcasting, three quarter-hour programs.

(Included: KFEL, KLZ, KOA, KVOD)

McCann-Erickson, six quarter-hours; Adolph Coors Co., through MacGregor agency, seven weekly 10-minute spots reviews; United Drug Co., through Spot Broadcasting, three quarter-hour programs.

(Included: KFEL, KLZ, KOA, KVOD)

McCann-Erickson, six quarter-hours; Adolph Coors Co., through MacGregor agency, seven weekly 10-minute spots reviews; United Drug Co., through Spot Broadcasting, three quarter-hour programs.

(Included: KFEL, KLZ, KOA, KVOD)

McCann-Erickson, six quarter-hours; Adolph Coors Co., through MacGregor agency, seven weekly 10-minute spots reviews; United Drug Co., through Spot Broadcasting, three quarter-hour programs.

(Included: KFEL, KLZ, KOA, KVOD)

McCann-Erickson, six quarter-hours; Adolph Coors Co., through MacGregor agency, seven weekly 10-minute spots reviews; United Drug Co., through Spot Broadcasting, three quarter-hour programs.

(Included: KFEL, KLZ, KOA, KVOD)

Morton Salt Buys Time on KSFO Via 'Housewives Protective League'

San Francisco, April 15. Network and local billings climbed upward here last week, the latter's total jump of 122 units being due almost entirely to the increased bid on the books of the CBS and NBC outlets. National spot bids, again, only KSFO showing an upswing in this division.

KSFO: John Morrell & Co. (Red Heart dog food), 13 spots, through Hendr, Hurst & McDonald; Morton Salt Co., 18 participations in Housewives' Protective League, through Blackett-Sample-Hummert; New Century Beverage Co. (soft drinks), 312 participations in Housewives' Protective League and spot as ordered for 52 weeks, through M. E. Harlan; Nehl, Inc. (Royal Crown Cola), 78 five-minute programs, through Batten, Baston, Durnette & Osborn; Regal Amber Brewing Co. (beer), spots as ordered (for 26 weeks, through M. E. Harlan; R. J. Roeling & Co., eight participations in Farm Journal, through Fletcher S. Udall; Simon & Schuster, Inc. (books), six five-minute programs, through Northwest R. Radio; Standard Beverages (soft drinks), 39 five-minute newcasts, direct; Shell Oil Co. (gas), 19 spots, through J. Walter Thompson; Schwabacher-Fred & Co. (stationers), 52 five-minute programs, direct; Vick Chemical Co. (cold remedies), 312 five-minute newcasts; William H. Wise & Co. (books), five-minute programs are ordered for 52 weeks, through Northwest Radio; Westcoast Reynolds & Stauffer (rodent killers), three participations weekly in Farm Journal, direct.

WMAQ: Shell Oil Co., five minutes five times weekly, through J. Walter Thompson; A. E. Staley Mfg. Co., 15 minutes five times weekly, through Blackett-Sample-Hummert.

WGN: Stewart & Ashby Coffee Co., one-minute announcement, six times weekly, through Roche, Williams & Cunningham; Swift & Co. (Sunbrite cleanser), one-minute announcement six times weekly, through Stack-Goble.

WMAQ: Shell Oil Co., five minutes five times weekly, through J. Walter Thompson; A. E. Staley Mfg. Co., 15 minutes five times weekly, through Blackett-Sample-Hummert.

WMAQ: Shell Oil Co., five minutes five times weekly, through J. Walter Thompson; A. E. Staley Mfg. Co., 15 minutes five times weekly, through Blackett-Sample-Hummert.

WMAQ: Shell Oil Co., five minutes five times weekly, through J. Walter Thompson; A. E. Staley Mfg. Co., 15 minutes five times weekly, through Blackett-Sample-Hummert.

WMAQ: Shell Oil Co., five minutes five times weekly, through J. Walter Thompson; A. E. Staley Mfg. Co., 15 minutes five times weekly, through Blackett-Sample-Hummert.

WMAQ: Shell Oil Co., five minutes five times weekly, through J. Walter Thompson; A. E. Staley Mfg. Co., 15 minutes five times weekly, through Blackett-Sample-Hummert.

WMAQ: Shell Oil Co., five minutes five times weekly, through J. Walter Thompson; A. E. Staley Mfg. Co., 15 minutes five times weekly, through Blackett-Sample-Hummert.

WMAQ: Shell Oil Co., five minutes five times weekly, through J. Walter Thompson; A. E. Staley Mfg. Co., 15 minutes five times weekly, through Blackett-Sample-Hummert.

WMAQ: Shell Oil Co., five minutes five times weekly, through J. Walter Thompson; A. E. Staley Mfg. Co., 15 minutes five times weekly, through Blackett-Sample-Hummert.

WMAQ: Shell Oil Co., five minutes five times weekly, through J. Walter Thompson; A. E. Staley Mfg. Co., 15 minutes five times weekly, through Blackett-Sample-Hummert.

WMAQ: Shell Oil Co., five minutes five times weekly, through J. Walter Thompson; A. E. Staley Mfg. Co., 15 minutes five times weekly, through Blackett-Sample-Hummert.

WMAQ: Shell Oil Co., five minutes five times weekly, through J. Walter Thompson; A. E. Staley Mfg. Co., 15 minutes five times weekly, through Blackett-Sample-Hummert.

WMAQ: Shell Oil Co., five minutes five times weekly, through J. Walter Thompson; A. E. Staley Mfg. Co., 15 minutes five times weekly, through Blackett-Sample-Hummert.

WMAQ: Shell Oil Co., five minutes five times weekly, through J. Walter Thompson; A. E. Staley Mfg. Co., 15 minutes five times weekly, through Blackett-Sample-Hummert.

WMAQ: Shell Oil Co., five minutes five times weekly, through J. Walter Thompson; A. E. Staley Mfg. Co., 15 minutes five times weekly, through Blackett-Sample-Hummert.

WMAQ: Shell Oil Co., five minutes five times weekly, through J. Walter Thompson; A. E. Staley Mfg. Co., 15 minutes five times weekly, through Blackett-Sample-Hummert.

Kay Kyser, Record \$42,000 in L. A., Goodman, Jimmy Dorsey in N. Y. Theatre Clicks; Britton N.G. 9 1/2, Hub

Raymond Scott's date at the Colonial theatre, Lancaster, Pa., listed among the one-nighters, is incorrect. It pointed out that Scott's 700 attendance was "poor." As a matter of fact the date at the theatre was a side-trip from the stand he was playing that night, a hop at Franklin-Marshall College. It had been arranged by the school dance committee to allow Scott time to shift to the theatre to help a Greek relief benefit.

Business at the school amounted \$2,000 with about 1,000 heads at \$4 a pair. Date was played March 28.

(Estimates for This Week)

WHL Bradley, Philadelphia — (Earle; 2,350; 35-46-58). With stage show and "Las Vegas Nights" (Par) on screen. Combo is evoking \$20,000, plenty profitable.

MKH Britton, Boston — (Boston; 3,200; 33-44-55). With "Mr. Dynamite" (U) on screen. Can't see over pale \$9,500. On the other hand, all Hub grosses suffered this semester, with "Holy Week," balmy weather and the opening of the ball season.

Jimmy Dorsey, New York (Strand; 35-55-75-89-99). With "Great Lie" (WB) on screen. Bette Davis picture, disliked in daily notices, probably has edge on Jimmy Dorsey as a b.o. draw, but latter credited with contributing importantly. First week will be \$45,000 or around that figure, very good.

Benny Goodman, New York (Paramount; 35-55-75-89-99). With Gil Lamb and Copacabana Revue and "Road to Zanzibar" (A) as the picture. Both Goodman and the Bing Crosby-Bob Hope comedy, latter nabbing swell notices, are strong b.o. magnets. On the first seven days ended last night (Tues.) a small \$88,000 was grossed, beaten only by "Wells Fargo" (Par) and Fred Waring on New Year's week in 1937 when house's high under the policy was struck \$89,000. Heavy morning play, much of which is Goodman's, has been chalked since the opening day Wednesday (9), though that was in Holy Week.

Horace Heidt, Washington, D. C. — (Capitol; 3,242; 29-39-44-66). With "Trial of Mary Queen" (M-G) on screen. Heidt is unravelling his "Pot of Gold" stunt to big results. Around \$20,000 sighted. Film has very solid self a slow item in other spots, and probably means very little here.

Sammy Kay, Indianapolis — (Lyric; 1,900; 30-40-50). With "Knot in the Dark" (WB) on screen. Okay \$11,000 anticipated, entirely due to the band. This spells profit for the Lyric, which lately has been having very spotty luck with its film-band policy.

Kay Kyser, Los Angeles (Paramount; 3,585; 30-44-55-75). With "Power Dive" (Par) on screen. Kyrer power-dive has been a very existing record at this place, and is hanging up \$42,000, a figure that should stand for some time. This take represents about \$3,000 over Kyrer's own former record. The band similarly set a new mark on Easter Sunday when it played to 14,354 admissions for a total of \$8,051. The film, of course, is lost in this shuffle and needs no comment.

Benny Meroff, Kansas City — (Tower; 2,100; 10-30-40). With "Betrayed" (Rep) on screen. Meroff has his comedy on the air, and it's accounting for an amazing \$8,000. House raised its prices slightly, but the tilt didn't hurt. Film is a programmer.

Shep Fields Unveils New Style at State-Lake, Chi

Shep Fields unveils his new band idea this week (Friday) at the State-Lake theatre, Chicago. Outfit is composed of 10 saxes and four rhythm backed up by prodigious doubling to clarinets, flutes, etc. Despite the style indication of 10 sax the band ranges deeply into bounce stuff as well as sweet.

Fields makes his first Bluebird recordings with the group April 25. Fields just closed at George White's Gay White Way N. Y. cafe, where Gus Arnheim succeeds him tomorrow night (Thursday).

Fun in Khaki

Hollywood, April 15. To help along the recruiting drive Jimmy McHugh and Lou Wolfe Gilbert have written a song with a title that should appeal to volunteers. It's called: "A Grand Vacation With Pay."

ASCAP Fight Increases Lang-Worth Disc Costs, But 120 Stations Added

Cost of talent on Lang-Worth discs has jumped from \$320 to \$550 per side as result of the ASCAP "angle." Three-cornered dispute among Society, the government and broadcasters sent Lang-Worth racing in from opening long with name dance bands playing non-ASCAP tunes.

Increase of production has been compensated by addition of 120 new stations as users of the library, bringing total to 287. Name bands have thus been instrumental in increasing volume by 75%.

Among bands used since ASCAP war started are Shep Fields, John Kirby, Charles Barnet, Tommy Reynolds, Tony Pastor, Woody Herman, Glenn Krupa, Russ Morgan, Joe Glavin, Harry Clinton, Mal Hallett and Del Courtney.

Dance band policy will be continued if, as and when the ASCAP fight is adjusted, with Lang-Worth planning to use ASCAP music which is anticipated majority of broadcasters will want.

CONTACTMEN'S DANCE IN NEW YORK MAY 4

Professional Music Men put on their seventh annual benefit hop at the Manhattan Center, New York, May 4. Proceeds go to the PMM's relief fund.

So far the bands of Guy Lombardo, Jimmy Dorsey, Vincent Lopez, Xavier Cugat, Woody Herman, Glenn Krupa and Chicago are down to show along with individuals Eddie Cantor, George Jessel, Harry Richmond, Jimmy Durante, The Hartmans, Jan Peerce, DeMarco, Frank Parker, Olsen and Johnson, Abbott and Costello, and Henny Youngman.

Carl Fox Succeeds Archer In Iowa Ballroom Assn.

Oswego, Ia., April 15. New president of the Iowa Ballroom Managers Association is Carl J. Fox, who has ballrooms at Clear Lake, Ia., Austin, and St. Paul, Minn. Fox succeeds Tom Archer, of Des Moines, head man of the Archer Circuit.

Veal Sissle, of Osceola, is vice president, and Larry Geer, with Robert F. Dodge, Dubuque, and Rockville City, Ia., is secretary-treasurer.

20 YEARS AS UNIT

Charles Fischer Also an Insurance Salesman on the Side

Kalamazoo, Mich., April 15. Perhaps one of the longest established organized bands, in years of consecutive service, is Charles L. Fischer's unit, operating out of here for over 20 years.

Meantime Fischer has been a special agent with Northwestern Mutual Insurance Co. for the past six years but always active with his dance orchestra.

Draft Benny Krueger

Buffalo, April 15. Bandleader Benny Krueger, 27, was drafted into the Army last week despite a labor union's plea to defer him until he could play their dance. Union was the "Four Mill Workers" whose business agent wanted the draft board to wait Krueger's call until after their annual Spring shindig May 11.

The board turned thumbs down.

In the Wax Works

(VARIETY each week lists material recorded by various bands to familiarize readers with numbers awaiting release. Times listed below were recorded recently. Only those hyphenated are to be coupled. Others are not definite.)

Al Donahue (Okeh) "Hi There: Mr. Moon," "Sorrento" (Italian lyric), "It's Nothing New," "You're Double Lovely."

Charlesters (Columbia) "I Understand," "Alone and Lonely," "A Dream for Sale," "This Side of Heaven."

Earl H. Huchingson "Sally, Won't You Come Back," "Julia," "Jersey Bounce," "South Side," "Up Jumped the Devil," "Hines Piano Solos," "On Sunny Side of Street," "Melancholy Baby."

Sam Donahue (Bluebird) "They Still Make Love," "Lodging on a Lazy Ray," "Au-Reet," "Saxophone Sam."

CBS' SALES PUSH ON ROADHOUSE REMOTES

CBS has recorded and submitted to Chesterfield cigarettes the hour-long sustainer it picks up each Saturday afternoon from Meadowbrook, Cedar Grove, N. J. Under CBS lines replaced NBC's at the spot, the former net has been trying to get a sponsor for the show which, instead of a straight band remote, is dressed up with production efforts.

If the show is sold it would be one of the few commercials ever to emanate from a roadhouse such as Meadowbrook. Bands used on it at a rate of course change every so often. Raymond Scott is current.

Band Bookings

Louis Armstrong, April 19, Arena, Beckley, W. Va.; 20 Portsmouth, O.; 21, Indiana theatre, Richmond, Ind.; 22, Lexington, Ky.; 23, Sousa Band, Ind.; 25, western theatre, Chicago, Ill.; 26, May 2, Riverside Casino, Chicago; 3, Cincinnati; 4, Louisville, Ky.

Bill Barde, April 22-24, Coliseum, Evansville, Ind.

Beverly Twins, April 19, Commodore, B. Lowell, Mass.

Del Brissette, April 19, State Guard Military Ball, Army, Worcester, Mass.; May 2, Framingham State Teachers College, Framingham, Mass. Cab Calloway, April 19, Castle Farms, Cincinnati; 20, Rink B, Waukegan, Ill.; 22, Surf B, Clear Lake, Ia.; 23, Prom B, Clinton, Minn.

Larry Clinton, April 19, Empire B, Allentown, Pa.; 19, Valencia B, York, Pa.

Sam Donahue, April 18, Roseland-State B, Boston.

Ella Fitzgerald, April 18, Strand B, Baltimore; 19, Aud. Charleston, W. Va.; 20, Armory, Danville, Va.; 21, Cumberland Arena, Bristol, W. Va.; 22, City Aud., Bluefield, W. Va.; 23, Aud., Beckley, W. Va.; 24, Aud., Roanoke, Va.; 25, Del Rio, Monroe, Pa.; 26, Cromwell Recreation Center, Staten Island, N. Y.; 27, Lincoln Colonades, Washington, D. C.; 28, Memorial Aud., Raleigh, N. C.; 29, Bayshore Pavilion, Buckton, Va.; 30, Palais Royale, Norfolk, Va.

Emerson Gig, April 18, Broadhead hotel, Beaver Falls, Pa.; 19, Elks Club, Elkwood City, Pa.; 21, Warrango C. Reno, O.; 22-26, Commodore Ferry hotel, Toledo; 26, one-night, Book-Cadillac hotel, Detroit; 28, Palisades, McKeesport, Pa.

Erskine Hawkins, April 18, Michigan State C. Lansing; 19, Memorial Aud., Dayton, O.; 20, Savoy B, Chicago; 21, Graystone B, Cincinnati; 22, Armory, Fairmont, W. Va.; 23, Duquesne Gardens, Pittsburgh; 24, Aud., State C, Reno, O.; 25-26, Aud. theatre, Reading, Pa.; 27, Lyric theatre, Bridgeport.

Woody Herman, April 18, Purdue U., Fayette, Ind.; 19, Memorial Hall, Columbia, O.; 20, Indiana Roof, Indianapolis; 21, Community Center, Chatham, Ill.; 22, Memorial Aud.

Bands at Hotel B. O.

(Presented herewith, as a weekly tabulation, is the estimated cover charge business being by name bands in various New York hotels. Daily business (7-11 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	Total Covers
Clyde Lucas	Biltmore (300; \$1-\$1.50)	12	650	2,000
Leighton Niles	Waldorf (375; \$1-\$1.50)	12	1,275	14,925
Dini McIntire	Luxington (300; 75c-\$1.50)	12	1,075	14,000
Guy Lombardo	Roosevelt (500; \$1-\$1.50)	28	1,225	33,225
Woody Herman	New Yorker (400; 75c-\$1.50)	15	1,350	22,775
Jimmy Dorsey	Pennsylvania (500; 75c-\$1.50)	11	1,925	25,750

* Asterisks indicate a supporting floor show, although the band is the major draw.

† Five days. Xavier Cugat replaced Saturday (12) in Sert Room.

‡ Three days. Herman left Thursday (10), after which room closed due to strike. Bobby Byrne failed to open.

Hawkins Big \$6,540, Det., Krupa, \$2,909, Bridgeport, Nichols, \$2,430, Top 1-Niters

(Estimates)

Count Basie (Comet theatre, St. Louis, April 8-9). Basie ran smack into the Joe Louis-Tony Musto fight here and correlated poor 3,000 admissions at 35c-40c. Spina swingers were at the fights.

Beverly Twins (Twins-Gene Marshall (Playmore-Raymor B., Boston, April 12). Coupled with local Marshall, Twins got big 2,100 at 45c-55c for \$1,200.

Del Brissette (Totem Pole B., Auburndale, Mass., April 5). Despite crimp of Holy Week Brissette drew 1,000 at \$1.35 a couple, okay in view of conditions and lack of name.

Henry Busse (Prom B., Minneapolis, April 11). Good Friday stand resulted in mild draw of 1,200 at 77c; \$840 gross disappointing. At Chermot B., Omaha, April 12, Busse got fair 1,300 tabs for \$1,400 gross. Jumping to Skylon B., Sioux City, Ia., next day (13) Busse got solid \$2,025 from 2,250 dancers at 90c.

Bobby Byrne (Warehouse, Columbia, Tenn., April 7). Lions Club hop got gross of \$1,878 with Byrne at \$1 and \$2 advance and \$2 and \$2.50 at gate.

Bob Chester (GM Aud., Detroit, April 10). Gamma Kappa Chi hop drew neat \$975 from 1,300 dancers at 75c. At Myers Lake Park, Canton, April 9, Chester pulled profitable \$880 with attendance of 1,600 at 55c. Jumping to Valleydale, Columbus, O., April 12, band did okay 1,400 at 80c and \$1 for gross of \$1,150.

Larry Clinton (Crystal B., Detroit, April 11). Masonic Temple dance drew neat \$1,375 with Clinton with 550 couples at \$2.50 per. At Flint, Michigan, next day (12) Clinton grosses \$1,161 with 1,344 men at 60c and 1,182 ladies at 90c. At Coconut Grove, Toledo, O., (18). Clinton got fair \$975 at 85c-\$1.10.

Tommy Dorsey (Valencia B., York, Pa., April 12). Dorsey cracked Kay Kyser's attendance mark here with approximately 3,750 admissions at \$1. Kyser's date, however, drew rainclouds and \$125 per tab.

Duke Ellington (Skylon B., Dallas, Tex., April 13). Fair 1,575 dancers were at \$1 and \$1.50.

Mal Balliett (Ritz B., Bridgeport, Conn., April 13). First stop on tour netted Balliett good \$1,190 at 75c from 1,580 stubs.

Erskine Hawkins (Book-Cadillac, Detroit, April 12). Hawkins went over in large way here, pulling \$1,820 out of 480 soulmates at \$3.50 advance. \$4

Paul Shilling (Eastwood Gardens, Detroit, Sunday (14). Shilling clipped off sock \$1,950 at 75c from 2,600 admissions. At Greystone B. (14) band pulled top 5,100 at 90c for a gross of \$4,590.

Earl Hines (Trion B., Cleveland, April 7). Private hop got nice turnout of 1,400 fans at \$1.50 couple for \$1,050 till total.

Paul Shilling (Municipal Aud., Kansas City, Mo., April 14-15). With the Sunset Royal band, Inkspots jammed Aud. with 6,600 at 45c-\$1.10, taking out \$2,020 at their end.

Harry James (Trion B., Cleveland, April 13). Despite warmish Easter Sunday James mustered 2,600 hoofers at 75c. Gross of \$1,950 was best in two months.

Al Kavelin (Lakeside Park, Dayton, O., April 12-13). Kavelin drew excellent 3,000 at 80c a head for good \$1,500.

Gene Krupa (Lyric theatre, Bridgeport, Conn., April 13). Neat 6,465 persons turned up for Krupa at 45c. Gross \$2,909.

Paul Shilling (Municipal Beach B., Miami Beach, Fla., April 8). Morgan's \$1,300 gross from 2,000 hoppers at 75c per couple for Holy Week.

At Natatorium, Park, Spokane, next night (9) band drew fair 1,200 in spite rain, cold weather, for \$1,020.

Red Nichols (Totem Pole B., Auburndale, Mass., April 11-12). Nichols' first here in several years drew neat \$900 on Good Friday then got solid 2,600 Saturday for total gross of \$2,430 at \$1.35 pair. Operator Gig called it remarkable.

Ray Noble (Venetian theatre, Racine, Wis., April 5). Noble's alltime out of Chicago helped take gross of \$1,578 from 2,759 customers at 40c and 50c.

Tony Pastor (Arena, New Haven, Conn., April 13). Pastor, Milt Bros. and five acts had Horace Heidt and Eddie Cantor as competition and drew fair 2,000 at matinee at 45c-75c and 4,000 evening at 55c-\$5-\$1.10.

Joe Venuti (Trion B., Cleveland, April 6). Palm Sunday and good weather hurt. Venuti luck to get 1,200 at 75c for \$900.

Burlington, Ia.; 23, Coliseum, Ottumwa, Ia.

Sammy Kay, April 18, U. of Illinois, Champaign; 19, Crystal Palace, Columbia, Mich.; 20, Rainbow Garden, Frankfort, O.; 21, Sharrow O.; 22, Memorial Aud., Bridgeport, Conn.; 23, Lakewood B., Mahonoy City, Pa.; 25, Geo. F. Pavilion, Johnson City, Pa.; 26, Sunnybrook B., Potstown, Pa.; 27, Arena, New Haven, Conn.

Little Jack Hylton, April 19, Ricker Gardens, Portland, Me.

Guy Lombardo, May 16, week, Earle theatre, Philadelphia; 23, week, Palace theatre, Akron-Yongstown; 31, Sted Pier, Atlantic City; June 4, Knoxville Journal dance, Knoxville, Tenn.; June 7, Air Races, Birmingham, Ala.; 9, Armory, Chadbourne, Pa.; 10, Armory, Erie, Pa.

Abie Lysman, April 25-26, Totem Pole B., Auburndale, Mass.

Johnny McDermis, April 18, St. Hedwig Hall, Chester, Pa.; Lakeside Park, Barnwell, Pa.

Ruby Newman, April 21-22-23, Convention of American College of

Physicians, Hotel Statler, Boston; 24, Newport Hotel and Dance, Copley Plaza, Boston.

Red Nichols, May 3, University of Delaware, Wilmington, Del.

Alvine Ray, May 21, Greek Relief Ball, Springfield, Mass.; June 10, West Point Military Academy, West Point, N. Y.

Dick Rogers, April 23, State Armory, Greensburg, Pa.

Raymond Scott, May 16, Rutgers U., New Brunswick, N. J.; 24, Hershey Park, Hershey, Pa.; Empire B., Allentown, Pa.; June 13, Mahony City, Pa.; June 11, Lake Compounce, Bristol, Conn.

Charles Spivak, April 19, Sunnybrook B., Potstown, Pa.; 20, Ritz B., Allentown, Pa.

Tommy Tucker, April 25, Azalea Festival, Charleston, S. C.; 26, Women's College, University of North Carolina, Greensboro, N. C.

Texie Institute, Ford, Rex, Loudwell, Mass.

MADISON GARDEN DANCERY

Mexico Deports Blue Steele; Maestro's Jam With U. S. Officer

Mexico City, April 15. A sensation has been caused in local music and social circles by the deportation of Blue Steele, American band leader, who played for some time here in class night clubs, on radio and at social functions. A laconic announcement by the ministry of the interior explained that Steele was arrested on April 7 by its operatives because he had violated Mexican law, presumably that he had overstayed his tourist entry limit, and had been deported on April 8 to his native Texas by train under escort of two guards.

Steele's lawyer, in asking local court for injunction against the bandman's deportation declared that his client had committed no crime, that his presence in Mexico was entirely legal, and that his arrest and ousting from the country was 'unjust and illegal.' The court has taken the case under advisement.

Steele's deportation was the first of an American entertainer since that of Lee Tracy in 1933. The actor was sent home by plane.

Assaulted Officer
New Orleans, April 15.—Robert E. (Blue) Steele, orchestra leader, was arrested Wednesday (9) in Laredo, Texas, and will face trial during the current Federal court session at Monroe, La., on charges of assaulting a Federal officer, the aftermath of an altercation last summer in a nearby resort, in which Steele allegedly struck a local Internal Revenue officer when the agent attempted to collect taxes reportedly due the Government.

Steele failed to appear for arraignment in Federal court last October and a surety on his \$5,000 bond was forfeited, said Malcolm E. Lafargue, assistant district attorney at Monroe. Previously, federal agents had levied a restraint on his musical instruments. Internal Revenue charges; it was reported.

Tommy Dorsey Resents Capitol, Wash., D. C., Arbitrary Deductions

An illness of two days during his stand at the Low Capitol theatre, Washington, D. C., last week started an argument between the theatre operators and Tommy Dorsey, which may wind up at the American Federation of Musicians. As a result of his two-day absence the house manager deducted two-sevenths from \$5,000, representing two days leave out of seven, the latter figure being what the theatre agreed to be Dorsey's profit on the week. Band was paid at \$8,500 for stanza and \$3,500 was deemed sufficient to cover its operating costs.

Dorsey burned at the deduction and the arbitrary method of arriving at it and returned his payoff check.

Another Levant in Show Biz, 13-Yr.-Old Maestro

Pittsburgh, April 15. Show biz has recruited another Levant, 13-year-old Marc Levant, son of Dr. Benjamin Levant, well-known as an amateur composer, and nephew of Oscar, the 'Information Please' kid. A student at Taylor Alderidge H.S. here, he and Billy Benewenger, son of president of Pittsburgh Pirates baseball club, have just organized a dance orchestra among their classmates and are already booked for flock of juke social functions. Young Levant plays sax, Benewenger the drums. Kids call their outfit 'Song Busters.'

Dr. Levant has written couple of tunes. Very season's new 1920 for musical Cap and Gown musical show at Alma Mater, University of Pittsburgh.

The Buildup List

General Amusement Corp. has more bands currently going through the process of a buildup than at any time since the organization's inception. Each of these eight bands have, in addition until they went, four, recently, one or two network outlets. Octet and their wire affiliations are:

Bobby Byrne.....	CBS-Mutual
Charlie Spivak.....	NBC
Johnny Long.....	NBC
Les Brown.....	NBC
Sonny Dunham.....	CBS
Chuck Foster.....	Mutual
Jerry Wald.....	Mutual
Dick Rogers.....	NBC

Benny Goodman Old Gold Stunt Non-Jitterbug

Jitterbugs are getting a brushoff from Benny Goodman's radio sponsors in dance contest Old Gold cigarettes is conducting in New York and New Jersey. Manufacturer is conducting eliminations in some 110 danceries in the two states and will stage final at Manhattan Center, N. Y., April 30, with Goodman's band. Entrants in the competition are limited to waltz, cone, fox-trot and rumba classes and a total of \$1,000, split four ways, is to be distributed to the winning pair in each group.

J. Walter Thompson, agency on the Old Gold account, has not figured out how the finals will be handled at the b.o. Admission may be the wrapper from an Old Gold package. Last time they put Goodman's band at Manhattan Center, for an actual broadcast, the place was mobbed by 8,000 jitters. Date for the finals of the contest is not a broadcast night. Some 400 couples are expected to battle it out for the cash.

NORTH EASTON SPOT USING NAME BANDS

North Easton, Mass., April 15. Capco's local night, begins name band policy for Wednesday nights, as a starter, on April 16 with Bunny Berlian teeing off. Spot accommodations 1,100.

Berlian handles bookings in co-operation with Ray Galvin's Eastern Orchestra Service, Boston.

Whiteman's Chautauqua

Chautauqua, N. Y., April 15. Thirty concerts, seven operas and five plays are included in this year's Chautauqua assembly, teeing off its 68th year July 6. Mischa Mischakoff of NBC Symphony has been signed to lead the Chautauqua Symphony, which will play 21 of the concerts.

Paul Whiteman will baton one of the others.

New San Antonio Room

San Antonio, April 15. Anacacho Room at the St. Anthony Hotel opens Saturday (12) to give this city its only ballroom presenting a big time band. Opening week finds Emilie Coleman and her orchestra set. He will be followed by Carl Ravazz and his crew who have been set for a four-week stay, starting April 26.

TRYING OUT AS SUMMER POLICY

Monte Proser Is Impresario With \$100,000 Backing From Daniel Arnsstein Syndicate—Big Sports Auditorium Long a White Elephant During Summer Despite Cooling Plant

10G WEEKLY FOR BANDS

Madison Square Garden, New York, will be converted into a mammoth summer beer garden and dance hall operated in deluxe style and using name bands. It is hoped by this method to solve the summer problem for the auditorium which despite its air conditioning has never been profitable during that period. Despite any Broadway skepticism that hooters won't want to dance indoors in mammoth hoofery like Madison Square Garden during June, July and August, Monte Proser takes possession of the Garden on Memorial Day (May 30) to launch the new venture, Benny Goodman, Chavez's rhumba and probably Horace Heidt (or some other smooth band) will be the inaugural orchestras at a 60c admission price. Weekly band bill figures at around \$10,000.

Proser has Daniel Arnsstein, head of Terminal Taxicabs, and long with John Hertz in Yellow Cabs, as his backer with a \$100,000 bankroll on the line. Proser was originally invited by Ed Weis, attorney on the Paramount Pictures board, to huddle with Bernard Gimbel, of the Madison Square Garden board. He outlined plan for what he calls a 'double-feature ballroom.' The Garden has tried softball girls' teams and other novelties in former seasons, with indifferent success. Hence it was a cinch for Proser.

For 100 Days
He has the place for 100 days at \$1,000-per-day maintenance fee. Proser gets 15% of the gross, and nets 50% of that or 7 1/2% for his share. Arnsstein's syndicate presumably includes Hertz, one of the Lehman Bros. and others who have been in on other Arnsstein ventures. Milton Pickman, band manager and booker, this week took Monte Proser's Dance Card, Inc., as general manager. Jack Diamond heads a press corps of six that will include Dorothy Kay, Robin (Curly) Harris and others to contact tip, nitery, Broadway columns, sports, music and every channel.

Gimbel's interest in Proser was accidental, stemming from a visit to his beachcomber in Miami. Then his firm, Arnsstein's, was smitten with Proser's currently successful Copacabana, class East 60th street night in New York, and it was the decor which was a prime factor in Proser's deal with the Garden.

Robinson Decor
Clark Robinson's decor will convert the Garden into a mammoth beer garden. A 110-foot waterfall will be a highlight of the interior. Giant palm-trees, 70-80 ft. high, will keynote the interior. Awnings will go up the top (third) balcony, and tables will likewise cut the height of the Garden which normally is 100 ft. high. Capacity will be cut in 5,000 around tables, the arena proper: 4,000 in the mezzanine and first balconies, and 1,500 more around the sundry corner bars, or a total capacity of 10,500.

Dance floor will be one of the largest in the world, 16,000 square feet. Soft drinks only, with beer and pseudo-tropical pineapple drinks dominating. No alcoholic beverages so that Monte Arnsstein will drink everything from the gate to the ultimate summer. This is in line with the Garden directorate's desires for the ultimate in good taste, especially

(Continued on page 41)

AFM Yanks Byrne From N. Y. Hotel In Sympathy Strike for Stagehands

Reason Enough

Joe Sudy, booked with his band for one-nighter at Waldorf-Astoria (N.Y.), Empire Room Saturday (12) was told that he wouldn't be allowed to use his girl vocalist for job, Adelaide Moffett being featured in show. 'But she's been singing with me every night for three years,' insisted Sudy.

'Good—she can use a rest,' was MCA's comment.

Hell-on-Wheels Men Get Hot For Officers

Fort Benning, Ga., April 15. Half-dozen recruits formerly with name bands are in a 13-piece sweet-swing aggregation here that has lined itself up a steady job playing Officers' Club dances each Wednesday and Saturday night. Reeds and brasses are a spare time pursuit to tanks and machine guns, the boys being drawn from a rough-tough tank regiment in the Second Armored (Hell on Wheels) Division.

Balloon corps crew—a subsidiary of the 67th Armored Regiment Band—includes Hank Schriener, once with Benny Goodman, and Oscar Thaler, formerly with Buddy Ross. Both are tenor sax tooters. Alto sax men include Eddie Davis, who took the downbeat from Johnny Green, and Ray Cross, vet with Herbie Holmes' orch.

Fred Ecker, who thumps the bass fiddle, played with Howard Woods' outfit, while Claude Graham formerly tromboned for Lawrence Welk. Ballooning the organization when he's not breathing into a sax himself, is Sergeant Marty Bellman.

Indianapolis, April 15.

Musicians recruited from the ranks of leading orchestras have been formed into a Dixieland band at Fort Benjamin Harrison and are appearing in a quarter-hour stanza each Wednesday night on WFPM. The combo consists of Cliff Grass, leader, formerly with Gray Gordon; Robert Simpson from Bob Zurke's orch; Bob Peck formerly with Glenn Miller and Bob Crosby; Bob Volmer, skin man with Charlie Davis; Ben Lantz, from Augie Cleveland's orch; and Bestow Rudolph, from Woody Herman's band.

An amusing sidelight during one of their programs occurred when a buck private, eager to take a clarinet break, gave a Lieut. Colonel an elbow in the ribs to get at the milt. The officer took it good naturedly but said it was the first time he had been maltreated by a private without arranging a seizure in the guard-house for the offender.

Spain's Theatre Stunt

San Antonio, April 15. In conjunction with the appearance here this week of Phil Spitalary and his 'Hour of Charm' all girl orchestra at the Majestic theatre here, a contest is being held to select a girl vocalist or instrumentalist in this area.

On each morning Monday through Thursday, entrants are being auditioned by Spitalary. On Friday finalists selected will be presented as part of stage show. At the concluding performance Friday evening the audience will be asked to select three winners. First prize winner will be awarded \$65, second place winner will be \$25 and third place winner will receive \$10. Only rule is that the girl must be over 16 years of age.

Strike action involving name band in a major hotel dining room occurred Friday (11) when the Bobby Byrne orchestra failed to open on schedule at the New Yorker hotel, New York. Beginning that evening the hotel began a 'dinner only' policy in its Terrace Room, shuttering at 10 o'clock.

Byrne was to replace Woody Herman and was dated for five weeks, but was prevented from opening by a clash between the hotel's operators and the International Alliance of Theatrical Stage Employees. Under a reciprocal assistance agreement the IATSE enlisted the aid of the American Federation of Musicians, which ordered Byrne not to go into the room.

Argument began when the IATSE insisted that one of its men take over operation of the room's spotlight, now being handled by a member of the Hotel Trades Council, also part of the A. F. of L. Frank K. Andrews, head of the hotel resisted the IATSE efforts and ordered the supper period closed. Spot now uses a five-piece combination for dinner dances. Lettuce is composed of union musicians and is allowed because there is no need for the operation of lights.

Bad Influence

Andrews' attitude against the use of IATSE men was based on the fact that the pay scale for an IATSE week is much higher than the fairly even rate paid all the various types of workers which make up the Hotel Trades Council. He figured that the heavier IATSE pay envelope would eventually breed discontent among the hotel's other employees and precipitate a much more difficult problem.

Three other N.Y. hotels are on the IATSE list for the same sort of action. They're the Baltimore, with Clyde Lucas and show, Park Central, with Buddy Clarke's band and show, and the St. Regis, two bands and show.

OBEISANCE TO AN AGENT

Chicago, April 15.

A man-bites-dog switcheroo greeted the William Morris agency's Cress Courtney, band booker, who was summoned to Rockford, Ill., by Louis St. Pierre, owner-operator of the Palace and Continental theatres. St. Pierre plays talent in both houses, the Palace with a permanent line and traveling acts, and the Continental with bands.

Courtney's concern revolved around the Holy Week booking of Joe Reichman's band into the Continental when St. Pierre expressed at himself worried about the overhead. But when Reichman totaled an unexpectedly strong gross, St. Pierre summoned Courtney from Chicago business and surprised the agent by throwing him a party, not generally staging a shindig in honor of the agent, at which Reichman, of course, officiated. Latco has since shifted into the Netherlands-P.C. Cincinnati.

Jean Wald Resting, Her All-Girl Group Disbands

Pittsburgh, April 15. Jean Wald, Pittsburgh girl who started all-female orchestra here almost 10 years ago, is back home for a long rest, having dropped her outfit at close of Florida season. Band started there in January at Hotel Floridian and wound up a strutting trio in cocktail lounges there for remainder of winter.

Most of Wald's bandies haven't so far made other connections and leader says she's going to rest here at home for summer at least. May reorganize again in the fall.

On the Upbeat

Fallsides Park, Fort Lee, N. J., resumes name bands for summer April 26-27. Will open only week-ends till May 24 when full-week operation begins.

Jack Teagarden guests on Bing Crosby's radio program tomorrow night (Thurs.). He's working in Crosby's 'Birth of Blues' film.

Sam Donahue band shifted from Okeh to Bluebird. Cut its first four sides last week.

Dick Todd renewed for another year on Bluebird.

Billy Baer band and singer Eddy Howard, now working as single, start a tour together at Orpheum theatre, Springfield, Ill., April 26.

Gay Lombardo pulls out of the Roosevelt hotel, N.Y., May 15.

Bill Roberts orchestra at the Olympic Hotel, Seattle, for the past

three months is leaving April 23 for the Paxton Hotel, Omaha. Earl Smith orchestra, now at Sun Valley, will take over the Olympic spot, playing in the Georgian Room for dinner six nights a week and for supper dancing in the Bowl Wednesday through Saturday.

Pancho band gets Ben Marden's place job this season. Open early in May.

Buddy Clarke band signed to Wm. Morris agency for three years. Currently at Park Central hotel, N.Y.

Lena Horne, ex-vocalist with Charlie Barnet, will be a party of the Cafe Society concert at Carnegie Hall, New York, April 23.

Marvin Long, Fred Waring trombonist and bass, will play at the service. Scotty Bates expects ditto.

Charlie Barnet has hired four lookers to form into a vocal quartet. They're Marie McDonald, Toni Traub, Vivian Blane, Mary Ann McCall. Latter was with Barnet before and will be the main voice in the group.

Leopold Stokowski will lead All-American Youth Orchestra in concert at Forum, Wichita, June 17.

Al Fremont opened at Merry-Go-Round, Pittsburgh, Friday (11) for third engagement there this season, replacing the Bubbles Becker outfit.

Jack Williams, sax player with Baron Elliott at William Penn Hotel's Chatterbox, Pittsburgh, drafted and replaced by Jimmy Datillo, from Elti Covato band. Dean Sayre taking over latter's spot.

Don Earl band with Shirley Jeane, into Hotel Roosevelt's Lounge Cafe, Pittsburgh, Monday (11), succeeding Ted Blake and his Men About Town.

Phil Alwes takes over at Balconades, Pittsburgh, in place of Joe Villella, who after six months there moves to Oasis, another Pitt nitery.

Sammy Elsen will lead a Ruby Newman unit for the 12th consecutive year playing for the Vincent Club show, April 17-18-19, John Hancock Hall, Boston.

Cecil Gally orch, currently at Deslier Wallick hotel, Columbus, held over for two more weeks 'til May 1. Run has broken all records in hotel's Ionian Room.

R. H. Pauley's Turnpike Casino, Lincoln, Neb., celebrates its fifth anniversary this weekend (18-20), and has Starling Young booked for the occasion.

Allen Curtis orch opens season for Hampton Beach Casino, N. H., Saturday (15).

Ray Galvin's Eastern Orchestra Service, Boston, has booked Abe Lyman into Toilem Pol, Ballroom, Auburndale, Mass., for two days, April 25-26; New England tours for Jerry Wald, April 30, May 1-2-3, and Teddy Powell, May 10-14-15-17.

Marks on Stand in His Suit Against Vogel Co.

Edward B. Marks will be examined before trial April 18 in N. Y. federal court in connection with a suit being brought by Edward B. Marks Music Corp. against Jerry Vogel Music Co., Inc. On Thursday (10), Vogel filed a general denial to the suit which charges infringement and asked for a dismissal.

Marks Music claims that its president wrote a song called 'December and May' in November, 1893, and renewed the copyright in November, 1920. Since April, 1938, Jerry Vogel is accused of infringing via a song with a similar title and most of the same lyrics and words. An injunction, accounting of profits and damages are sought.

SONG INFRINGEMENT SUIT
Jewel Music Publishing Co. has filed suit in N. Y. federal court against Leo Feist, Inc., charging infringement of the music of 'Carnival in Cotton Town' by Feist's 'Drummer Boy.' Plaintiff's song was written in 1935 by Jules Lanoff and Louis Ricca. An injunction, accounting of profits and damages are sought.

Power of Suggestion

Lincoln, April 15.

Larry Herman, leader at the Pla-Mor this weekend, was being ribbed about his recent marriage to Marijeanne Masten, publicist the Vic Schroeder (his bookie) office in Omaha.

Ballroom crowd is convinced she got to believing the stuff she wrote about him.

BMI Asks That Mutual Shorten Its Plug Rule For Hourly Repetition

Broadcast Music, Inc., has asked the Mutual Network to suspend its rule barring the playing of the same tune within less than two-hour intervals. BMI would like to have this interval cut down to an hour.

Both NBC and Columbia suspended this rule shortly before the break with ASCAP, for the apparent reason that BMI's limited supply of dance music made this necessary. No move has been made by either network to reinstate the rule.

Marie Merle rhumba band opened indef engagement at El Chico, Pittsburgh, Saturday (12).

Coin-Catching Possibilities

Three more recordings of 'Internenza' come along this week, all on Columbia releases. Of the three, Marie Greene's (38007) sopranino, supported by chorus and orchestra, is the best. Singer handles it in a manner that gets the utmost out of the melody, and the chorus and musical bridges enhance its value. Xavier Cugat pops up with version (38016) in beguine tempo. It's a listenable cutting, but the tune drops a bit of its punch at this speed. His is colorfully arranged, however, for flutes, violins, etc., with intermittent choral efforts. Charlie Spivak's cutting is comparatively lifeless. Too much concentration on his muted horn neglects the accompaniment, a fault to be found on some of his past recordings. 'Carnation' backs Miss Greene's record, a lively bit, Cugat couples his to 'Rendezvous in Rio', an average bolero vocally by Lena Horne. 'Symptotic' backs Spivak's. It's a dull and worthless tune, surprisingly so because Rodgers and Hart authored it, but its intrinsic lack of distinction explains why this flimsical excerpt wound up on the cutting room floor. Gary Stevens vocals.

Vaughn Monroe 'Thumbs Up'—'Clam Chowder' (Bluebird 11103)
Followup to Irving Berlin's 'When That Man Is Dead and Gone' was to be expected. 'Thumbs Up' is similar, telling the story of a guy, a date, the bombs and bomb shelters. It's in jump tempo, an okay machine bit. 'Clam Chowder' is an apt title for the reverse. It's a monotonous bit of brass work in arranger Johnny Watson's usual style.

Claude Thornhill 'O Sole Mio'—'Traumlers' (Okeh 6124)
Two fine examples of Thornhill arrangements. Sparkling freshness in his stuff, and the clean playing of them by the band mark this pair as out of the ordinary waxings. Writings are above average appeal, but still commercial enough to get machine attention. Either side is rich, 'Sole Mio' a shade faster and better. No vocals.

Gene Krupa 'Georgia on My Mind'—'Alreet' (Okeh 6118)
Under wraps for a change, Gene Krupa's group does nicely on 'Georgia.' Cutting has a smooth hop under clear and muted brass. It's okay for (Continued on page 42)



"HERE'S THAT BAND AGAIN!" DICK JURGENS AND HIS ORCHESTRA

★
THE
FAVORITE OF MILLIONS
FROM COAST-TO-COAST

SIX YEARS OF SOLID
AIR TIME—WGN-MBS-NBC

ON TOUR—BEGINNING

April 14—Appleton, Wis.
April 15—Rockford, Ill.
April 16—Drexler, Ill.
April 17—Sheboygan, Wis.
April 18—Milwaukee, Wis.
April 19—Chase Hotel, St. Louis.
April 21—Collinsville, Ill.
Apr. 22-26—Chase Hotel, St. Louis, Mo.
April 28—Quincy, Ill.
April 30—Racine, Wis.—Theatre.
May 1—Green Bay, Wis.—Theatre.
May 2—South Bend, Ind.
May 3—Columbus, Mich.
May 4—Waukegan, Ill.
May 5-6—Madison, Wis.—Theatre.
May 7—Maple Grove, Wis.—Theatre.
May 8—Evanston, Ill.
May 9-15—Indianapolis, Ind.—Lyric Theatre.
May 16-17—St. Louis, Mo.—Fox Theatre.
May 23-25—Chicago—Chicago Theatre.
May 30-June 5—Milwaukee, Wis.—Riverdale Theatre.
June 6-14—One nighters to Calif.
June 15-July 12—Catalina Island, Cal.—Casino.
July 13-17—One nighters to Denver.
July 28-August 1—Denver—Lakewood.
August 8-14—One nighters to Chicago.
August 15-Dec. 1—Chicago, Ill.—Aragon Ballroom.

BEST SELLERS ON OKEH RECORDS

OUR THANKS TO
MUSIC CORPORATION
OF AMERICA
FOR A SWEET TOUR

10 Best Sellers on Coin-Machines

(Records below are grabbing most nickels this week in jukeboxes throughout the country, as reported by the major coin-machine distributors from coast to coast to VARIETY. Names of more than one band or vocalist after the title indicates, in order of popularity, whose recordings are being played. Figures and names in parenthesis indicate the number of weeks each song has been in the listings and respective publishers.)

1	Amapola	Jimmy Dorsey	Decca ... (5) Marks
2	There'll Be Changes Made	{ Ted Weems ... { Vaughn Monroe	Decca ... (7) Marks Bluebird
3	I Understand	Jimmy Dorsey	Decca ... (3) Feist
4	Dolores	{ Bing Crosby ... { Tommy Dorsey	Decca ... (2) Paramount Victor ...
5	One I Love	{ Tommy Dorsey { Ella Fitzgerald	Victor ... (7) Forster Decca ...
6	May I Never Love Again	{ Ted Weems ... { Bob Chester	Decca ... (6) BMI Bluebird
7	Memory of a Rose	{ Sammy Kaye ... { Jimmy Dorsey	Victor ... (6) S-B Decca ...
8	Band Played On	Guy Lombardo	Decca ... (2) PD
9	Oh Look At We Now	{ Tommy Dorsey { Woody Herman	Victor ... (1) Embassy Decca ...
10	Perfidia	{ Jimmy Dorsey { Benny Goodman	Decca ... (1) Southern Columbia

DISKS GAINING FAVOR

(These recordings are directly below the first 10 in popularity, but growing in demand on the coin machines.)

Hello Ma, I Done It Again	{ Ella Fitzgerald... Decca... Robbins { Mitchell Ayres Bluebird
Sorrento	Woody Herman... Decca... Southern
Music Makers	Harry James... Columbia... Paramount
Wise Old Owl	{ Dick Robertson... Decca... Okeh { Al Donahue BMI
My Sister and I	{ Jimmy Dorsey... Decca { Benny Goodman Columbia BMI { Bob Chester Bluebird

Inside Story—Orchestras

Arrangements were completed at Washington, D. C., during the week to allow the Eddy Duchin band to fulfill its June 20 date at the Copacabana nightery, Rio de Janeiro. All but two of Duchin's musicians are eligible for the draft. Sonny Werblin, Music Corp. of America exec, went to the capital to arrange for special passports for the band and also to arrange for temporary deferment, if any of the men happen to be called for induction into the army while they are out of the country.

Rio booking marks the first time that an American name band has invaded S. A. Duchin is booked for eight weeks at \$5,000 per.

Because of the ASCAP situation, Fred Waring some months ago was firing with the idea of making a couple of record albums, strictly for home use, and specifically restricting the radio rights as an interpretive artist. This is in line with Waring's pet battle on behalf of the National Assn. of Performing Artists to keep commercials from using disks on the radio. However, nothing came of it.

Two of Dol Brissette's sax players are attempting to cram in a college education at the same time: Leo Thayer at Holy Cross and Bernard Mintz at Clark University, both institutions being in Worcester, Mass.

Lombardo Regrets ASCAPers' Attitude

But Wonders at Their Short Memories—Band Never on the Chiz for Arrangements, Cut-Ins, Etc.

Although not a little vexed with the attitude of some Tin Pan Alleyites, Guy Lombardo is inclined to give the brush-off to any reaction that he's "pro-BMI." "If they want to think that way," says the maestro, "nothing I can say or do will matter much."

"But it's a pity that they can brush aside 15 or 20 years of close associations and just because of a happened-to-be realistic, and told some of them that the ASCAP-radio fight was not going to be settled as fast as some wishful thinkers hoped, they started getting the hammer out for me."

"I've even heard them say that I pick the tunes for BMI. Which is not only ridiculous, but it's as ridiculous as their short memories. They know that the Lombardos, in ten years of big, never chiseled on special arrangements, cut-ins, costs for radio wires, etc. But I suppose it would have pleased them if I'd gotten off the air with my Lady Esther program. Well, that may have convinced some, but I'm sure, in view of the axing I'm getting in certain quarters, that they'd find something else to gripe about."

"I'm not against the ASCAP publishers, writers and pluggers; and I'd be a chump to be against radio, or against anybody for that matter, if our job as a dance band is to please the public!"

Heidt's Bow to Robbins
In line with this maestro vs. ASCAP situation, music men recall an incident recently at the Hotel Biltmore, N. Y., when Horace Heidt, (an incumbent, and not a disinterested virtuoso) declared so sincere was his acknowledgement, that "your right, Jack, we can't do without the tunes."

"This occurred when publisher Jack Robbins was in the room. He and Heidt hadn't clicked for years, but Heidt principally on a then popular Heidt impression that "the band makes the tunes, not the tune makes the band."

Whether because of the poor bit in the Biltmore's Bowman Room (where, however, there are no ASCAP restrictions) or because he himself had been radioed recently via the sustinings from the hotel, the maestro in a somewhat disgusted mood conceded to the music publisher that the bands need those hit tunes.

Wallace Downey, Inc.

Wallace Downey, Inc., has been formed in New York to handle talent, and ties in with Downey's South American film, music and radio interests. The American recently returned from Rio de Janeiro, will headquarter in New York for a time, and have his Rio and Buenos Aires representatives.

Albert Brylinton, Jr., just in from Rio, and due to clipper back to Brazil April 17, will rep Downey along with Belva Branca, his present agent.

Downey, meantime, has set Albert Dominguez, Mexican composer of 'Perfidia' and 'Frenesi,' to record for Decca.

Reilly's on Saratoga Lake, Saratoga, N. Y., has opened for the season with Francis Haggerty's orchestra furnishing the music.

Campus Best Sellers

(U. OF ROCHESTER)

1. Amapolia (Jimmy Dorsey).
2. Yours (Jimmy Dorsey).
3. Oh Look at Me Now (Tommy Dorsey).
4. I Dreamt I Duelt in Harlem (Glenn Miller).
5. William Tell Overture (Alvin Roy).
6. Paradoxical Joe (Tony Pastor).

Eastwood Gardens Feeds Music To Nearby Picnics

Detroit, April 15.—After hanging up more than 1,000-000 attendance last season, Eastwood has booked into its outdoor garden for this season the heaviest array of advance bookings it has ever attempted with several dates still left to be filled. As an additional fill this year, with the idea of attracting heavily to its outdoor dancery, the park has installed a huge picnic grounds where canned music will be used during the day and nighttime the music will be piped in from the adjacent Eastwood Gardens. Park has lined up plenty of the huge automobile locals here for picnics, and the gag of giving free music from the nearby Gardens is expected to bring over to the dance spot thousands of the evening picnickers.

Park also is giving a class tone to its dance business by lining up with the colleges and numerous local societies. For example, University of Detroit Student Union will hold its (annual summer) dance to Bob Chester (local boy's) music on May 29. Park believes that the collegians set the vogue and has been making special overtures to the fraternities and societies on the premise that wherever this group heads the others follow.

The present line-up on bands has Chester opening the Gardens on May 28, followed by Charlie Barnett on June 6; Alvino Rey and King Sisters, June 13; Woody Herman, June 20; Benny Goodman, June 27; Glenn Miller, July 15, and Orrin Tucker, Aug. 1, still leaving plenty of open dates for which name bands will be sought. Prices will continue this season at 50c, nightly except on Saturday, when it vaults to 75c, tax included on the latter.

Boom in Wedding Music

Boston, April 15.—The Army draft is driving many to marriage, reports Billy Kroner, who leads a Ruby Newman unit that specializes in weddings. Last year, he averaged one from April 20 to June 30 alone, he has already been signed for 34 wedding parties and more coming in.

SAYS MUSICIANS ARE DEPRIVED OF LEGAL RIGHTS THROUGH REDTAPE, CONFUSION

PREAKNESS BALL

Held for Variety Club Charity Fund This Year

Baltimore, April 15.—The Preakness Ball staged on the night of that famous race, May 10, will be sponsored by the Variety Club here this year for its charity fund. Dance scaled at \$1 for general admission and a \$2 tap for 'club house' seating at tables, will take place in the Fifth Regiment Armory, Raymond Scott and Vincent Lopez will hold down the bandstand with show interpolations figured throughout the evening.

Bill Hicks is chief barker of the local Variety Tent. The committee in charge of the ball is headed by Howard A. Burman, and is composed of J. Louis Rome, I. M. Rappaport, Bernie Seaman, Bill Saxton, Joe Grant, Barry Goldman, Ed Sherwood, Lou Carmichael, Nick Wagoner, Eddie Perotka, J. Lawrence Schanberger and Leonard 'Chum' McLaughlin.

Juke Films Give Lesser Bands Break Not Often Found Via Wax Boxes

Bands listed below the top 15 or so in popular ratings look upon the jukebox films as a great break for them. Leaders of such outfits that have made the big time, however, are aware that now they're going to get a play where they never got it before.

Most of the lower rated outfits make conventional plaster recordings, but except in cases of outstanding records they don't get much play in juke machines because they're crowded out by the top bands. Most operators don't bother stocking machines with recorded examples of their stuff because nickel droppers nearly always confine spending to the Dorsey's, etc.

Makers of juke reels can't afford to film an eighth of a top band alone, because of the prohibitive price, which gives the non-rated groups the break they talk about. They're included in the films because they are not too expensive and operators of the boxes and the people who pay to see them have no choice of selection. Once a reel is made up it remains in one place. And when a coin is paid to set it in motion the band that comes up goes through its routine regardless of who likes it.

BAND VOCALISTS GUEST ON WNEW PROGRAM

Name band vocalists are the basis of a 8:30-9 p.m. program which began a WNEW, New York, last night (Tuesday). Station is guesting a different chirper each week, backed by Merle Pitt's studio band.

Helen Forrest, with Benny Goodman, was the first. Series will continue till band list is exhausted.

Nay, Mary Ann McCall

Charli Barnett and Tommy Reynolds came to mild grips last week over vocalist Mary Ann McCall. Latter, who had been with Barnett and then she left Reynolds, was on the verge of returning to Barnett as the focal point of a new quartet when Reynolds served notice that she was under contract to him.

Barnett was asked \$2,500 for her contract. She returned to Reynolds soon after.

Will Osborne and his new crew go into the L.A. Paramount theatre for a Cabaret Theatre counterparty. The orchestra opens a month's run on Catalina Island May 17, and Slim and Slam start at the Swanee Inn, L. I., April 29.

Boston Tax Consultant, Himself a Musician, Organizes a Secret Security League for Action on Unemployment Tax

Old Orchard Opens May 3

Boston, April 15.—Old Orchard Pier, at Old Orchard Beach, Me., opens May 3 for season, while Riverside Park, Springfield, Mass., shuts out on May 2.

Ray Galvin's Eastern Orchestra Service, Boston, has exclusive bookings on both spots.

Congarhumba No Lure in Cleveland For the Spenders

Cleveland, April 15.—Jules Dukacs, returning home to Cleveland after two years' absence, to start summer policy in Staller Hotel's cocktail lounge about April 28.

Most likely may abandon the Latin atmosphere Jose Morand installed last fall. Although pushed heavily by Jack Hennessey, v.p. of Staller chain, the conga-rhumba stuff never quite interested the distracted young set from the social register, but not the spenders.

Doris Weston was brought in Monday (14) with Carlton and Juliette, burlesque tempters, for what probably will be the room's swan song-show for the season.

FENTON BROTHERS GO SEPARATE WAYS

Boston, April 15.—Fenton Brothers orchestra will split after Saturday (19) with George Fenton retaining the present band and Joe Fenton moving out to form his own band. Joe will have arranging assistance of Glenn Taft, formerly with Charlie Barnett; Joe Haynes and Claude Thormaehlen.

Both bands will operate under their own names in the New England territory, although George has plans to move to another section.

BRADLEY CAN TRAVEL After First Month Silver Program Okay Outside New York

Contract for The Will Bradley band 23 weeks on 'Silver Theatre of the Air' allows Bradley to do the show from the road after the first four or six weeks, which will come from New York.

Columbert Ed Sullivan and the band replace the current dramatic series April 27.

Madison Dancery

Continued from page 37

when so many young people will be the mainstay of the patronage.

Bands will be changed every two weeks: Only one session nightly, 8 p.m. to 2 a.m., with matinees on Saturday and Sunday. The six flat for male or female, other hoerotics cut for the females usually.

Other Bids
With the del commodated it develops that Mike Todd wanted it for a Cabaret Theatre counterparty. Chicago venture, Billy Rose for an indoor Aquaduct, billed impractical constructionally by Stanton Griffiths. Col. John Reed Kilpatrick and others of the Garden and Louis J. Brecker (Rosedale ballroom) for a hoerotics which Brecker had in mind last year of somewhat similar pattern. It was to be called a Quarterdeck (25c party for all items).

An automobile, giveaway every week will be another feature. With Walter P. Chrysler, Jr. on the Garden board, that may be the auto make although not set yet.

Boston, April 15.—A non-profit Musicians Security League, with secret membership, is in process of formation here under the guidance of Gene Mack, whilom guitarist with Jacques Renard, Lee Shelley, and other orchestras. By day Mack has his proper name of Joseph B. McGillicuddy the guitarist is a tax consultant and accountant and he sees his fellow musicians as the victims of red tape, contradictory interpretations and their own fears with the result that musicians are shut off from unemployment insurance benefits when needed.

For the past four years, he has been studying this situation where musicians have applied for unemployment compensation when out of a job, only to find that no tax had been paid for the unemployment.

Orchestra leaders have consulted the local Musicians' Union and were informed that they were not to pay any taxes as employers, according to Mack. Furthermore, these leaders were warned by the union that they would be fined if they paid the taxes. The national office has passed the ruling down to the local office after the Boston attorneys had conferred with the Social Security Board and obtained this Internal Revenue Ruling which only added to the confusion.

However, many orchestra leaders since then have declared subject employers and been forced to pay back-taxes amounting to thousands of dollars. Some of these leaders were almost forced into bankruptcy to meet these payments. When a leader appeals to his local union for assistance in this matter he is merely referred to the National Union's attorneys. Washington. The leader receives no assistance from the attorney and still has to pay the government's demand. . . . One of the evils resulting from the present confused situation is that musicians are afraid to assert their rights by inquiring from the lender or employer purchaser if the tax is being paid for them. These musicians fear they may lose their jobs if they make an issue of this matter. If no tax is paid for them on current engagements, it is necessary for them to go through months of delay and red tape in order to obtain unemployment compensation. Many become discouraged and give up. Some, however, when the case reaches settlement. Sometimes the musician is forced to withdraw his claim under duress.

Membership in the proposed Musicians Security League is strictly confidential to prevent possible loss of employment by members from employers who do not wish to accept their responsibilities. No member becomes involved in any manner. Membership is open to all musicians and dues are only \$2 per year. Says Mack:

"The Musicians' Security League intends to correct existing faults from two angles: first, Current Engagements will be given immediate attention and steps taken to assure the payment of current social security taxes by either the leader or the music purchaser, which might be the hotel, nightclub, restaurant, or ball room. This will result in prompt settlement of unemployment compensation claims if any musician becomes unemployed at the termination of his engagement. Secondly, we will strive for the correction of the underlying faults that have caused these difficulties. It is urgent that this be done immediately before government wage records are destroyed.

Individual claims for adjustment of old age social security benefits will be handled at a nominal cost. The involved obtaining a complete wage record from the individual musician and preparation of necessary government forms, together with proper follow-up of this adjustment, which may take several months.

Individual unemployment compensation claims will also be handled at a nominal cost, payable when benefit checks are received; Mack concluded.

Radio-Music Settlement Indef

Continued from page 1

held a similar conference at ASCAP headquarters last Friday (11).

Affiliates Dominate
A significant feature about the NBC and Columbia meetings is that present at each was somebody representing the particular network's affiliates. CBS had Ike Lounsbury, of WGR-WKWB, Buffalo, and NBC's affiliate attendants were Paul Morancy, of WTIC, Hartford, and Sam Rosenbaum, WFIL, Philadelphia. By the device of including affiliates in such delegates NBC and Columbia have indicated that any deal they make with ASCAP will have to be subject to the approval of their affiliated stations.

Pointed intimations have come from these affiliate ranks that, less NBC and CBS get themselves in a wimble, the rest of the members of the FCC's monopoly report, these networks will not be able to make

the settlement, they predict, may delay convention of the local music angle for several months) ASCAP so far has not developed any local station formula based on her program payment, figuring that this angle can be taken up after something has been worked out with the networks. On the other hand there is a strong sentiment within ASCAP, which is passing up contracts altogether with local stations and, refining the use of ASCAP music, if possible, to network hookups, on the theory that the ASCAP would have less chance of being overplugged and a greater sale of sheet music might ensue. These pubs and writers would prefer to sacrifice some of their performance money for an increased income from the sales.

Contract Longevity
Indications have already been given that one of the major points of

Isidore Witmark Dies; In 1886 He and Bros. Became Music Publishers

Isidore Witmark, 71, a founder of M. Witmark & Sons, died April 9 of pneumonia in Polyclinic hospital, N. Y., after a brief illness. He was president of the Witmark publishing firm when it was acquired by Warner Bros. as part of an \$8,000,000 music publishing deal.
With his brothers Jay and Julius P. Isidore Witmark in 1886 turned their small printing plant to publishing popular songs. Isidore had meanwhile done some songwriting for brother Julius, a boy soprano, and the first of these he had published was 'A Mother's a Mother After All.' His later tunes included 'President Cleveland's Wedding March,' 'To Who, Who Know' and 'He Was a Pal of Mine.'

Witmark firm itself moved to important ranking in 1898 with the acquisition of Victor Herbert's comic opera, 'The Fortune Teller,' and such of the latter tunes as 'Ah! Sweet Mystery of Life,' 'Kiss Me Again' and 'I'm Falling in Love with Someone.' Among the firm's publications were 'Sweet Adeline,' 'When You Were Sweet Sixteen,' 'My Wild Irish Rose,' 'Tummy,' 'Absence Makes the Heart Grow Fonder,' 'Where the River Shanties Flow' and such Sigmund Romberg scores as 'The Student Prince,' 'New Moon' and 'Desert Song.' As to royal collections from ASCAP Witmark has always ranked among the top in the publisher group.

Surviving are two daughters, two brothers, Jay and Frank Witmark, and a sister, Julius P. Witmark, Jr., who is with Broadcast Music, Inc., as a nephew.

NEBRASKA 1937 LAW ECHOES APRIL 28

Lincoln, April 15.
Last chance for recognition is to be made by the proponents of Nebraska's anti-ASCAP law, passed in 1937, when it comes up for U. S. Supreme Court review on Monday (28). Attorney general's office has indicated the bulk of the argumentative job will be saddled on William J. Hotz, an Omaha attorney who, as special prosecutor, handled the case when the law was called 'inoperative' by a U. S. District Court, three-judge session here in 1939.

Since the District Court judgment was a reversal of the case, there is some optimism on the anti-ASCAP side that reversal might be gained. In any event, a decision which might illuminate the way to state music control of ASCAP's business methods, would be acceptable.

Nebraska's law is the first of many state bills to survive veto of senate and win governor's signatures. It got a trial on its merits. As such, with all the arguments which would fit all the cases, the high court is taking care of them all in one swoop.

The U. S. District Court felt that the law, as framed by the Nebraska legislature, was too hefty a measure, going into details to assume powers hitherto delegated only to congress. Some of the bill was thought to be okay, but the judges said each part of the bill indicated its dependence so strongly on the other parts that it was evident that the legislature wanted the whole bill to go through.

When it came time to appeal, Hotz filed 22 affidavits from that many of the 43 members of the legislature who passed it, saying their intention was to crack the monopoly without taking away the rights of copyright holders. Decision said, too, that it was not proper for individual members of the society to combine for the purpose of price fixing, and on those two premises the appeal was granted.

Hotz may be accompanied by Walter Johnson, the attorney general, who said he is in an odd position. Johnson was a member of that 1937 legislature, but didn't vote the measure, because he felt it was unconstitutional. After it passed and the legislature was over, he ran for the a. g. office, won it, and with it the duty of fighting to the last ditch for the legislation he couldn't see as a solon.

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

Following is a totalization of the combined plugs of current tunes: NBC (WEAF and WJZ) and CBS (WABC) computed for the week from Monday through Sunday (April 7-13). Total represents accumulated performances on the two major networks from 8 a.m. to 1 a.m. (Dropped for some months, persistent trade demand grounded resumption of the plug's breakdown even though ASCAP tunes obviously can't be logged)

TITLE	PUBLISHER	GRAND TOTAL
Amapola	Marks	28
Wise Old Owl	BMI	27
It Ain't Cool, Baby to Me Now	BMI	25
Do I Worry	Southern	25
High on a Windy Hill	BMI	21
Number 10 Lullaby Lane	Warren	21
Walkin' by the River	BMI	21
I Hear a Rhapsody	BMI	19
Two Hearts That Pass in the Night	Marks	19
Here's My Heart	BMI	17
Song of the Islands	Marks	17
You Walk By	BMI	17
Georgia on My Mind	BMI	16
Things I Love	Campbell	16
Because of You	BMI	15
I Do, Do You?	Stevens	15
Play Sister and I	BMI	14
So You're the One	BMI	14
There'll Be Some Changes Made	Marks	14
With a Twist of the Wrist	BMI	14
Keep an Eye on Your Heart	Southern	12
Let's Dream This One Out	BMI	12
Oh Look at Me Now	Embassy	12
In the Hush of the Night	Beacon	11
You Should Be Set to Music	BMI	11
G'bye Now	BMI	10
Ida, Sweet as Apple Cider	Marks	10

Coin-Catching Possibilities

(Continued from page 40)

nickels. Anita O'Day's vocal, however, is not satisfying. 'Alreah' other of those things: Too noisy and aimless. Miss O'Day vocals.

Key Eyes' 'Alexander the Swoose'—'Why Cry, Baby' (Columbia 36940)
'Swoose' is one of those 'Three Fishies' novelties that find easy favor on any turntable. Almost all vocal by Harry Babbitt, Ginny Simms and Jack and Max, the tune is lightly arranged and liftingly played. Lyrics are cute. Reverse is also okay. Sully Mason vocals.

Tony Pastor 'Confessin'—'I Close My Eyes' (Bluebird 11105)
Pastor maintains his average with the first side. Standard is burnished by a slowly-played arrangement and set solidly by Pastor's vocal and tenor break. Coupling is an average pop, lyricized by Dorsey Anderson.

King Sisters' 'Perspicacity'—'Where Mountains Meet Moon' (Bluebird 11099)
Kings do a neat job on these two. First is a rhythm piece from the past, with good lyrics, ably backed by a segment from the Alvino Ray band. It lifts. Backing is a listenable piece of ballad material under smooth treatment. Sides are liberally sprinkled with Ray's guitar.

Jimmy Dorsey 'In Hush of Night'—'My Sister and I' (Decca 3710)
Both sides machine items. First is good example of band's method of using assistants Bob Eberly and Helen O'Connell, former at ballad pace and latter rhythm. It's good. 'My Sister' loses a lot of its possibilities via a tempo that carries Bob Eberly's excellent lyricism at too fast a speed. It'll get plenty of play, however. Accompaniment is neat.

Michelle Ayres 'Band Played On'—'South North Carolina' (Bluebird 11101)
There are tasty arrangements of this tune on the counters. Ayres arrangement can drop right into line with them. Her vocal is not only and uses Mary Ann Mercer and Tommy Taylor separately on vocals. Tempo is proper. Gay 90's. Miss Mercer's vocaling stands out on the reverse.

Barry Wood 'Things I Love'—'Talking to Wind' (Victor 27369)
Wood turns in a nice job on the first, a capable tune with good lyric. Background is commendable. Reverse is listenable also, but not as good material. It convinces only in flashes.

Leo Reisman 'My Sister and I'—'Fairy Tales' (Victor 27375)
Reisman's arrangement of 'Sister' is the poorest of all so far. He plays it lightly and at advanced tempo, but succeeds in doing nothing out of the very ordinary. Melody is almost completely lost in the final chorus, following an Anita Boyer vocal which can be labelled one of her worst. 'Fairy Tales' is better, but it's an innocuous number.

PRO-ALLY GROUP

Futs Up \$600 In Prizes for a Theme Song

Woman's Division of Committee to Defend America by Aiding the Allies has started a nationwide contest to find an original popular song to use as a theme to attract attention to the group's purpose. Total of \$600 in prizes has been earmarked for winners \$300 going to the best tune submitted.

Flood of names from all sorts of groups and all parts of the country are listed on the advisory committee which will select the winners in the competition.

R. M. Cooper Off FCC

Washington, April 15.
Robert M. Cooper, former Justice Department lawyer, quit the Federal Communications Commission last week after two years of special service. While entering private practice, he will continue handling special assignments from the D. of J., probably involving radio.

Before joining the FCC legal staff, Cooper did considerable pick-and-shovel work readying the attack on ASCAP.

BMI Stops 'Cathedral'

Catalog department of Broadcast Music, Inc., has issued a desist warning to its subscribers connecting with the airing of 'Lullaby in Rio,' a Southern Music publication. This stop order, listed by BMI as 'Vital Changes No. 35,' follows a complaint made by Witmark, an ASCAP affiliate, that the melody of 'Cathedral' is an infringement of 'Lullaby on Broadway,' which Witmark copyrighted in January, 1935.

The Southern tune was formerly tagged 'Ahoia Serenos Felices' and copyrighted in 1938. Harry Warren wrote the melody of 'Lullaby' and Rafael Hernandez did the music of 'Ahoia' which Southern converted into 'Cathedral' in 1939. Warren proposed to file a suit later against Southern and the BMI subscribers that used the disputed melody.

'Low Porter and Johnny Lange sold four tunes to Producers Releasing Corp. for use in 'The Lone Rider' copyrighted in 1939. Harry Warren wrote the melody of 'Lullaby' and Rafael Hernandez did the music of 'Ahoia' which Southern converted into 'Cathedral' in 1939. Warren proposed to file a suit later against Southern and the BMI subscribers that used the disputed melody.

'Store Clerk Composer' Jibe Irks BMI

Even while ASCAP and the networks are talking peace the bombardment of propaganda continues from ASCAP and BMI quarters. Latest exchange between the publicity departments of ASCAP and BMI concerns an ASCAP pamphlet, issued, which outlines the history and functions of ASCAP and includes excerpts from newspaper articles and editorials on the ASCAP-radio fight.

BMI's press agents last week took a blast at the pamphlet, apparently on the basis of a quoted editorial which read, 'The radio monsters have put the songwriters to work as store clerks and the store clerks to work writing songs. It's like Russia.' BMI admits that among its writers are a few store clerks but explains that it didn't fancy the belittling tone of the quotation.

The blast was captioned 'ASCAP Friendship' and the introductory paragraph read: 'There has been talk about ASCAP's new goodwill policy toward the broadcasters. ASCAP has recently put out a new pamphlet which gives an illustration of the way ASCAP gets affiliated. Headlines set out prominently in the middle of one page read, "Radio Wants Free Music" and "Radio Hits Writers' Earnings."'

ASCAP members themselves were surprised by the sudden release of the pamphlet. They had been under the impression that these tactics had ended with the elimination of the extensive publicity staff headed by P. A. Waxman. Since then all authority over publicity has been reinvested in E. C. Mills, who brought in his own p.a., Richard Murray.

a deal until the affiliates find out what ASCAP music will cost them locally. In any event the odds are that the real bargaining between NBC and CBS and ASCAP for a settlement of their differences will not start until after the close of the convention of the National Association of Broadcasters in St. Louis, May 12 to 15, inclusive.

Stall for Good Deal
Strategy which still actuates the rank and file of broadcasters, and which attitude presages a distant settlement on the part of NBC and Columbia, is that the longer radio holds out the better will be the deal. It will obtain from ASCAP. Only that can be said for the time being. The longer the networks and Columbia sit out, the more they will be to the disadvantage of their affiliates. The networks, affiliates themselves point out, have nothing to fear from Wash-

ingling between the networks and ASCAP will be the longevity of the contracts. ASCAP, it is understood, will put no limit on the length of a contract, calling for a percentage on all commercial programs, but it is inclined to limit the term of a per program arrangement because of its new and untired angle. Another point that may raise much argument during negotiations has to do with some broadcasters' insistence that the contract include provision that any renewal, unless the new contract runs for 10 years, be subject to arbitration. The future of Broadcast Music, Inc., these broadcasters point out, will be determined by the length of the new contract with ASCAP. If the latter is termed for 10 years the inclination will be to shelve BMI, whereas a much shorter period will leave its stockholders free to get it going as a bargain instrument in dealing with ASCAP in

ASCAP Rates Mutual as Unique

'Any deal made with the Mutual Network by ASCAP will be basically different from the contracts eventually consummated with NBC and Columbia. ASCAP is proceeding on the theory that Mutual differs from the other two networks in three ways:

1. Mutual is not operated for a corporate profit, whereas NBC and Columbia are privately owned and operated for a corporate profit.
2. Mutual does not deduct 16 hours in compensating an affiliate for commercial services as the other two networks do, and, unlike NBC and Columbia, makes no charge for service to its affiliates.
3. Mutual deducts 15% as a sales and service fee from the revenue collected for time from commercials and turns the remaining 85% over to its affiliated stations, whereas the other two networks base their affiliated station compensation on a scale which starts at around 20% and works up to 37%.

ington so long as they show a disposition to talk with ASCAP. The same affiliates feel certain that NBC and Columbia will not sign any contracts with ASCAP minus the approval of their affiliates, and because they (the networks) would risk not collecting anything on the payments made ASCAP from the associated outlets.

These affiliate sources warn that if ASCAP is thinking in terms of 1940 as far as 'come from local stations' is concerned it will find itself quite disappointed after the NAB convention. The action formula of 'ASCAP proposes for local stations. If say these sources, the ASCAP proposals aren't close enough to what the local stations think they should pay, a member of

the future. BMI, according to one of its directors, cost the radio industry somewhat less than \$2,000,000 outstanding figure about \$1,750,000 more.

If Mutual's copyright committee feels satisfied with ASCAP's alternate terms at today's meeting in New York, the move will be to submit it to the network's board of directors and stockholders. Latter meeting would be called for the first part of next week. If the Mutual committee recommends an agreement covering the use of ASCAP music on her programs, the network's affiliates will be summoned to a third meeting to be held during the first week in May.

15 Best Sheet Music Sellers

(Week ending April 12, 1941)

Amapola	.....Marks
Wise Old Owl	.....BMI
Walking by the River	.....BMI
Oh Look at Me Now	.....Embassy
Number 10 Lullaby Lane	.....Warren
Do I Worry	.....Southern
I Understand	.....Feist
My Sister and I	.....BMI
San Antonio Rose	.....Berlin
Intermezzo	.....Schubert
Georgia on My Mind	.....Southern
I'll Be With You in Apple Blossom Time	.....Broadway
Just Live	.....Advanced
You Walked By	.....BMI
There'll Be Some Changes Made	.....Marks

ASCAP-Radio Peace Will Cool Off The Amateur Songwriters Fast

Boston, April 15. Since the break between ASCAP and the radio interests (Jan. 1) there has been a steady increase in the number of advertisements carried by Boston newspapers from music sharks. "The music war," these ads invariably declare, "has created a great demand for song songs and the sharks, who describe themselves as service outfits, ask for 'song poems' which they offer to set to music.

This offer has now been extended to include a photograph recording of the completed song at prices which start at \$7.

No Need for Songsharks

New York music publishers, who often serve as checking sources for Better Business Bureaus and others on song shark inquiries, declare that they have not been apprised of any particular spread of the songshark threat throughout the country in recent months. They think that the amateur songwriters have had available too many legitimate outlets such as the Song Hit Guild, BMI and various radio programs to make it profitable for the songshark.

These pubs also predict that peace between radio and ASCAP may produce the most pronounced cooling-off period among amateur writers that this country has ever seen. The percentage of click tunes made available by amateurs since the advent of BMI has been so negligible that established publishers will give the product of such sources a long and complete brush-off. People, they say, will listen to the output of amateurs when there is nothing else to listen to but when this music is to compete with professional it will be an altogether different story.

NO COLUMBIA RECORD SETTLEMENT AS YET

Hollywood, April 15. A second meeting to settle the strike at the Columbia Recording plant here was broken up this morning when the committee representing the struck United Electrical Radio and Machine Workers of America bolted the session.

Columbia Recording officials offered to increase pay under all classifications by 1.7c per hour but this proposal was rejected as ridiculous. Edward Fitzgerald, U. E. labor agitator, has another meeting scheduled for Wednesday (16).

Walkout has been in effect since last Friday. Repeated attempts to reopen the plant have been balked by refusal of the clerical workers to cross the picket line.

The union demands raising of the minimum ceiling from 55c to 75c per hour with an increase of approximately 10c per hour in the higher classifications. Columbia plant has 85 employees, all of whom are affected. Company services the recording business in 11 western states and also handles a voluminous transcription trade.

The union negotiated a new wage scale for the U. E. Phonograph & Record Manufacturing Co. and has announced that neither Allied nor RCA-Victor would handle any Columbia business for the duration of the strike. The U. E. office today said that a mass demonstration would be staged in front of the CBS studios Saturday night.

You Zig It

Tops in screwy song titles seems to have been scored last week by Columbia Pictures. It registered with the Hays office, as the label of a tune in a forthcoming picture:

"Zig Me Baby With a Gentle Zag" by Eddie Cherkose and Jacques Press.

DOUGLAS TO PROTEST FOR M.P.P.A.

Board of directors of the Music Publishers Protective Association in a meeting last week instructed its chairman, Walter G. Douglas, to attend the U. S. senate's hearings on the international copyright convention and lodge its opposition to this country's adherence to the pact. Hearings opened yesterday (Tuesday) before a sub-committee of the Senate Foreign Relations Committee, of which Senator Elbert Thomas is chairman. Curious sidelight on the senate bill in so far as the music industry is concerned was the decision of the ASCAP board last week not to have a representative at this hearing. ASCAP's publishers are opposed to the terms of the international convention, whereas the writers think favorably of the project, so that the only logical thing the ASCAP board could do was take a standoff position.

The MPPA board holds to the viewpoint that it would be hazardous for American copyright owners if the Berne convention were to become the law of the United States without Congress first revising this country's copyright law so as to make the terms of the latter consistent with the provisions in the Berne convention. If the convention were adopted before the U. S. copyright law was revamped, the American publishers, as the MPPA sees it, would be faced with a deluge of infringement suits. Numbers that for years had been treated as part of the public domain would suddenly become valid U. S. copyrights, and millions of dollars spent on publishing special arrangements of such compositions would have been wasted.

Most of the foreign copyright laws give the creator or his assignee protection for life plus 50 years thereafter. Under the American law protection is limited to 28 years plus another 28 years if properly renewed. Another factor that makes the publishers hostile to entry into the convention at this time is the unstable world condition. With new boundaries and alliances being established at quick intervals the pubs can't understand why the state department should be so anxious to become part of an international convention and imperil the status of American copyright owners.

Ray Whitley clefled three songs for RKO's 'Cyclone on Horseback' Ditties are 'Blue Nightfall,' 'Tumbleweed Cowboy' and 'Bangtail.'

Peer Scorns Idea Of Cuban Writers' Group

Havana, April 15. Ralph S. Peer, head of Southern Music and Peer International Music Corp., when here on the first lap of an extensive South American trip, embracing every country, to line up songs and songwriters, gave the brush-off to Jack Robbins' scheme of a Union of Cuban Composers and Authors. Robbins, in a previous news account, stated that the UCCA was being organized by him, via his local rep, Silvia Suarez, in collaboration with Miguel Gabriel, head of the large radio station here, CMQ.

Peer's attitude is that there are already four local songwriters' societies in existence in Cuba, and almost every name songsmith is already affiliated with any of these four combines, or with E. B. Marks (who has Ernesto Lecuona, for example), or with Southern Music (Peer). Exceptions are Toussaint Julio Brito and Osvaldo Estevill, the Hotel Nacional's maestro-composer, and they have been writing for Robbins.

Latter plans a National Music Co. of Cuba, as a further exploitation gag to emphasize the nationalistic aspect—Robbins, naturally, to be the sales agent.

Actually, Robbins and Miguel Gabriel are still talking the situation over. Gabriel and his CMQ have vied advertising and merchandizing affiliations with the Crucellus Co., as the local Colgate-Palmolive-Peet company is called, which plugs its toiletries over CMQ.

Although Gabriel admits that Robbins approached him with a mutual profit scheme, the former is said to have agreed only with reservations, and requested that the idea be put into tangible form. In the meantime the CMQ lawyers might go over it. Gabriel never saw Robbins after that interview, nor was any plan submitted to him.

Both Arsenio Rodriguez, blind guitarist and composer, and Margarita Lecuona, cousin to Ernesto Lecuona, are under contract to Peer at the present writing and will remain so for the next six months. Where they will go at the termination of their contracts, and what promises they have made to Robbins are conjectural, says Peer.

Inside Stuff—Music

Joseph Abend, assistant to Sam Manus of Alfred Music, turned tune detective while watching a performance of 'Meet the People,' and spotted eight bars from 'Waiting for the Robert E. Lee,' controlled by Manus, in one of the tunes. Controversy was ignited with Manus, the former of the latter, by the Hollywood Theatre Alliance, backers of 'Meet the People.' Manus got an okay from L. Wolfe Gilbert, who collaborated on 'Lee' with Lewis F. Muir, to arrange an easy settlement with the revue management.

Manus has just completed compilation of musical works of Lewis F. Muir, composer of 'Robert E. Lee' and 'Take Me to That Swanee Shore,' who died in 1916 at the age of 32.

Muir wrote 85 songs, mostly based on American historical events, in collaboration with Lew Brown, Edgar Leslie and L. Wolfe Gilbert among others.

It cost Irwin Dash Music Co., Ltd., of London some six pounds (\$24 U. S.) to clip over a recording of its newest, 'The King Is Still in London,' to New York, only to reach Dash, who is now in N.Y., completely shattered. 'The waxing was an off-the-air recording of a London gag. 'King Is Still in London' is by Roma Campbell Hunter and Hughie Charles, the latter co-author with Ross Parker of 'There'll Always Be an England,' also a Dash music hit. Dash, meantime, through his new Dash-(Reg) Connolly Co., in N.Y., is exploiting 'King in London' for the American market.

'England,' of course, has now assumed stature as a war song, akin to 'Tipperary' and 'God Save the King.' On the other hand, 'King in London' is most vexing one to the patriotic Brits, came from Scotland where, as a sop to that country's nationalistic pride, a special edition had to go out reading, 'As long as Scotland's there.' This is a switch on the original phrase, 'There'll always be an England,' while there's a country lane!

Mills Music, Inc., which for many years has been associated with tunes of the Sweet Mama, Papa's Gettin' Mad' and 'Truckin' genre, finds itself this week in an envied niche in an entirely alien field, an important festival. BMI's new publication, 'Cimarron,' by Roy Harris, has been chosen for the closing of the Tri-State musical festival at End, Oklahoma, and it will be played by hundreds of instrumentalists gathered into a single group from the many bands representing universities, colleges and high schools at the event. The festival opens today (Wednesday) and closes Saturday (19).

Delegations from the Mills organization which left for End last week-end comprised Jack Mills, Mack Stark and Morton Gould. Harris, who was born in Lincoln county, Okla., was also in the party. It will mark the first time that 'Cimarron' has been performed in public.

Harry Fox, as agent and trustee, reported last week that his office has already collected several thousand dollars in advance royalties from producers of film for coin-operated machines. He has already licensed over 50 musical compositions for this new adjunct to the film business even though there are a limited few of the film type of jukebox on location. Among the producers that he has been licensing on this score are Monoco, Cameo and Soundies.

Nine years ago Fred Auger and Jack Pay, respectively New England reps for Bregman, Vocco, Conner and Santy-Joy, together with Mickey Alpert, maestro at Boston's Cocomat Grove, discovered that the three celebrated their birthdays on the same day, April 9, and so each year since they have met for a joint party.

Broadcaster Tells State Legislators Law Would Collect \$9,000 Tax But Needs \$50,000 Copyright Bureau

Makes a Difference

Philadelphia, April 15. Bert Lemisch's orchestra, playing in a North Philly nightery has a remote over WLSA, one of the past Lemisch had trouble getting music from them, now he's the most sought-after band-leader in town.

Reason: Lemisch's crew has a remote over WLSA, one of the few stations with an ASCAP license.

POLISH MUSIC TOPS FOREIGN BMI CATALOG

Preference for Polish music leads all other foreign tunes, according to breakdown of requests of member stations reaching foreign language groups throughout the country, as compiled by Broadcast Music, Inc.

Italian was the second most popular foreign music, according to the BMI survey, with Cuban and Latin-American, Scandinavian and Hungarian following in that order.

Questionnaire covering listener preferences was mailed to the 670 BMI stations, with only approximately 57 outlets catering to foreign language audiences responding to the foreign music query.

BMI is negotiating for acquisition of several foreign catalogs, notably Polish. The latest BMI catalog lists music of some 33 nationalities.

Boston, April 15. Massachusetts would receive \$9,000 yearly by taxing the American Society of Composers, Authors and Publishers 3% on the \$300,000 it collects within the State, but it would cost the State \$50,000 to conduct a copyright bureau, it was pointed out (9) to the Legislature's constitutional law committee by Harold E. Fellows, general manager of WEEI and chairman of the Massachusetts State Broadcasters Committee.

"This bill would Street Broadcast Music, Inc. also?" Senator W. M. Bowers asked Fellows, who answered in the affirmative. "If the bill were passed, copyrights would not only be a burden to the State, but would in turn be passed on to the consumers, as is usual whenever any product is taxed."

"Although broadcasters have suffered from abuses of copyright combinations," said Fellows, "they do not oppose rightful returns to authors and composers, nor wish to see the latter circumscribed by unnecessary State restrictions under the guise of anti-monopoly."

The two bills aimed against ASCAP apply criminal penalties to users as well as owners of performing rights, permitting prosecution of users even for good faith infringement. One of these bills would make it criminal for the unauthorized rendition of copyrighted works by church groups, amateurs, etc., so long as the author or performer is for profit. Broadcasters would need the staff of lawyers to determine whether the owner of each work licensed had complied with the provisions of the bill.

"Above all, these bills are unconstitutional. And by taxing performing licenses either decreases the return to authors and composers, or adds additional burdens to the dissemination of music to the public."

The legislation is necessary, for the problem of supply and demand will solve it.

Fellows admitted that the policing and supervising clearances in the present battle between ASCAP and broadcasters have been costly to his station, as well as the others.

ASCAP NUMBER 7TH ON LIST

List of sheet best sellers for the week ending April 12 and as carried in this week's issue credits ASCAP publishers with more numbers than it has had since the break with radio last 1. The outstanding development in the record is the advent of 'I Understand' (Feist) in seventh place. Jobbers are of the opinion that this number which has been plugged practically only through the sale of phonograph records is slated for top position.

Other ASCAP-affiliated numbers in this list are 'I'll Be with You in Apple Blossom Time' (Broadway), 'San Antonio Rose' (Berlin) and 'Java Jive' (Advanced).

Dash-Connolly Firm Asks For ASCAP Membership

The recently formed Irwin Dash-Reg Connolly Music Co. is applying for ASCAP membership after having a couple of months until the expiration of its present license. New firm, however, has decided not to wait, their sympathies being entirely with the Society.

Paradoxically, Reg Connolly's London office, the Reg-Connolly, in the meantime has been asked to act as British agent for Broadcast Music, Inc., but merely regarding BMI songs as just another catalog, and ignoring any anti-ASCAP sympathies which, in turn, must affect the British Performing Rights Society. The BPRS is ASCAP's rep in England, by treaty.

Connolly, of course, will have to make a separate deal for BMI song usage with the British Broadcasting Corp. and other licensees, separate and apart from BPRS.

Saranac Lake

by HAPPY BENWAY

Saranac Lake, April 15. Joe Bishop got a thrill when he tuned in and got "We the People" and his old boss, Woody Herman, and orchestra spent a few moments saying, "Get Well Joe." Since that broadcast, Bishop has received an "up and exercise" o.k. His frau is here and beddies him daily.

Arthur Shelton, ex-critic of the Baltimore Evening Sun, is packing a mess of good comebacks at the local Trudeau sanatorium. Manages a downtown twice-weekly visit.

Barry Kelly is doing well at Trudeau.

Bows and salutations to A. B. (Tony) Anderson, manager of Schine's Pontiac. Never misses a chance to take time out to visit the many who are marking time and manages to give them many of their wants.

This office is seeking the address and whereabouts of Leroy (Lassie) White, minstrelman, who headed his own show for years. It's important.

The Chet Knifflins, professionally known as "The Dells," took time out while en route from Ottawa to New York City to mitt and ogle the Col.

Colin Treece, a Brooklyn product and formerly connected with Columbia pictures, is a newcomer at the Will Rogers.

John Eaton, legster, who has been fighting a bed routine for so long, is now allowed up for the talkers at the lodge.

Bob Cosgrove just received a reprieve from his bed-ridden, nearly makes him fit for army service. A rest comeback.

Rome Bliss (and Calahan) is a new arrival.

Dorothy Maxwell, dancer of other days, just licked a mess of hospital routine and is back in circulation.

The Loney Dews are now a household. It's a girl this time.

Bryce Lavign, who used to bait the local Hotel Saranac ore, is now selling radios.

Grace Moore came in to o.o. her husband, Valentin Parera, then was off to Worcester, Mass., for a concert. Parera is packing a mess of good reports.

Harold Rodner, the big boss of the Will Rogers, greeted the gang with a lot of good cheer and nice things that help the coming round.

Jimmy Marshall, ex-N.V.A.-ite,

who oozed on Rainbow lake, is now airing in Gabriel, N. Y.

Jack Norworth greets the Actors Colony from the Lamb. Club.

Tudor Cameron (and Flanagan) can now be reached care of Joe Erben, Ambassador Theatre Bldg., St. Louis. He is promoting new possibilities for Claude. Cameron did the trick up here in 18 months.

"Spring is here"—storm windows are being packed away, tame fish for Ruth Morris' are being let loose in Lake Colby and eggs are being readied for Camp Intermission, which denotes the anticipated arrival of Mrs. William (Mother) Morris, the one big thrill of the Actors Colony.

Percy Wenrich, who wrote "Put on Your Old Grey Bonnet," "Moonlight Bay" and many other songs, accompanied by his frau, Dolly Connolly, registered at the Hotel Saranac, and will vacate here. Dr. George Wilson is o.o.jug. Percy for a bad throat.

After one month of this ozone, Al Brandt has added 10 pounds, and received a report that he was not troubled with this kind of illness. Is that boy cutting capers.

Betty Scheffer, professionally known as Betty Jackson, a former George White chorister, is getting good reports.

Tommy Vicks (and Lawrence), who commuted between Union, N. H., and Boston, due here for his annual summer vacash and check-up.

So many cures have been made and so many patients going home that the Will Rogers hospital looks as deserted as a local undertaker's parlor.

Bows for Dr. George Wilson and the can's home-like atmosphere.

Harry Martin asked Ben Schaffer what he thought about the ASCAP music day. Ben snapped back "Who B.M.I. to talk about my song writing friends?"

Write to those who are ill.

Dario's La Martinique To Jersey for Summer

La Martinique-in-Jersey will probably be sited this season at the old Vivian Johnson roadhouse at Monmouth Beach, N. J. Boniface Dario of La Martinique is dickering for the summer spot and will shutter his West 57th street niterly, a signal success since Danny Kaye's incumbency, as soon as the hot weather asserts itself.

Meantime, April Ames, from Louisiana Purchase, and the Eddy O'Fallon band moved in last night (Tues.), the latter replacing D'Artega.

ELEPHANTS FORGET

Bridgeport, April 15. Singer's Midgets opened at Majestic (10) without elephants. Train carrying set of hay-eaters didn't stop in Bridgeport, with rest of troupe and couldn't be found until too late for first day's show.

Elephants were located back in N. Y. and arrived at Majestic next day.

Meltzer 2d P.A. Turning Talent Salesman for CBS

Al Meltzer, formerly handling press relations for CBS Artists Bureau in N. Y., is being segued into the talent-selling end and will specialize in picture talent under Herb Rosenthal, head of the bureau, and Jack Bertell.

Another ex-p.a., Lou Minding, recently joining CBS, is aide to both Rosenthal and Bertell on film, radio and TV talent. Minding brought in Adelaide Moffett, who will be agent by CBS in conjunction with Mark Hanna, her personal rep.

VAUDER SETTLES BASH ON CONK FOR \$6,000

Los Angeles, April 15. Eddie Moolay, vaude actor, accepted \$6,000 as an out-of-court settlement of a \$50,000 personal damage suit against Louis and Anna Kaplan, operators of the Yost theatre in Santa Ana.

A member of the Medley and Dupree team, performing last New Year's Eve, Medley was struck on the head by a counterweight, while waiting for his turn. He recovered from his injuries.

Marden's Riviera Bow Depends on Weather

Bill Kent has not yet fully set the opening show for Ben Marden's Riviera, just across the George Washington Bridge in New Jersey, but the top roadhouse will open May 15, depending on the warmth of the weather around that time. Kent is booking the spot without taking a commission from acts, Marden paying him a fee for the service.

Only acts set thus far are Gower and Jeanne, current at Loe's State on Broadway; Sarah Ann McCabe, singer; and Betty Bruce, hooper, with two to fill. Accompanying band names are contemplated for the opening show at least, which is in contrast to the Riviera's policy last season, when it played Sophie Tucker, Harry Richman and Joe E. Lewis all at one time. There will be a ballet chorus of 15, plus eight showgirls, with Chester Hale producing.

Pancho's, the second orch at the Riviera last year, will be the first band this coming season, but augmented in size. Second band has not been set.

Asks Singer to Apt., Then Has Her Held For Theft

Pittsburgh, April 15. Christine Osborne, 22, niterly singer and dancer, was arrested here last week and held for further investigation when Don Washburn, entertainer and m.c. at the club Petite here, accused her of taking \$400 worth of his wife's dresses from his apartment.

Gal testified she tried on a dance costume, but couldn't find her own dress when she got ready to leave. Then, she said, she took a gown belonging to Washburn's wife, an entertainer in Uniontown, Pa. She denied taking any other articles. Washburn accused her of taking two Chinese gowns worth \$200, four evening dresses worth \$100, and six street dresses.

M. C. as Niterly Op

Boston, April 15. Larry Thornton, singer and m.c. here, is opening up Dreamworld in Scituate, Mass., next weekend, as host and manager. Spot will be operated as daytime eatery and night time club.

Dreamworld was formerly home of late Thomas W. Lawson.

Frances Faye's Buff. Date

Buffalo, April 15. Harry Altman has set Frances Faye, singer, to open his Glen Park Barn in suburban Williamsville Friday (18). Barn is niterly amusement park which unshutters Decoration Day.

Also starting spring season Friday will be Altman's dancery, at other end of park, playing Bernie Sandler's crew.

N. Y. Niterly Follow-Up

Xavier Cugat with his sook Latin rhythms is back at the Waldorf-Astoria's Sert Room and continues to shift into the hotel's Starlight Room. Meantime the Waldorf's Empire Room has called it a season; there Leighton Noble did quite well for a relatively modest-budgeted band. He wound up his run a day earlier, in order to make train connections, which resulted in Joseph Sudy pinch-hitting for the final (Saturday) night, the same time that Cugat premeed at the Sert Room.

Rosario and Antonio, the kids from Seville, who clicked here by their extraordinary Spanish dances, are back with a new repertoire and an even more inspired performance, presumably aided by the authentic Cuban band of Senor Cugat. The dancers left this spot for Hollywood to do scenes in Metro's "Ziegfeld Girl" and "Sing Another Chorus."

Prominent with Cugat is Angelito Valdes, the Afro-Cuban master who out-Arizes Despi with that style of bongo-banging and dancing that has a looser, Fats Tyner, featured, vocalist.

Det. Police Again Nix License for Sofferin

Detroit, April 15.

For the second consecutive year the Detroit police department has refused to issue Sammy Sofferin's license for his downtown niterly, the Wonder Bar. However, likelihood is that the Michigan Liquor Control Commission will approve his license anyway. Varieties won't promote any more amity between Sofferin and the local gendarmes.

Police a year ago refused his license on the grounds he had broken the law at his famed Povatan Club by allowing gambling and overtime drinking, but the Liquor Commission overruled them in granting a license for his new spot.

Recently Sofferin fell foul the local police again through the employment of a 17-year-old girl to sell ciggies. She was haled into court and convicted, but then acquitted in another court.

Donovan, Ex-Arbitrator Of VMPA, Now Brig. Gen'l

Former Major J. O. Donovan, once closely associated with Pat Casey and arbitrator with the now defunct Variety Managers Protective Assn., now ranks as a brigadier general in the U. S. Army, plus being adjutant-general of the State of California.

General Donovan was administrator on the Coast of the NRA's motion picture code. He campaigned vigorously for the election of California's Governor Culbert Olson, which resulted in his appointment as adjutant-general.

Cris Cross Appeals

Cris Cross, ventriloquist, who lost once before has appealed to the joint arbitration board of the American Guild of Variety Artists and the Artists Representatives Assn. for a rehearing of his contract dispute with agent Charles H. Allen.

The joint board originally ruled that Allen's pact with Cross was valid and that the agent was entitled to commissions, including 50% of the collections of Music Corp. of America to Cross for agenting him.

Cole's L'ville Bow

Louisville, April 15. Cole Bros. Circus, wintering in Louisville, will open season here April 23 for a three-day engagement. Show has been completely revamped.

REOPENING OHIO VILLA WITHOUT THE CASINO

Cleveland, April 15. Ohio Villa, swank casino which folded three months ago at the height of city's anti-gambling crusade, emerges next month from the deliriums to become a straight deluxe niterly operated by Freddy Myers. Myers, who also runs a hot spot in the downtown sector tagged "Freddie" Cafe, is whitewashing the Villa's reputation by tearing out its old gambling room and enlarging the dining room.

With a gate tax of \$50 and an \$50 capacity, Ohio Villa will reopen with large production units and name acts booked by Frank Sennes, who is angling to get Harry Richman or Sophie Tucker for preem.

New Act in Niterly

CORDAN AND SAWYER

Comedy, Song, Dances

Villa Madrid, Pittsburgh

Femme teams are pretty rare these days but Cordan and Sawyer are rare in more than just that one respect. They're a two-act with plenty on the ball and should definitely go places. Rose Cordan is the clown half, who resembles a good-looking edition of Fannie Brice, and very funny. Myra Sawyer is the straight, and is omphish with a figger that poses the eyes of the house.

Gals have some first-rate special song material and, while Myra is doing it straight, Rosie gives it the comic works. She's a sick mucker who knows what to do and when. Contrast is effective and laughs spill continuously. Most of the time they're on together, but in couple of spots Miss Sawyer comes out for a legit bit of legmanina in a sexy outfit and then her partner follows in a genuinely riotous burlesque number.

Best audible number is "Sex Is Here to Stay," with Rosie getting the punch lines and doubling ordinary returns with quick ad libs to the audience. She's a crack comedienne, and an effective foil for her visually okay partner. Villa Madrid they've been trying the show in knots and look like real comers. Cohen.

Paul Whiteman opened Monday (16) at a four-day stand at Paramount theatre Atlanta, which normally is straight pie house. "Play Girl" is coupled with Whiteman's show.

N.Y. Strand Saving Time On Lie' J. Dorsey Combo

Figuring that the Bette Davis starer, "The Great Lie," and Jimmy Dorsey's band are enough of a draw, and also as a means of holding down the overall running time of the entire show, the Strand theatre, New York, has brought only one act, Tip, Tap and Toe, to go into the show with Dorsey. Layout opens this Friday (11).

"Lie" consumes 107 minutes and the stage show has been allotted 45 minutes. With the exception of the dancing trio, Dorsey will fill the entire stage portion. Combination is set for at least four weeks and may go on.

—FROM VARIETY, ISSUE APR. 9, 1941.

TIP, TAP AND TOE

Wish to thank Jimmy Dorsey and Harry May for choosing us as THE act.

Personal Manager — EDDIE SMITH
22 West 48th Street, N. Y.

TEN SHUN!!

WELDON BARR

BOOKED SOLID ONE YEAR

After Sensational Two Weeks at Roxy, New York

Address Mail

U. S. Army, Camp Meade, Maryland

Direction: MARK LEDDY

NORMAN
HARRIS
and SYLVIA
SHORE
NOW IN 17TH WEEK
GEORGE WHITE'S
GAY WHITE WAY, N. Y.
Management: WM. KENT
1776 Broadway New York

THE THEATRES OF THE STARS
Marcus LOEW BOOKING AGENCY
GENERAL EXECUTIVE OFFICES
LOEW BUILDING ANNEK
160 W. 46th St., N.Y.C. - BRONX 9-7900
J. H. LUBIN
GENERAL MANAGER
SIDNEY H. PIERMONT
BOOKING MANAGER

THESE WORK UPS VAUDE

Tink' Humphrey, 64, Dies on Coast; Booking Exec With Butterfield, Keith's

Claude S. ('Tink') Humphrey, one of the most colorful of vaudeville showmen when booking the Buttefield (Michigan) and B. F. Keith western time, died Saturday night (12) in Van Nuys, Calif., following a heart attack. He was 64 and had been in virtual retirement for the past five years because of a cardiac ailment.

Humphrey's last connection was with Harry Sherman, whom he backed in the production of film westerns, chiefly the first 'Hopalong Cassidy' series. Humphrey acted as production aide to Sherman, now releasing through Paramount but then operating independently, finally being forced to quit because of ill health.

Chicago knew Humphrey best, as it was there that he 'grew up' with Colonel W. S. Butterfield's theatres. Humphrey started in 1905 as a singer of illustrated songs in Lansing, Mich., his home town, and was engaged by Col. Butterfield to manage his theatre there, the first 'Western Vaudeville' and Junior Orpheum time west of Chicago, while Humphrey was made head booker of the combined Butterfield and B. F. Keith Western Time, all of it east of Chicago. At this time he came into conflict with Sam ('Cut') Kahl, head booker of the western end of the combine, because of Kahl's tactics in slicing acts' salaries 25-35% after they came out of Humphrey's homes. One of the major turnups in the trade for Humphrey was Kahl's eight-day week, Sunday to Sunday, at seven-day salaries, plus Kahl's insistence that they play 'showing' time west of Chicago, while Humphrey was at Chi at a fraction of their regular salaries.

The Humphrey-Kahl feud lasted for years and up until Humphrey moved into an uptown Chicago apartment, he was virtually all the western vaude time when Joseph F. Kennedy took over Keith-Albee-Orpheum and merged the FBO and Pathe film companies. Humphrey was made manager of the Fifth Floor (family time), succeeding Mae Woods, who was close to E. F. Albee, while Kahl was dismissed by Ben Piazza, who, with George Godfrey, then head of the entire K-A-O vaude booking office in the Palace theatre building. Humphrey lasted in N. Y. for only a few months, when Godfrey and Charles Bierbauer, also a booker, were dismissed him. Not long after that Godfrey and Piazza also went out, as RCA moved in and the circuit became RCA, with Hiram S. Brown as president and Charles J. Freeman as booking manager.

Humphrey broke 'When let out, Humphrey was virtually broke, despite the fact that he had a net worth of \$125,000 in the K-A-O reorganization. Of that 125G, Humphrey lost \$100,000 when he bought the Twin City Golf Course between Benton Harbor and St. Ignace, Michigan, on the promise from Scarface Al Capone that the latter would be a 50% partner. The golf course was a twin-city municipal white elephant, but heavily patronized by the Chicago mobsters, with most of whom Humphrey was familiar. Capone wasn't kidding about putting up \$50,000 for the golf course, but he became enraged when he learned of a mean on an income tax rap and a prison sentence took him out of circulation for a long time. Humphrey, stuck with an expensive golf course at the height of the depression, had had to let it go and kissed the \$100,000 goodbye.

Humphrey, when booking the But-

terfield houses, was the first to play tabloid shows, now called units. William B. Friedlander and Joe Sullivan produced for him 'Naughty Princesses,' which was the first vaude house tab, and followed with 'The Sufragette Revue,' 'Devil's Ball' and 'Four Husbands.' Humphrey, extremely well-liked and personable, was also responsible for bringing into vaude several men who became top-notchers in the trade, among them the late Harry Weber, Marty Forkins and Billy Jackson.

The booker was the type of person who couldn't say 'no' and, in referring to Humphrey's good nature, it was often said, 'they threw the mould away after he was made.' He was always a soft touch.

Humphrey's wife, Mattie, died two years ago. He is survived by two daughters, Claudia and Audrey, both married and living on the Coast.

Funeral services were held yesterday (Tuesday) in Van Nuys, followed by burial in Forest Lawn Cemetery.

CHI AGVA WILL RAISE CAFE SCALES

Chicago, April 15. Entirely new setup for minimum price levels for chorus girls and performers in the Chicago cafes is being readied by the local board of the American Guild of Variety Artists.

Board held a special meeting last week, with nine of the 13 members in attendance, and it was resolved that the local AGVA would make no move to obtain new or extended contracts with the niteries. Instead, it will wait until all current contracts, setting minimum wages, expire and then make deals with new agreements calling for an upped set of minimum wages.

Cafes are to be ranked in classifications from A to D, and the wage minimum requirements will probably be as follows:

- Class A chorus, \$37.50; principals, \$75.
- Class B chorus, \$32.50; principals, \$60.
- Class C chorus, \$30; principals, \$50.
- Class D chorus, \$25; principals, \$35.

DANCER RECOVERING AFTER SUICIDE TRY

Detroit, April 15. After two attempts, Toby Lee, 26, dancer, is recovering from her latest suicide attempt in Receiving hospital here. Her latest attempt—induced because 'I'm terribly sick of show business but don't know any other way to make living'—provoked an extensive police search when she registered at a hotel after getting professional rates and then slashed her wrists and took heavily of sleeping powders.

Police had checked on her professional name, figuring it an alias, to learn she was born Olive Cochran in Philadelphia. Later, she recovered sufficiently to explain Toby Lee was her working tag. She said she was twice married and divorced, but didn't place the blame for her act on marital difficulties, saying she was just disgusted with show business.

Only lucky break she got in dancing, she said, was a full season in Kelly's Ritz, Panama.

CHANGES SEEN BEST IN DECADE

Many Spots That Ordinarily Shutter, or Curtail Bookings, for Summer Will Maintain Schedules—Detroit, Cleveland on Upswing

BEST IN MIDWEST

The American defense program, which has boomed amusement business throughout the country, suggests greater vaudeville possibilities this year than at any time during the past decade, as a result of many spots throughout the country that ordinarily shutter, or curtail their bookings, during the summer, will maintain their full-season schedules, particularly in those localities where defense projects are in full swing.

The Midwest seems to be experiencing most of this vaudeville boom, particularly since most of the defense work is going on in that sector. Detroit and Cleveland are notable cities where stage shows are being kept on, and in many cases ended in situations where there had been none or little vaudeville heretofore.

Cleve. Show Biz Booms Cleveland, April 15.

Between rising industrial payrolls and tremendous expansion programs of this burg's key defense tool-making plants, theatre biz in general is climbing so encouragingly that the Palace intends continuing its vaude policy through the dog-days, instead of going into a straight film policy around June 1 as it has done in previous seasons.

Decision is not yet official, but survey report of local conditions manager here, indicated such a definite theatrical boom is on the way that there's little doubt of the experiment, getting a green light from New York.

Unemployment figures are being used rapidly by building of new Thompson airplane-parts factory, a new aeronautical laboratory, and the Ravenna Powder Plant, which are bringing a wave of heavy coin into nearby bistros such as they haven't seen since prohibition days. Even the smallest cafes are coping a good piece of it, and the demand is raising each other for talent due to local scarcity of nitery acts.

Detroit Vaude Upswing

Detroit, April 15. While downtown Detroit still continues weak on vaudeville—stage shows come along on the average of about one every three weeks—this town's nubes are showing increased growth, and the demand for growing war boom with variety entertainment.

Michigan and Fox, two big downtown houses, after two years of being down, are now showing shows infrequently last fall. While business has run strong with vaudeville, the two big houses—4000 and 5000 seats—are taking on risk when they weaken their draw by making them regular affairs, idea being to take the strong pull on double-features with the occasional hypo of a big stage attraction.

Meanwhile, just off the downtown fringe, the Colonial has continued to roll along with acts. Further up the main street and out of the heavy center, the Town theatre, ex-Orchestra Hall, has edged in with stage material. Most significant here is the fact that the Harper, big nabe operated by Wisper & Westman has grown from a regular vaudeville to a regular diet of it since last fall.

Other Vaude

Business has been so good at the house that recently United Detroit, which also operates the downtown

AGVA Locals, Defaulting Payments Of 40% Gross Income, Face Loss Of Charters, 4A's Committee Warns

Bowes' Deal With AGVA Puts Ams in Union

Major Bowes, 'amateurs' become union-card holders, following signing of contract between American Guild of Variety Artists and Bowes some time this week.

Minimum wage scale of \$50 for singles, two-acts and \$60 per person for groups of four or over. Goes into effect on all Bowes' units. Whether the \$45 or \$50 rate will apply to three-acts has not yet been agreed upon.

AGVA agreement allows for maximum of 30 shows weekly. From 60 to 70 'amateurs' will be affected.

HOTEL BOWS TO ARMY IN ROW ON SERVICE

Washington, April 15. Threatened military boycott of local hotels apparently has been averted with apology of Hotel 2400—swanky Embassy Row Institution—for refusing one of its waiters to serve a man in khaki. Incident received much attention from the daily press, with service people—who descend on the city in droves for the weekend—declaring they would withhold patronage unless more appreciation was shown.

Note of regret was sent Maj. Gen. Milton A. Reckord, commanding the 26th Division at nearby Fort Meade, after humiliating page-one fuss that was provoked by denial of service to a staff sergeant and woman companion a couple of Saturday nights ago. Written warning from the command to his commanding officer brought 'representations' about discrimination against the country's defenders, with the hotel hats serving notice their men would be forbidden to spend their leave in the National Capital if hostilities had policy of 'insulting men in uniform by refusing them service.'

The local hotel men's association winced at the ultimatum, although with boomtown patronage there are few empty tables at this season of the year in the cliff-shirt dine and dance places. Richard S. Butler, manager of Hotel 2400, saw fit to make amends, explaining that, the waiter, the sergeant and his friend were ousted with lack of tables, not bias against the military.

'Such a policy on our part does not exist,' Butler wrote Gen. Reckord in repudiating the explanation of the waiter that there was a house rule against admitting uniformed men to the cocktail lounge. 'Our policy is to treat everyone alike, whether commissioned or non-commissioned officers, privates or civilians. Our only rule is that our patrons conduct themselves as ladies and gentlemen.' Bonafides 'signed' gratefully at word from Fort Meade that the incident is closed.

Rogers-Fine Produce 'Army' Vaude Unit

Chicago, April 15. 'You're in the Army Now,' new unit produced jointly by Harry Rogers and Jack Fine, has been set into the Balaban & Katz State-Lake for week ending April 22.

Breaks in on the Illinois-Iowa time, playing Decatur, Peoria and Cedar Rapids first.

Johnny Burke and Joe Besser have the top spots.

The Associated Actors and Artists of America's executive committee supervising the affairs of the American Guild of Variety Artists has served notice on the AGVA locals that those who continue delinquency in paying the national office 40% of their gross income face revocation of charters. Gerald Griffin, administrative chairman pro tem of AGVA, has sent a warning to the locals that they must comply with the rules.

Griffin stated that the locals frequently criticize the national office without cause, but that the latter more rightly can criticize the locals, especially regarding to how they handle their financial obligations. The rules require, besides sending the national office 40% of the gross income they retain after local administrative expenses. It has also been pointed out by Griffin that those locals which are not paid up by July 1 will not be able to participate in the coming election, and must see their representation on the national board. Failure to pay up would take the entire membership of locals out of 'good standing' status with the national organization.

Griffin, as per the executive committee's order, also told the locals that both the FUR A's and national AGVA office reserve the right at any time to examine the books of any local. It was pointed out that any local member or official found responsible for any deviation from the financial rules faces disciplinary action, possibly expulsion from AGVA and every other branch of the Four A's.

All the local treasuries have been warned that income was to be used only for administrative expenses and that loans to individuals or monies earmarked for any other purpose, would be considered violation of the rules.

FAAC Drive Opens

Los Angeles, April 15. The Federated Amusement and Allied Crafts has started a drive to force all theatrical agents in Southern California to line up under the American Guild of Variety Artists franchise code. The Federation has appointed appointment of a policy committee composed of Federation Secretary C. J. Hyans, of the AGVA; Thomas Meehan, of the Los Angeles Bartenders; Eddie Pratt, of Musicians Local 47; and Gus Cady, of the Stage Employees Local 33, to work in cooperation with Federation crafts with whom agents have franchises and to prosecute bookers who are on the agent list of the Central Labor Council.

Hyans is sending a letter to all agents advising them that under the AGVA code they must:

'Secure employment for and book only AGVA members in good standing, and must see that the performers remain in good standing during the term of their employment. That they must file written reports to AGVA headquarters, listing all bookings or employment deals, giving the names of the artists, the places of employment, and a copy of the contract. The agent also must see that he will be held personally responsible for the contract and payment of the actor for his services.'

Hamid's Pier's Facelift

George Hamid's Million Dollar Pier Atlantic City, is getting at least \$50,000 worth of renovations this season. Philip Morris Cigarettes spending that much on building a new front for the spot to house its concession.

Ciggle company will show the public how the smokers are made.

STATE, N. Y.

... Kill

READING, PA., VAUDE MAY 1
Warner Bros. turning over the As-
r. Reading, Pa., to Lester Stollman
r independent operation begin-
ng May 1.
Stollman will book vaude into the
ter.

Catholic Groups Pressure Results In Mpls. Mayor's Nix of 'DuBarry'

Minneapolis, April 15. Heeding Catholic organizations' protests that the show is indecent and an affront to womanhood and the marriage institution, Mayor George E. Leach, banned 'DuBarry Was a Lady', which had been scheduled to open a four-day engagement at the Lyceum last Sunday (13). Previously, St. Paul city authorities had forbidden the musical there, forcing cancellation of a one-day (12) booking.

Mayor Leach took action following public hearing at which the show was denounced and defended. The fact that he is up for re-election at the primaries next month put him on a hot spot.

'DuBarry' is the first show to be prohibited here since 'Crazy Quilt' nine years ago. That show immediately moved over to St. Paul and did away with the ban for the entire week. The mayor who banned it was defeated at the next election. During the past several seasons St. Paul has refused to ban 'Road', a permit to be presented there.

After the mayor's edict forbidding the local engagement, the show's sponsors considered legal action to compel the mayor to rescind the ruling. Following a telephone conference with A. L. Berman, New York attorney representing producer B. G. De Sylva, it was announced by John Leffer, company manager, that the local engagement would be abandoned and that the show would open in Milwaukee Sunday (13), playing the four days intended for Minneapolis along with the three originally booked.

The advance sale here was approximately \$10,000. Manager Leo Murray of the Lyceum stated. The show was refunded.

Before departing with the company, laying off here Holy Week, Leffer issued a vitriolic statement to the press, lambasting the mayor and Minneapolis moral conditions.

'We are being crucified by your mayor because of political greed,' Leffer said. 'The mayor never said the show was playing politics.'

Besides, the mayor apparently is no one to judge as to whether someone is indecent. He should start on his own town before he tells us what to do. I was playing a burlesque show at the Alvin last night and there were things in that show that wouldn't be permitted in 'DuBarry'. Then went to politicians and they were doing everything. All-night unlicensed liquor establishments were running wide open with every kind of gambling device and game. The people who appeared at the hearing and asked to have the show stopped never had seen it. I predict that the banning of 'DuBarry' will prevent many other Broadway (Continued on page 52)

Actor-Draftees On Road Get Return Fares

There are no known instances of the army draft having forced the withdrawal of actors in touring shows, but, foreseeing the possibility of such a ruling, the industry is testing members on transportation costs, should they be called. As effective April 8, should a member in a road company be drafted, the manager shall pay the member the amount of the return fare and the member shall not be required to pay the fare of his successor.

Equity contends it is not a change of rules, which its pact with the managers prohibits, but merely an interpretation of the rule. In standard contracts there is a clause which reads: 'The manager agrees to abide by the determination of Equity as to whether the foregoing clauses apply to any given situation and such determination may be final.' In other words, Equity's counsel has the right to decide whether a member leaves a show for a valid reason, which obviates penalization.

Otherwise, if an actor leaves a touring show, he takes on the burden of his return fare, and that of his successor. Equity takes the viewpoint that managers will accept the ruling as a patriotic duty and it is a hint to producers to exercise care in casting so that actors subject to call by the army will not be engaged in road shows.

Gransky, III, Informs Theatres He'll Pay Off

Joe Gransky whose Arrow Ticket agency was well known on Broadway, has advised theatre managers that he is ill and may be indisposed indefinitely. Purpose of communications were to tell the box offices that whatever money is owed them will be paid off. It appears that the broker, who has an agency at Delmonico's, gave out several checks for which there were insufficient funds. Most of that paper has been picked up.

Understood that the hotel agency, which continues to operate, does not owe the theatres more than \$500. Usually brokers settle with box offices on each Monday for tickets obtained during the previous week.

DuBarry' to Go In to Cleve. Aud To End Squabble

Cleveland, April 15. Instead of playing the Hanna as it was first sketched, 'DuBarry Was a Lady' is being routed into civic auditorium's Music Hall April 20 for five days to settle a squabble that is agitating local theatrical circles.

Bert Lahr musical was one of 20 shows which the Hanna guaranteed to Cleveland Players, Inc., civic drama-supporting organization, in its subscription series. Date had been tentatively set about four times, but it was shelved when winter '41 season was cut short five weeks ago to permit opening of 'Fantasia.'

'Both subscribers who put up money for advance tickets and newspaper critics let out loud yowls. William F. McDermott, drama ed. of Plain Dealer, morning sheet, editorially ripped into sponsoring group as well as the theatre for not keeping their promises. Critic accused them of cheap-changing the town by passing up or failing to get good plays available. Pointed out only 16 shows were booked into '41 season, but it was compared to 18 in 1939-40, when business wasn't so hot.'

When prez of Players, Inc., re-torted in a printed protest that the top was caused by a scarcity of plays, the veteran reviewer of the VARIETY's recently published figures proving that 31 New York shows went on tour this year. Cleveland didn't get as many important plays, he declared, as Detroit and Pittsburgh, which are smaller cities.

To satisfy quavering subscribers the drama-sponsoring committee, backed by Chamber of Commerce, decided to rent part of civic auditorium and bring in 'DuBarry' on their own hook. Since mayors of St. Paul and Minneapolis barred it on grounds of indecency, the local agency is getting a bit hitlerish as to whether it will get a go-sign from Cleveland's mayor.

Although the Hanna plans to run 'Fantasia' up June at least, there was a possibility of a summer stock company being installed in it by Elmer Weiner, concert booker.

SWAMPED BY CUFFOS

Saroyan's 'Tavilion' to 'People' Preview Gets 4,000 Replies

William Saroyan's offer to give away tickets to see a preview of 'The Beautiful People,' at the Lyceum, N. Y., tonight (15) met with unexpected response. Stipulation was that applicants must write in their requests. More than 4,000 letters were received, about four times the capacity of the theatre. Author, now turned manager, gave orders that all who applied be sent replies and those not taken care of may be placed upon the free list after the play opens.

The play will be six previews during the week, three being paid-for parties. 'People' makes its debut next Monday (21).

Strawhat on B'way?

Reversing the usual order, summer stock may be tried on Broadway. Idea is being considered by Helen Warren, who first planned a rural outfit.

Miss Warren, who recently arrived from the Coast, also aims trying out new scripts.

N. Y. Critics, With Off Week, Plan Circle Changes

This being a bye week on Broadway in respect to new shows, several Critics Circle members are formulating proposals to be made at the annual get-together next week that would pep up the organization. Circle started as a compact group limited to drama reviewers on the dailies, but has become so elastic almost anybody can get in. Some of the charter people think it's about time they met the new members.

A change in the form of the annual best play award is deemed a good idea. Instead of a small plaque, a scroll which could be displayed in the theatre lobby may go to the winner. Another idea is to have a dinner which the public could attend, net proceeds to go to charity.

Critics are doing plenty of mulling over their choice of the season's best play and the voting will be probably more hectic than last year, when William Saroyan's 'Time of Your Life' finally won out. Then the Pulitzer committee decided the same play and the critics burned. Seems that the reviewers still have a weather eye on Saroyan, whose 'The Beautiful People' opens at the Lyceum next Monday (21). Because of that the Circle has postponed its award session until the next night.

It is not expected that there will be uniformity in considering 'Wacht on the Rhine,' newest dramatic hit (Beck), and that also applies to 'Native Son' (St. James). 'Claudia' (Booth) 'Flight to the West' and 'Arsenic and Old Lace' (Fulton) are regarded as in the running, while some critics are known to favor 'Lady in the Dark' (Alvin).

SEE B'WAY B.O. UPBEAT

Last season Holy Week was better along Broadway than Easter Week, a phenomena, but the situation now is reversed. Although Monday (14) night attendance was under expectations, advance sales indicate a comeback from the flock of new low gross marks that were registered last week. However, first dash of summer temperature that ushered in the book-offense. Monday, when the baseball season opened, it was the first time in memory that the weather was really mild for that event.

Noted by showmen, too, that the climax of Lent was not the only theatre deterrent. On the days that the Allied reverses in the Balkans were in the headlines the b.o.'s sagged further. Similar reaction came last season, when news from the war front was especially discouraging.

'The Night Before Christmas,' Morocco, was the only new show last week and it was a disappointment. No premieres this week. 'The Beautiful People,' which is the solo debut next week and indications are for sporadic arrivals during the balance of spring.

Jack Hurdle, director of the 'Kate Hopkins' radio program, has set Frank Crews to direct and play the lead in Carl Allenworth's new play, 'Village Green,' which he hopes to put into rehearsal soon.

Equity Nixes 2-a-Night Army Camp Legit Shows Unless There's Extra Pay

Wilmer & Vincent Press Shubert-Maritz's Suit

An application to examine John F. Walters, comptroller of the Shubert Theatres Corp., before trial was made yesterday (Tuesday) in N.Y. supreme court by Sidney Wilmer and Walter Vincent, who are suing the Shuberts and Select Theatres Corp. for \$25,000 damages. Plaintiffs claim failure to pay the 10% royalties allegedly due on the operettas, 'Countess Maritza.'

Wilmer & Vincent acquired the American rights to the operetta in 1925, and gave them to the Shuberts for 10% of the profits which are estimated at \$250,000. Select took over the Shubert contract in 1933.

3d 'Arsenic' Co. For Hub, Angels Get 12% Profits

A third company of 'Arsenic and Old Lace' is being considered, play being to anchor it in Boston. Hub outfit, however, will not be formed until the booking is consummated.

Lindsay and Gross previously declared that they would not play the stand if the ticket allotments were dictated by Hericke's agency there, latter agency being allegedly controlled by the Shuberts. Shows playing the Colonial, an Erlanger house, are not dominated by Hericke's, while the Repertory is an independent house, where 'Life With Father' made its run and decided to permit the agency to handle its tickets. 'Arsenic' will play either of those theatres.

First profit checks to the numerous (21) backers were sent out last week, amount disbursed being \$12,000. Highest individual remittance was around \$800, that representing a 7 1/2% interest. Also there is around \$40,000 in reserve. That surplus remains after the New York (Fulton) and Chicago productions had been paid off, and the angels were refunded their investments in entirety. It is proposed to play all the territory possible within the next 18 months, since the film version will be released in 1943 and repeat dates are contemplated.

For Chicago, where the second company opened at the Grand last week, Charles Washburn, who is agenting, avers that a bonding company sought to restrain any announcement of the advance sale because of a possible boxoffice holdup. He had, however, claimed the advance was \$30,000 and three dailies printed it, the insurance people being quite upset.

Treasurers' Benefit Ball at Hotel Clicks

For the first time the Treasurers' Club staged its annual benefit for its sick and disabled members at the Waldorf-Astoria, N. Y., Sunday (13) evening. Instead of a straight show within a theatre, there was dancing in the ballroom before and after the performance, later running about an hour and a half. Event was excellently attended, but the principal proceeds were derived from the program, in which advertising approximating \$5,500 was carried. The rest from the 'book' and the dance-show has not been figured.

Elissa Landi, Guester Kansas City, April 15

Elissa Landi, film and legit player, came in Monday (14) to begin rehearsals in 'Romance,' to be presented at the Theatre for a two-week run beginning April 28. She will have the role of the Italian opera singer in the Edward Sheldon play. Signing of Miss Landi by the theatre, which she carries out the yearly policy of having a Broadway or film name as guest star once or twice during season.

Equity turned down the proposal that concessions be granted for the number of weekly performances by proposed legit shows in army camps, a project claimed to have the backing of industrialists. Those mentioned as financing the shows are E. B. Hall, Jr., and W. R. McIntyre, with offices in the Graybar building, N. Y., with H. E. Booker, former European showman, as variety unit producer.

In a letter to the council, before which body he appeared last week, Alex Yokel, who is expected to produce 'Three Men On A Horse' for the Hall-McIntyre setup, asked for permission to play twice nightly, first performance to be at 8:30, and the other around 9:30. Although it was stated that camp commanders wanted shows twice nightly, Equity thinks otherwise. Felt that it would mean too much for the army. Ruled that the shows could go on only if the casts be paid one-eighth extra pay for all over eight performances. If the shows played 14 times as proposed, the lowest pay would be \$100 weekly, double the minimum (\$50).

Yokel later said that the ruling would not prevent the camp project from going ahead. He revised the schedule for 10 performances weekly, shows to go on twice on Saturday and Sunday, which would call for two-eighths extra, or about \$52.50 per week. First night shows are to start at 8:30, but the original plan of putting on 24 plays in the camps during the year still stands. However, vaudeville shows planned also and such shows would not come within Equity rules.

\$2,500 Budget Plan as outlined to Equity fixed the weekly budget at \$2,500, that sum to cover actors' salaries, transportation, company manager and advance sales, and to be used for living quarters. In the case of musicals, budget of the same total would cover musicians. Some doubt was expressed that the budget would cover the theatre. First report that net proceeds would go to various camp service funds was revised, it being explained that a percentage of the net would be so applied.

Council, rejecting the plan as set forth, felt that if actors played twice nightly their performances would not be satisfactory, especially because the casts would be required to journey back and forth to hotels in the towns. Claimed that the nearest towns, to some camps are from 30 to 40 miles distant. If most of the players received minimum pay, it was feared they would have little remaining after paying living expenses.

Charles Allen is talent agent for Hall-McIntyre and brought Yokel into the picture. Agents are not permitted to be interested in the matter, according to Equity's agency rules. Claimed, however, that Allen's job was to attend to getting talent for the camp shows. He is currently touring the 'All American Revue,' vaude type of musical which Book produced and which is said to have grossed \$1,000 nightly at Camp Meade last week.

Guarantors Assure I.A. Season of Light Opera

Los Angeles, April 15. Four sponsors of the Los Angeles Civic Light Opera association have pledged \$5,000 apiece to underwrite any losses for the 1941 season at the Philharmonic Auditorium. Company has decided to limit the red last year and \$12,000 the year before.

Season opens May 19 with a light opera still to be selected. Windup of the schedule will be 'Cabin in the Sky,' to be brought from the east into.

BEERS QUILTS BATCHELOR Nate Beers has resigned from the Walter Batchelor agency, N. Y., for which he has been handling legit casting for the last two years. He has tentative production plans for the immediate future.

Public-Financed Concerts Called Good For Morale; Spurn Economy Appeals

An Actress' Lament

By CAROLINE BEECH

Simple Simon met a pizman
Why can't I meet Dwight Deere
Wiman?

I'd be beholden
To John Golden.

I'd be a killer-diller
For Mr. Gilbert Miller.

I'd set 'em howling
For Eddie Dowling.

I'd clown tuntily
For Marc Connelly.

My atumps I'd stir
For Courtney Buri.

To the very pernt of Berlin!
I would work for Oscar Serlin.

I'd pray to the heavens.
To meet Maurice Evans.

Would I be cunning
For Philip Dunning?

I'd put my talents on the line
If I could work for Hammerstein.

I could be so nice
For Elmer Rice.

The Shubert Brothers
Are there any others?

My performances would be silky
If I could work for Stanley Kiley.

I'd drink Sheffield or Borden
To act for Max Gordon.

I'd be the rage
For Crosby Gayle.

We'd all be Heds.
For Norman Bel Geddes.

Oh, Laurence Schwab
Give me a job!

Oh Mr. Hart
Give me a part!

I would rush like Old Niagara
To work for Alfréd de Liagre.

For Arthur Hopkins.
I'd be the tophkins.

I'd place my bets
On E. Ray Goetz.

As hard as ever I am able
I would work for Martin Gabel.

How I'd emote
For Edward Choate.

My talents I've offered
To Cheryl Crawford.

Peak of desires
Aldrich and Myers.

I'm not so dumb
Where's Gustav Blum?

With ardor I'm filled
For the Theatre Guild.

I'd ingenuously
For Vincent Freedy.

In my technique there'd be no
fumbkin'

If I could work for Herman Shumlin.

I'd play a gamon or a lady
In any play of William Brady.

As 'say as old pre-Nazi Paris
I could act for Sam H. Harris.

To fight for Otto Preminger
I'd even carry a dremmer.

What a lovely habit
To act for George Abbott.

And I'm not kiddin'.

No Howard Award

Among the several annual awards in this country, the late Howard Award by his colleagues in the Playwrights Co. prize being \$1,500 to a new American playwright. However, it was announced this week that they were unable to agree on an outstanding writer, so the money will be turned over to the Authors' League fund for needy young playwrights. Award is designed not in recognition of the best play of the season, but to encourage fresh talent. Last year, first for the award, Robert Ardrey was the recipient for his "Thunder Bolt," which failed here but was highly regarded in London.

Engagements

Wesley Addy, Art Smith, Arlene Francis, Robert B. Harris, Alexander Francis, William Nunn, Varys Knox, Flora Campbell, Kathryn Glynn, Clay Clement, Jerome Thor, "The Last Round."

Shows in Rehearsal

'Women Aren't Angels'—Lee Ephraim.

'The Happy Days'—Raphael Hakim.

'The Beautiful People'—William Saroyan.

'The Last Round'—Theatre Guild.

'Rose Marie' (road)—Shuberts.

'Steps Leading Up'—Experimental.

'Not In Our Stars'—Experimental.

Dubinsky Predicts New 'Pins' for B'way; Asks Walker to Write Sketch

A new "Pins and Needles" will be among the autumn Broadway shows, according to plans of Labor Stage, sponsored by the International Ladies Garment Workers Union. Litter is quite proud of the record played up by the unionist revue, which has won a uniformly favorable press in New York and on tour. David Dubinsky, head of ILGWU so implicated at a luncheon tendered the "Pins" company at the Astor hotel, N.Y. Thursday (10). Dubinsky complimented the outfit, though he said the boxoffice could have been better. Dubinsky jovially chatted with the talent from the bank and suit industry and asked the girls whether they would prefer going back to their sewing machines, the answer being a lusty "no." Jimmy Walker, impartial arbiter of the industry, was a guest, Dubinsky suggesting that he write one of the numbers for next season's "Pins." Walker laughed when Dubinsky intimated that not too many of his decisions favored the union. Former mayor said that because vaude and other talent sources had disappeared, he expected that Labor Stage would supply actors in the future. Walker concluded by saying he had to return to his job as buttonhole referee. Louis Schaffer, executive director of Labor Stage, arranged the get-together and named Dubinsky to act as chairman.

"Pins" laid off last week after scoring a goodly run in Chicago. Revue is again on tour, having reopened Monday (14) and will again play the Coast during summer. Repeat date in Hollywood was booked because so many interpolations have been made to the revue that it is virtually a new show compared to that seen there last season. Same goes for other dates.

TMA'S TAP BURNS UP EXPERIMENTAL THEATRE

Experimental Theatre, which started last week with "The Trojan Women," at the Cort N. Y., playing a special matinee early last week and repeated Sunday (13), night as a benefit for the Stage Relief Fund, ran into more expense items than anticipated. Theatrical Managers & Agents union ruled that the ET shows must have company managers and press agents. Because it is a "profit" venture, "Experimentals" people burned over the TMA demand.

It was claimed that when the TMA office was queried about the matter previously, ET was assured that company heads would not be required. Officers of the union said that no one with authority had made such a statement. ET, however, was rated in a special classification and it was agreed that one press agent could handle its three shows at \$75 per week. Company managers are payable on a per-day basis, receiving \$15 for each experimental performance.

"Women" goes on Sunday (20) supposedly for the third and last time, in aid of the Actors Fund. "Steps Leading Up," second experimental play, will be seen Friday afternoon (19) at the Cort, while the third play, "Not In Our Stars," is slated for the Biltmore the afternoon of April 25. Both the latter are to be for one time.

Inside Stuff—Legit

Charles G. Stewart, general manager for Laurence Rivers, Inc. (Rowland Stebbins), which is currently inactive, is taking boys on an 800-word letter which he wrote to the N.Y. Times, detailing why \$1 theatre is a virtual impossibility on Broadway. It was a reply to a story by Elmer Rice, which previously appeared in the Times, the author-manager several times espousing the idea of pop price admissions. It happened that Rice's yarn appeared about the time when "Flight to the West," after not doing well at \$3.50, changed hands, and is being played at the Royale, N. Y., at \$1.10 top, those now interested saying the showing is not for profit.

Stewart signed the latter with his middle name Giles spelled out and some and Broadway didn't know it was the same fellow. However, he received a number of managerial responses. One thing he pointed out was the number of shows in which authors are financially interested in other than royalties.

Russell Crouse, in Chicago last week for the opening of his "Arsenic and Old Lace" road company engagement at the Grand theatre there, played a bit part of one of the convicts in "Time Man Who Came to Dinner" for the opening performance at the Erlanger. He did it as a gag, at the urging of Alexander Woolcott, star of the show. According to Crouse, it was the finest stage portrayal thus far in his distinguished acting career.

Playwright-producer's last previous stage appearance was about a year ago, when he went on in a bit part of "Time Man Who Came to Dinner" as "Father," at the Empire, N.Y. His only regular acting stint was some years ago in "Gentlemen of the Press." He and Howard Lindsay are co-authors of "Father" and co-producers of "Arsenic." In addition, Lindsay plays the lead in the Broadway company of "Father."

Programs for "Native Son," at the St. James, N. Y., are not distributed until after the performance, because producer-director Oscar Welles wanted to forestall the lighting of matches by audiences trying to follow the play's 10 scenes. Drama is played without intermission and most of its scenes end in blackouts, with the house and spotlights dimmed during and between scenes. Programs were distributed at the first preview and a number of spectators lit matches during the brief intervals between scenes, causing Welles to take a serious accident might result. At subsequent previews and all regular performances since then the programs have been withheld until after the show.

First community theatre production of "Green Pastures" at Pittsburgh Playhouse was forced to insert one white actor (in blackface) in the cast last week when the extra performer, beyond regular three-week run, was severely injured in an auto accident, and had to be rushed to a hospital. Replacement was John Johns, local actor who had been serving as show's stage manager.

Pitt Playhouse's experience has been widely praised and date was extended to include extra performances beyond regular three-week run. It sent a glowing account of local "Pastures" all over the country for general release last Thursday afternoon (10).

Item that the Theatrical Managers and Agents union intended to strike against the Palmer Park theatre, Detroit, and the Midwest chain, was stated to be an error by TMA. Latter office states that it does not operate outside of New York.

Houses involved are picture theatres. There is a union of such front-of-the-house employees in Michigan, confined to that state. Such organizations have so-called federal charters.

Planned road company of "Claudia," which is playing at the Booth, N. Y., may be set back until fall, although Rose Franken, who wrote and staged the comedy, previously interviewed a number of actresses with the idea of selecting one for the name part out of town.

A Coast company is contemplated for late spring, but whether the cast will be engaged out there or in New York has not been decided.

George Jean Nathan was chided by fellow-critic John Anderson for omitting "Plough" and the "Star" from an anthology of "Five Great Irish Plays," which Nathan edited for Random House. "Juno and the Paycock" was included instead, but this pick was really Random House president Bennett Cerf's and not Nathan's. Latter, in fact, favored "Plough" for the book, but was overruled by the publisher.

EQUITY COULDN'T STOP ACTOR'S 'PEACE' TALK TMA SESSION STORMY ON TREASURY SURPLUS

When an actor makes a gratuitous address outside the theatre it is not a violation of the exclusive service clause, which is under fire and which a representative group within Equity won't delete from standard contracts. Instance arose in Chicago last week, when a player in "Life With Father" (Blackstone) proposed making a speech at a "America First" meeting. Harry Kline, company manager, claimed the actor, C. D. Whitehead, should have asked permission and complained to Frank Dare, Equity officer there. Dare complained against the Equity headquarters in New York and the ruling was made.

Matter attracted the attention of the Chicago Tribune, which protested against interference by the management. Daily was interested because of its isolationist policy and contacted Oscar Serlin by telephone. Manager stated he had no objection to extraneous activities of the actor, though he may not agree with the viewpoint expressed. Equity stated that while it could not prevent an actor making speeches outside the theatre, any action by a member that might affect the popularity of a show was decreed.

Tribune appears to have been the only Chicago paper that touched on the incident. Because of its policy the Trib gave scant if any publicity to "Three Shall Be No Night" when the Lums appeared in the Robert E. Shaw theatre there. A review of the play was carried, but the opinion was none too favorable and different from reviews in the other dailies.

Saul Abraham, president; Louis F. Werba, secretary-treasurer; and Joseph Grossman, business agent, were nominated for re-election. Harry Kline, v.p., and Charles Mulligan, business agent, were also named. All will be voted in unless opposition suddenly arises. Election is dated for June 9 at the Claridge hotel.

Flippen, Felton Sub In 'Hellz' for O. & J., En Route to Pic Chore

Jay C. Flippen and Happy Felton will replace Olsen and Johnson when the latter leave "Hellzapoppin." Winter Gurneen, N. Y., next week will make a film which will carry the revue's title. Felton took over for Johnson on Sunday (13), while Flippen went in for Olsen Monday.

Plans call for playing "Hellz" at the Garden through the summer, show being booked to tour with Flippen and Felton in the fall. Road show with Eddie Garr and Billy House, which has been topped by the cast by a wide margin, is slated to stay on the road indefinitely, too.

Olsen and Johnson expect to return to N. Y. in July for "Crazy House" due on Broadway in the fall with Carmen Miranda.

Apopptn at U in June

Hollywood, April 15.—H. C. Potter gets the directing job on Mayfair's film version of "Hellzapoppin," slated for an early June start at Universal.

Olsen and Johnson are leaving the stage show next Monday (21) for a vacation before reporting for work at the studio.

One Long Laugh For Summering Pasadenans

Pasadena, April 15.—The seventh annual midsummer celebration of Pasadena Community Playhouse, June 23 to Aug. 16, Program is labeled a Festival of Modern American Comedy and consists of eight plays, written originally by George S. Kaufman, Ed Gerber, Moss Hart and Marc Connelly.

Plays are "The Beggar On Horseback," June 23-28; "George Washington Slept Here," June 30-July 5; "Dinner at Eight," July 7-12; "Milk and Honey," July 14-19; "A Coast Time," July 21-26; "You Can't Take It With You," July 28-Aug. 2; "The Royal Family," Aug. 4-9; and "The Men Who Came to Dinner," Aug. 11-16.

Literati

This Is London

Edward R. Murrow, chief of CBS European staff and author of the recently published "This Is London," in a transatlantic foray in London, writing in "Men and Books," conducted by John T. Frederick and originating in the network's Chicago studios, reported that books about London being able to "take it" having no material, while the others are designed for American consumption, Murrow stated. "One such book, by an Englishman, did sell, but that quenched Londoners' thirst, according to Murrow."

Among the highlights of Murrow's terse but comprehensive picture of the literary situation in present-day England were declarations that a chapter titled "Digging for Mrs. Miller" in John Strachey's "Post R" is "probably the best thing produced in this war"; pamphlets are "an astonishing development in literature" of this war; that British "chief tactics are for 'escape' literature and for a reading or rereading of the classics; a London publishing house has not sold a copy of Hitler's "Mein Kampf" in months; books on military history and tactics are in demand, as are "popular" ones on religion; poetry is not in great demand, and there is little time for philosophical writing. In speaking of the young English writers, Murrow said many of them are in service, and those who have gone to America to continue their authoring had produced little of importance (the sounded sarcastic or contemptuous of latter group).

Chileans See U. S.

Seven Chilean newspapermen brought to the United States two months ago to work on sheets here wound up that phase of their visit last weekend and set off on a tour of the country. They will be gone until May 6, when they arrive in New York prior to return to South America.

They will visit 27 cities on the trip, including Detroit, Chicago, St. Louis, Kansas City, Denver, Spokane, Seattle, San Francisco, Los Angeles, San Antonio, New Orleans, Atlanta, Richmond and Washington. They're being conducted by Edward C. Johnston, v.p. of Western Newspaper Union and Director of Publishers' Reciprocal Program, sponsors of the U. S. visit.

Court Steps B. A. Publisher

Criminal Court in Buenos Aires has condemned Julius J. Rugerini, publisher of the Buenos Aires Herald, largest English-language newspaper in South America, for contempt of court in refusing to appear in court to answer charges of the justice. Publisher had been writing for a columnist when he wrote of the imprisonment of an Englishman held 32 months on an insurance fraud charge before being released as completely innocent. Counsel for Rugerini asked for nuncup which was denied. Because of publisher's stalling, sentence of one year does not have to be served but is added to any future term. Defendant immediately appealed to the upper court.

Texas Journalism Day

Corwin Riddell, WOAI, San Antonio, newscaster, will be one of seven speakers on discussion panels of Journalism Day, to be held at the University of Texas on April 24.

Other speakers: H. R. Knickerbocker, Felix D. McNight, sports writer; Holland McCombs, "Time" Inc.; Harold Hough, of Fort Worth Star Telegram; James E. Crown, of New Orleans; Houston Hart, San Angelo publisher; and Franz Zeiske, Belleville newspaper editor.

B. H. Newman's Deferment

R. H. Newman, whose novel, "Far From Home," was published about a month ago, has been given a deferment of 90 days by his draft board in Massachusetts to complete work on a second book.

Newman returned to the United States about six months ago from Finland and France, where he served as an ambulance driver. Both novels use his experiences in the European war as background.

News Photos As 'Artists'

Pennsylvania Academy of Fine Arts, Philadelphia, the oldest fine arts museum in America, is currently showing a collection of news photographs of Martin J. Hyman, a news photographer of the Philadelphia Record. It's understood to be the first time a major art museum has thus recognized the work of a newspaper photographer.

LITERATI OBITS

Marcel Prevost, 78, French novelist and playwright who wrote almost exclusively of women, died April 15 at his home near Cannes, France.

Mrs. Mildred W. Farwell, retired newspaperwoman who covered the Balkan campaigns of World War I for the Chicago Tribune, died of an attack April 9 at a New York hotel.

James L. Burnham, 69, retired telegraph editor of the Biddeford (Me.) Journal, died April 9 after a long illness in Saco, Me.

Edward J. Glode, 73, long a New York book publisher and at one time associated with Brentano's, died April 11 in Williamsville, N. Y.

Walter J. Duncan, 60, book and to such magazines. Scribner's and McClure's, died in the Columbus Hospital, N. Y., April 11 after he was taken ill at his studio the previous Saturday.

George F. Deaver, 68, former sports writer for the Milwaukee Sentinel and the Milwaukee Journal, died April 13 in Madison, Wis. For the past 10 years he had been director of sports publicity at the University of Wisconsin.

Fred H. Crook, 64, who retired as managing editor of the Cortland (N. Y.) Standard last year due to a stroke, died April 12 in that city.

Negley D. Cochran, 70, former editor of the defunct Toledo (O.) News-Bea, a long member of the Scripps-Howard editorial board, died April 13 in Toledo after a long illness, survived by three sons and two daughters.

Henry O. Taylor, 64, author, historian and philosopher who last November succeeded to the chair of the late Stephen Dowling in the American Academy of Arts and Letters, died of pneumonia April 13 at his home in New York.

CHAPTER

Michael Wilson finished his first novel, "Beggars in Velvet," for publication by Lippincott.

Mary Barnsey Hale joined the Associated Press staff in Los Angeles as a writer on fashions and femme features.

Glamour Magazine has dropped its old method of printing ratings and reviews of motion pictures before they are completed.

"Court of Missing Heirs," Ironized Yeast program aired over CBS, will appear in book form late in the year, according to the author, producer and director of the radio show, is completing the book.

Walker Joyces MacFarland, Raleigh, N. C., bureau manager of the Raleigh News-Sun since 1929, has been transferred to the Washington, D. C. bureau. He is succeeded by Frank Silreath who had been MacFarland's night editor for five years, at Raleigh.

Clarence Buddington Kelland has turned in to Satepsop an untitled serial with a trucking background. Film interest in it.

Jerome O'Leary, who authored "Each Dawn I Die," has completed a new novel, "One I Saw the Sun."

Hearst - 'Kane'

Continued from page 3

doing and not the Legion's. Lett's principal objection, he stated, was to Columbia and it dated back to the network's giving time to Communist leader, Earl Browder for a broadcast some time ago.

Free Company came in for the Legion's whipping. Hunter explained, because "some of its members belong to the Legion, and the company was being approved by the Daily Worker." He said the Legion has veterans in hospitals constantly reading the Worker. New York Communist, date to withdraw, and trends and spot names of people and groups condoned by the sheet. Its endorsement is apparently the kiss of death as far as the Legion is concerned. Among Legionnaires' comments quoted in the "J-A" was: The name Free Company itself sounds suspiciously Communist.

J-A's me. told VARIETY that the squawks from the Legion were coming in in such a flood that he was queried on how come they started so suddenly and why was it no other papers carried them, he didn't know what was happening outside.

Hearst came in against Wells' results from Chicago film which the publisher is said to allege too

closely follows the story of his own life. Anti-Wells' beefs from the Legion started on the Coast and were picked up by other Hearst papers, which stirred up local A. L. groups on the Free Company broadcasts.

'Kane' at Palace, N. Y.

RKO has abandoned the idea of a dual preem for 'Kane' in New York and will open the picture on May 1 on within a few days of the date the Palace on Broadway. It may be a roadshow engagement, two-day and reserved seats at a probable top of \$2.20.

The original intention of opening the picture simultaneously in two theatres, one two-day and the other continuous, will be carried out in other cities. Difficulty of getting a satisfactory house as a running route to the Palace resulted in the nix on the plan in New York. Dual-theatre openings in Chicago and Los Angeles will take place shortly after the Broadway debut.

Wells' Suspicion

Hollywood, April 14. Orson Welles has told Hollywood pals that 'mystified others' have been made to 'invent' the private life of his first film production, 'Citizen Kane.' Welles was accused of invading the private rights of a newspaper publisher. Now he discloses that his draft board has been solicited by journalists, male and female, to learn the secrets of his past life, his telephone number and other of his personal affairs.

Meanwhile the Los Angeles Examiner is running a page story Sunday (13) denouncing the Welles radio program, called The Free Company, as tending to encourage Communism.

'Citizen Kane' premieres at El Capitan, Hollywood legist, May 8 at \$2.20 top. After opening picture plays day and night with Hillstreet, downtown, and day and night at 7c matinees and \$1.85 nights.

Film 'Wrongs'

Continued from page 1

are still rehearsing plays and stories instead of creating for the screen. When the conflictual comment from SAG's includes pictures this year seem to be getting down to matter and telling about things that matter; writing has become more actual in the past few years. The pictures are improving from story standpoint; our pictures lack overtones and thoughtfulness of many foreign-made pictures; too many pictures are too long; Little cars in points of plant, good taste; too much standardization; too many 'typical' films; pretty shoddy violence; some of the much footage devoted to 'amateur' personality; too many stories made to fit personality of contract stars; American films have been directed below intelligence of American boxoffice; double features are like extra pair pants with cut-rate suit.

'Du Barry'

Continued from page 4

shows from playing here in the future.

Lettier 'Criticized'

Lettier was criticized in local show circles because he turned the heat on another theatre, the stockbroker Alvin. Showmen here asserted it wasn't cricket for him to try to harm other theatre men when it was too late to do himself or his show any good. They pointed out, too, that he showed the public hearing he didn't mention anything about burlesque.

Helen M. Lynch, of the Minneapolis Deansy of Catholic Youth Council, said that the successful fight against 'Du Barry' both Paul and Minneapolis. At the hearing here she had approximately 300 women and a few men present from various churches.

Miss Lynch quoted from a George Jean Nathan review that the show was 'lush, lavish, lewd' and 'frankly and brazenly vulgar.'

'Business agents of the stage employees, musicians and other unions argued that the show be permitted. The mayor suggested that Lettier get together with those protesting against the show and try to eliminate the things regarded as objectionable.

'I'll furnish the mayor a script of the play, but I'll not meet with the women; Lettier said, referring to the women representing the various organizations.

'It wouldn't do any good anyway,' declared Miss Lynch. 'The show's entire theme is objectionable.'

Plays Out of Town

Continued from page 31

THEATRE

tragedy. Only minor changes and a general tightening up are necessary to prepare 'The Boy' for the Broadway stage. However, it is the type of play that likely will be an immediate success or sudden flop. It will depend on whether Broadway audiences are ready for another backstage play. The original cast, mostly the role of Julia Lambert, London stage idol who can't stop acting offstage, dominates the proceedings. She exerts a striking effect on the glamorous stage queen although in some parts she exercises undue restraint. Since there is never any audience doubt as to the outcome of the play, an unusual ending is used. From a bare stage, signalling the end of 'The Boy,' Skinner exits through the audience as the curtain descends.

The story reveals the hell-hole of a stage star and the troubles which arise when she makes love to a youth in order to see if her 'boy' is 'for real.' She loses her husband and 17-year-old son in the process, resorting to more offstage acting to bring her life back to normal.

The cast is well-balanced. Arthur Margeson, as the husband, and Viola Rosche, as the maid, replacing Florence Edgerly, makes the most of her comedy lines. Especially in the third act, Reginald Mason gives another solid characterization as the actress' friend. Carl Schenck, as the object of Miss Skinner's professional affections, played unevenly at the opening.

Colorful scenes are handled by Frederick Bradlee, as the son; Margaret Bannerman, the other woman; Ralph Hunter, Carl Morville and Ralph Wetmore. Stanley Harrison, as the traditional stageowner man, handles his brief scene in the third act. He especially in the scene when he fires the star with new ambition.

Colorful settings are provided by Donald Censler and Robert Miln directed with an eye to maximum theatrical effect. Golden Gate not expect to bring the production into New York until fall. Klepper.

Treat Her Gently

Comedy by George Houston, April 14. Presented by Harold J. Kennedy, Jun Adkins and Maxell and the cast of the play at Music Hall, Houston, April 14, 41, 83-80.

Cost features Ruth Chatterton and Richard Dix. Monty Stone, Elaine Ellis, Forke, Alice John, Mortimer Weldon.

For a first play, 'Treat Her Gently,' starring Ruth Chatterton, is a notable effort by George Douglas, a notable effort by George Douglas, turned-up playwright. But the author's lack of experience in this matter is obvious, especially in the third act where the play has limited commercial possibilities.

Dialog is refreshing, but topical references to the administration, Eleanor Roosevelt and debutantes singing at the Versailles, New York nitery, rather limit their timeliness. The play is essentially bedroom farce, it also touches on capital and labor on the order of 'The Philadelphia Story.'

Play has been well-staged, moves speedily and has some suspense, particularly in the second act, which is well-developed.

Miss Chatterton, who has staged and designed the single act, is excellent. Her character is a bit of a reviewer who falls for a young radical writer, but returns to the publisher later. Her partner, the writer from her, Barry Thomson is suave and convincing as the publisher, while Hayden Rorke, particularly impressive as the writer, though he does as well as the somewhat limited script allows. Elaine Ellis is excellent as the publisher's wife.

Boxoffice support in Houston was very poor, due to the seasonal lull and the poor advance publicity.

Stockard.

Name Concert Dates

(April 16-23)

Josef Hofmann—Opera House, San Francisco (22).

James Melton—Clivic aud., Pasadena, Calif. (16); Kingsbury hall, St. Louis (22).

Grace Moore—Palacio de Bellas Artes, Mexico City (18, 21).

Lily Pons—Clivic Opera house, Chicago (16); Ryman aud., Nashville (22).

Paul Robeson—Bryn Mawr college, Bryn Mawr, Pa. (18).

Albert Spalding—Howard Payne college, Brownwood, Texas (21); Union aud., Greenville, Texas (22); Union aud., Dallas (23).

Glady's Swarthout—(Joint recital with Frank Chapman) St. Louis Athletic club, St. Louis (18).

Lawrence Tibbett—Public aud., Cleveland (19); Memorial hall, Indianapolis (21); Aud. New Orleans (23).

Current Road Shows

(April 16-26)

'Arsenic and Old Lace' (Erich von Stroheim, Laura Hope Crews)—Grand, Chicago (16-26).

'Blossom Time' (Everett Marshall, George Ballingale) (16-19); Metropolitan, Providence (21-24); Worcester, Mass. (22); Court Square, Springfield, Mass. (23); Bushnell aud., Hartford, Conn. (24); Shubert, New Haven (25-26).

'The Boy and Girl Together' (Ed Wynn)—Selwyn, Chicago (16-26).

'Cabin in the Sky' (Ethel Waters)—Nixon, Pittsburgh (16-19); Hartman, Columbus, O. (21-23); English, Indianapolis (24-26).

'Du Barry Was a Lady' (Bert Lahr)—DeWitt, Milwaukee (16-19); Park, Youngstown, O. (21); Colonial, Akron, O. (22); Taft aud., Cincinnati (23-26).

'Gas Light'—Playhouse, Hollywood (16-19).

'Hallelujah'—American, St. Louis (16-19); Music Hall, Kansas City, Mo. (20-24); Orpheum, Sioux City (25); Coliseum, Sioux Falls, S. D. (26).

'Hope for a Harvest' (Freddie March, Florence Edgerly)—Colonial, Boston (16-19); National, Washington (21-26).

'Life With Father' (Lillian Gish)—Blackstone, Chicago (16-26).

'Life With Father' (Dorothy Gish)—Walnut, Philadelphia (16-26).

'Man Who Came to Dinner' (Alexander D'Amico)—Erlanger, Chicago (16-26).

'My Sister Ellen'—Harris, Chicago (16-26).

'Pins and Needles'—English, Indianapolis (16); Hartman, Columbus (17-19); Cox, Cincinnati (20-22); Men aud., Louisville (23); Park, Vincennes, Ind. (24); Hipp, Terre Haute (25); Coliseum, Evansville, Ind. (26).

'Rose Marie'—Mason Opera house, Los Angeles (16-19).

'San Carlo Opera'—Aud. Chicago (16-20); Elks, Milwaukee (21-22); Indiana aud., Bloomington, Ind. (23-24); Syria-Mosque, Pittsburgh (23-26).

'See My Lawyer'—Studebaker, Chicago (16-26).

'Student Prince'—Cox, Cincinnati (16-19); Cox, Detroit (20-26).

'Theatre' (Cornelia Otis Skinner)—National, Washington (16-19); Ford's, Baltimore (21-26).

'There Shall Be No Night' (Alfred Lunt, Lynn Fontanne)—Forrest, Philadelphia (16-26).

'Time to Your Life' (Eddie Dowling)—Blumore, Los Angeles (16-20).

'Tobacco Road' (John Barlow)—Plymouth, Boston (16-20).

'Treat Her Gently' (Ruth Chatterton)—Lanier aud., Montgomery, Ala. (17); Temple, Birmingham (18); Men aud., Louisville (23); Park, Atlanta (21-23); Bijou, Knoxville, Tenn. (23); Bijou, Chattanooga, Tenn. (24); Ryman aud., Nashville (25); Men aud., Louisville (26).

'Twelfth Night' (Eileen Herlihy, Maurice Evans)—Cass, Detroit (16-19); American, St. Louis (21-26).

Defense Ups Vaude

Continued from page 4

Michigan, swung the Vogue, one of its bigger names into stage shows. It even sent out its downtown band leader from the Michigan, Phil Brestoff, to head the house's small combo. The house has been providing the acts and double features. Riviera, another of the same chain, is testing its neighborhood with stage shows on Saturday, and several of the more independent acts have been taking samples of reaction by using a few acts.

Defence Court Hypothes A. C.

Atlantic City, April 15.

Atlantic City's Easter holiday weekend was one of the biggest in history of this resort, and that includes mid-summer, high tide, weekends. Beachfront and side avenue hotels were packed to capacity and official figures gave crowd as 500,000. Coast spent freely.

Night clubs did not close during entire weekend and people waited in crowds outside of every restaurant to be served. A crowd estimated at 75,000 packed the Steel Pier, where the mayor's party, and John Bode appeared.

Hotelmen, amusement operators and businessmen say it presages that kind of summer season. Real reason, most likely comes from prospering nightlife on the Atlantic City employment in nearby cities.

Broadway

Claudette Colbert expected in a week. Ray Milland goes Coastward Friday (18).
 Bette Davis left Friday (11) for the Coast. (M-G.)
 The Alec Moss are momentarily expected.

Mr. Jack McInerney in hospital following a tonsilectomy.
 Frank Norris, time mag me, back from Mexico City Friday.
 Mary Ann company home offices closed early Good Friday.
 Bill Norrie's wife, Sid, to Polytechnic for minor operation.

Eis Beyer, formerly with 'Streets of Paris', now warbling at the Park Central.
 Metro scenarist Richard Maibaum east to take a fortnight's vision of the show.

Walter Cohen, Canadian district sales manager for Warners, in town for a few powwows.
 Eddie, called in \$250 per for benefit of Greek War Relief Monday afternoon (14) at the Stork.

Eddie's "Broadway Theatre" transfer, Dixie French replacing as 'Clairville' company manager.

Arthur Mayer and his son, Pete, with the "Broadway Theatre" on the Coast, planned in Saturday (12).
 Ruth Howard, daughter of comedian Tom Howard, in "Broadway Haven, as Your Radio Hostess."

Hollywood agent Hal Swanson in New York for a week of meetings with eastern affiliates and authors.
 Donald Kirkley, drama critic of the Baltimore Sun (morning), is about to catch on Broadway.

Will Morrissey squawking about rheumatism, claiming he was okay until climbing a radio studio in New York.
 Charlie Reagen, assistant general sales manager for Par, returned Monday (14) from vacation in Arizona.

W. P. Montague, Paramount newsreel assignment editor, back from tour around principal U. S. army posts.
 Eddie Saunders, Metro's western sales manager, at his Bronxville home.

M. Richey, Metro's exhibition manager, back to the office after being hospitalized with a kidney attack.
 M. Dinehart, Jr., who recently joined the Army, has been transferred to the intelligence corps at Ft. Jay, N. Y.

Henry G. Fargel, Astor hotel publicity director, succeeds Fred Bright as executive secretary of the Broad-Liaison Committee.

William Melniker, in charge of foreign theatre operations for Metro, will leave for a rest cure on Mexico's advice.
 Montague Gorthorpe, controller of Par theatres, and his wife, Irene, for a vacay in the south. Destination a secret.

Paul Misch, theatrical cleaner and dyer, who's been a Broadway figure for some 40 years, has recovered from a minor eye operation.
 Jerry Kayser, Warner Bros' foreign publicity-ad man, suffering from second attack of flu which still is keeping him home in bed.

John J. Blum, former "Doddie Seidelman", back by boat from U.S. Latin-American convention in Panama, Sunday (14).

Gordon Douglas, who recently completed direction of Hal Roach's "Broadway Limited", in New York Monday (14) for a vacay in the south.

Monte Prosser throwing an out-of-the-party at his Copacabana next week to celebrate his 40th birthday. He has some \$50,000 of the original investment.

Adrienne Ames, currently in New York rehearsing for new radio serial, will make personal appearance in Worcester, Mass., Friday night at British war relief benefit.

James Cagney due east shortly to holiday with George M. Cohan, whom he's portraying in "Doddie Dandy", and will also vacation at his place at Martha's Vineyard.

Roy Gable, Warner Bros. director, will have a modern abstraction called "Vacuity" on exhibition at the American and British Art Center for two weeks. Proceeds of show go to British War Relief.

Dick Dorso, William Morris bond department, brother of show go to old baby daughter in from the Coast on the TWA Stratoliner Friday (11). Infant was accompanied by Mrs. Dorso and sister aged 5.

South Africa

By H. Hanson

Show business up and down the big towns. Despite U-bomb sinkings, pictures coming through regularly.

Otto W. Bolle, South African director for 20th-Fox, says he has returned from U. S.

"Wuthering Heights" (UA) did big boxoffice at Odeon, S. A. Cape Town. S. A. drew big approval.

Mrs. I. W. Schlesinger (wife of the theatre owner) and son John, have sailed for the U. S. to enter Harvard University.

W. E. Van Beveren, who acted as South African director for 20th-Fox during Otto Bolle's absence in New York, is returning to the States with Mrs. Van Beveren.

African. Consolidated Theatres

Lunch Hour Newsreels shown, in aid of So. African Gifts and Comforts fund, for soldiers, reached 2,860 pounds at this writing.

A few days after the news received here that James Stewart had been called to the Academy award, films played at Cape Town cinemas. Plaza showed "The Philadelphia Story" (M-G.) and "Ambush". No Time for Comedy (WB). Stewart is popular here.

Minneapolis

By Les Rees

'Pines and Needles' cancelled out of Douglas, up from Chicago to play polymery's show.

Earl Pomeroy, Tribune drama critic in hospital with arthritis. Bert Lahr to Mayo clinic, Rochester, Minn., for health check-up.

Russell Egner, 20th-Fox salesman, over pneumonia and resuming duties. Russell Egner, RKO salesman, fully recovered from illness and back on job.

Al Charon spending \$35,000 to modernize Metro, Independent nabe. Charlie Lohr, new RKO salesman, replacing Eddie Gruenberg, transferred to Des Moines.

William Blum here for Walt Disney during Minnesota theatre "Fantasia".

Clifford Mollison, comedy trio, on to California to visit ill father after stop here for policemen's show.

Peck Comersal and Bernie Kreiser, Universal district and short subjects sales managers, respectively, here to address sales meeting.

Chicago

'Pat Casey ducked between John Balaban has gone to the Coast for a visit.

Carl Carroll was in to catch a couple of "Broadway" shows.

Irving Yergin, the Edgewater hop for check-up.

Tom Gorman has doffed 12 pounds in two weeks on reduction plan.

Arthur Will spending a week to learn screen-test possibilities for RKO studios.

Miles Ingalls visiting for some big buddies and then to Cincy on way back to N. Y.

Joe Glaser in for an o.o. of three of his hands now playing town, Les Brown, Glenn Gray and Lionel Hampton.

Alexander Woolcott's "Man Who Came to Stay" (UA) closed Wednesday (9) due reportedly to star's illness.

Fe(t)chit

Continued from page 1

I made a false report of the fact that I had appeared at the police station to avoid a threat, that had the appearance of a scandal which was falsely reported in order to hurt the residents of the theatre.

I was playing. This report appeared in your paper which made it become a universal sam on me personally, so while you kindly help me to correct this error as it is interfering and causing cancellation in my bookings, etc., because as late as Saturday the 12th Jimmy Fidler reported same in his column and I had been in New York from Detroit after breaking house records there during Holy Week and opening Easter Monday at the Oasis Club, Buffalo.

On the 13th of March I am leaving after the Easter Parade which I am here to attend.

I will continue making personal appearances until June 15 when I am leaving for California to complete long-term agreement being negotiated with my California attorney, George F. Wasson, Realty Bldg., Los Angeles, who now generally represents me exclusively for pictures and radio. P. J. Karalis and Roy Secret, Princess Theatre Bldg., is now handling my personal tours in connection with "Pete Lorne, Insurance Bldg., Detroit, Mich.

N.B.—I have just discovered the cause of the little troubles I have been experiencing and manager and residents have heard attached to me, after all these years I have just discovered that I have been inborine with a 13-letter name STEPHIN FECHTIT (13 letters).

So I am adjusting same by deducting the T out of the Felchit which will stop the labr'their is in a 13-letter name and make every thing hereafter correct.

For everyone STEPHIN FECHTIT (12 letters).

Thanking you for your help on same.

I remain yours truly now, Stepin Fechtit.

London

Reginald Foote's wife is divorcing him.

Arthur Jarrait has returned from America.

Oscar Deutsch taking the cure at Drolitwh.

Al Burnett, at this writing, is back to be a father shortly.

Rialto Film Production dicker for Movita on one-picture deal.

Vic Marlow (Medlock and Marlow) has been given eight months exemption from military service.

The 'Phoebe Foster' ambulance paid for by U. S. performers who have appeared here, has arrived.

Warner Bros. (London) next picture in production this month, is also Paris during the German invasion.

Clifford Mollison has received word from his brother, Henry, that he is a prisoner of war in occupied France.

Herbert Mason is to direct "Eugene O'Neill" for Darryl F. Zanuck's production of "A Yank in the Royal Air Force."

Eric Maschwitz raised from captain to major, Rie's Deputy Assistant of Army Warfare, supervising concert parties and dance band music for the Home Front.

Oscar Deutsch has sent another \$40,000 as contribution to the welfare funds of the fighting services—proceeds of concert parties from patrons of his Odeon circuit.

Joan Winters, of the Garrison radio theatre, and daughter of BBC where she has been a radio star, married engineer Jack Venables, Edinburgh March 3. Jack Warner was best man.

Miles Matheson has been assigned to screenplay "First of the Few," from original of Henry C. James, who also collaborated, production is guided by George King and Joyce Kilmer, and story deals with the Spitfire plane.

A well-known American actor, appearing here for a number of years, tells of a telephone call he received for divorce. The British law of libel precludes publication of the names of actual persons who have served in the "War of the Radio" having come up to expectations. Two Cities Films will be commissioned to do an actual production of the shooting starts, the production company will be reorganized. Havelock Allen is now being directed.

After 53 years' Junior Constitutional Club, Piccadilly closed down following severe bombing where it was \$35,000 damage. Furniture and contents of wine cellar auctioned, plus portrait of George V which cost \$10,000 and was damaged in the raid.

British National completed casting for "Penn and Sam" (UA) with Henry Chay, John Laurie, Nadine Marsh, Maire O'Neill, Aubrey Mallie, Joyce Heron and O. B. Morgan. "Penn and Sam" is being produced by Ernest Newman and Gus Dresse, London.

Michael Powell is forming his own film production company, in which Emmett Pressburger and John Corfield will be financially interested.

Michael Powell, the scenario by Pressburger, based on the Bomber Command, and will be titled "One of Us" (UA) to be released.

Boling Studios reopened after a layoff for work on "Ships with Wings" (UA) with John Laurie, Clements, with Edward Chaeon, Michael Wilding and Hay Petrie featured. "Cameraman" (UA) has been in production at last getting authentic background footage.

After being in the Life Guards for some time, Peter Cushing has been given a month to wind up his affairs and then returns for a two month course of training. His Hawaiian Serenaders band, regularly featured on air, continues under his agent, Maurice Ostrer.

Gaiety chief Maurice Ostrer reported mulling reopening of company's Kingston studios, shuttered since the outbreak of the war.

Cited by Ostrer as providing biggest hurdle. In a checkup made privately by the company, the results of technicians available to carry major British film production, so heavy have been draft inroads.

St. Louis

By Sam A. Hurst

Harold Koplar, manager of the Chase Club, west end niter, wed to Marie Lauer, society girl, last night.

Robert Taylor, local branch manager for Monogram Pictures, in Chicago to join group that will trek to Hollywood.

Richard Rycharik again on deck to design sets for grand opera season sponsored by the St. Louis Grand Opera.

The Great States-Public Circuit has purchased a tract of land on the outskirts of East St. Louis, Ill., for a new theatre.

Arnold Berger back as manager of the Drive-In theatre, Des Peres, Mo., the only one in Missouri. House of 12.

Fanchon & Marco will again produce the police circus in the Arena (17-30). Approximately 325 performers

will appear. Paul Ash will supervise presentation.

Arthur Jarrait, former manager of the Chase Club and now an exec in charge of entertainment at the Chicago Drake Hotel, a benedict. His bride is Irma Sediver, a localite.

Mrs. Elizabeth Schwind, widow of Charles A. Schwind, late general manager of the Chicago Highlands major amusement park, died of complications following a fall. He was 42.

Ruth Carrigan, stenographer in the National Theatre Supply Co., is expected to appear in "The Great Dictator" by Clarence (Bud) Kainman, manager of the Lowell, a North St. Louis theatre.

Former Circuit Judge J. Wesley McAfee and Edwin B. Meisner, president of the St. Louis Car Company, have been named to the St. Louis panel of the American Arbitration Association.

Neuro Eddy skedded for a recital in opera house of Municipal Auditorium tomorrow (Thursday). Planned in Hollywood by May 1 to start work on screen version of "The Chocolate Soldier."

Ben Woolsey, brother of the late "The Great Dictator" for "The Great Dictator" and Woolsey, is m.c. at Club Casino, west end niter. Came here from Hollywood.

Ben Woolsey, brother of the late "The Great Dictator" for "The Great Dictator" and Woolsey, is m.c. at Club Casino, west end niter. Came here from Hollywood.

Ben Woolsey, brother of the late "The Great Dictator" for "The Great Dictator" and Woolsey, is m.c. at Club Casino, west end niter. Came here from Hollywood.

Ben Woolsey, brother of the late "The Great Dictator" for "The Great Dictator" and Woolsey, is m.c. at Club Casino, west end niter. Came here from Hollywood.

Ben Woolsey, brother of the late "The Great Dictator" for "The Great Dictator" and Woolsey, is m.c. at Club Casino, west end niter. Came here from Hollywood.

Ben Woolsey, brother of the late "The Great Dictator" for "The Great Dictator" and Woolsey, is m.c. at Club Casino, west end niter. Came here from Hollywood.

Ben Woolsey, brother of the late "The Great Dictator" for "The Great Dictator" and Woolsey, is m.c. at Club Casino, west end niter. Came here from Hollywood.

Ben Woolsey, brother of the late "The Great Dictator" for "The Great Dictator" and Woolsey, is m.c. at Club Casino, west end niter. Came here from Hollywood.

Ben Woolsey, brother of the late "The Great Dictator" for "The Great Dictator" and Woolsey, is m.c. at Club Casino, west end niter. Came here from Hollywood.

Ben Woolsey, brother of the late "The Great Dictator" for "The Great Dictator" and Woolsey, is m.c. at Club Casino, west end niter. Came here from Hollywood.

Ben Woolsey, brother of the late "The Great Dictator" for "The Great Dictator" and Woolsey, is m.c. at Club Casino, west end niter. Came here from Hollywood.

Ben Woolsey, brother of the late "The Great Dictator" for "The Great Dictator" and Woolsey, is m.c. at Club Casino, west end niter. Came here from Hollywood.

Ben Woolsey, brother of the late "The Great Dictator" for "The Great Dictator" and Woolsey, is m.c. at Club Casino, west end niter. Came here from Hollywood.

Ben Woolsey, brother of the late "The Great Dictator" for "The Great Dictator" and Woolsey, is m.c. at Club Casino, west end niter. Came here from Hollywood.

Ben Woolsey, brother of the late "The Great Dictator" for "The Great Dictator" and Woolsey, is m.c. at Club Casino, west end niter. Came here from Hollywood.

Ben Woolsey, brother of the late "The Great Dictator" for "The Great Dictator" and Woolsey, is m.c. at Club Casino, west end niter. Came here from Hollywood.

Ben Woolsey, brother of the late "The Great Dictator" for "The Great Dictator" and Woolsey, is m.c. at Club Casino, west end niter. Came here from Hollywood.

Ben Woolsey, brother of the late "The Great Dictator" for "The Great Dictator" and Woolsey, is m.c. at Club Casino, west end niter. Came here from Hollywood.

Ben Woolsey, brother of the late "The Great Dictator" for "The Great Dictator" and Woolsey, is m.c. at Club Casino, west end niter. Came here from Hollywood.

Ben Woolsey, brother of the late "The Great Dictator" for "The Great Dictator" and Woolsey, is m.c. at Club Casino, west end niter. Came here from Hollywood.

Ben Woolsey, brother of the late "The Great Dictator" for "The Great Dictator" and Woolsey, is m.c. at Club Casino, west end niter. Came here from Hollywood.

Ben Woolsey, brother of the late "The Great Dictator" for "The Great Dictator" and Woolsey, is m.c. at Club Casino, west end niter. Came here from Hollywood.

Ben Woolsey, brother of the late "The Great Dictator" for "The Great Dictator" and Woolsey, is m.c. at Club Casino, west end niter. Came here from Hollywood.

Ben Woolsey, brother of the late "The Great Dictator" for "The Great Dictator" and Woolsey, is m.c. at Club Casino, west end niter. Came here from Hollywood.

Ben Woolsey, brother of the late "The Great Dictator" for "The Great Dictator" and Woolsey, is m.c. at Club Casino, west end niter. Came here from Hollywood.

Ben Woolsey, brother of the late "The Great Dictator" for "The Great Dictator" and Woolsey, is m.c. at Club Casino, west end niter. Came here from Hollywood.

Ben Woolsey, brother of the late "The Great Dictator" for "The Great Dictator" and Woolsey, is m.c. at Club Casino, west end niter. Came here from Hollywood.

Ben Woolsey, brother of the late "The Great Dictator" for "The Great Dictator" and Woolsey, is m.c. at Club Casino, west end niter. Came here from Hollywood.

Ben Woolsey, brother of the late "The Great Dictator" for "The Great Dictator" and Woolsey, is m.c. at Club Casino, west end niter. Came here from Hollywood.

Ben Woolsey, brother of the late "The Great Dictator" for "The Great Dictator" and Woolsey, is m.c. at Club Casino, west end niter. Came here from Hollywood.

Ben Woolsey, brother of the late "The Great Dictator" for "The Great Dictator" and Woolsey, is m.c. at Club Casino, west end niter. Came here from Hollywood.

Ben Woolsey, brother of the late "The Great Dictator" for "The Great Dictator" and Woolsey, is m.c. at Club Casino, west end niter. Came here from Hollywood.

Ben Woolsey, brother of the late "The Great Dictator" for "The Great Dictator" and Woolsey, is m.c. at Club Casino, west end niter. Came here from Hollywood.

Ben Woolsey, brother of the late "The Great Dictator" for "The Great Dictator" and Woolsey, is m.c. at Club Casino, west end niter. Came here from Hollywood.

Ben Woolsey, brother of the late "The Great Dictator" for "The Great Dictator" and Woolsey, is m.c. at Club Casino, west end niter. Came here from Hollywood.

Hollywood

Jane Wymann laid up with flu.

Mary Pickford celebrated a birthday.

John Carradine laid up with bronchitis.

Lev Kerner joined the William Morris staff.

Frank Lloyd to Lake Tahoe to ogle location spots.

Hank Levy, legit press agent, joined the army.

Ann Miller and her mother moved into new home.

Bern Bernson, aired in from New York on business.

James Ellison home from the hospital after flu siege.

Henry Hoover returned from a month's vacation.

Bette Davis back from her New Hampshire vacation.

Martha Ray checked in at Warners after a stay at the St. Louis.

Kate Smith and Ted Collins week-ended at the Grand Canyon.

Richard Lasker, who served as story editor for Samuel Goldwyn.

Ed Peskay here for a week of huddles on Hal Roach's production plans.

"Citizen Kane," was inducted into the army.

Otto Shaffer, recent arrival from New York, joined the Bert Levey agency.

Richard Altschuler resigned after 18 months as purchasing agent at Republic.

Marcel Grand, Columbia cameraman, will be working from an appendicitis operation.

Irene Francis, joined Republic's new management after 21 years with Paramount.

Mildred Coles, screen player, recovering from an emergency appendectomy.

Dan Clark, head of 20th-Fox camera department, started 22nd year in picture business.

Blinnie Barnes suffered a hip injury on the "Angels With Broken Wings" set at Republic.

Robert Lyman, is laid up with bronchitis and is being released by Lee Lasses' White at RKO.

Charles Coburn, who is celebrating his 50th year in show business, begun in his home town, Savannah, Ga.

Robert Hanley, reader at RKO, is a veteran of World War I, returned from a U. S. sergeant in Uncle Sam's Camp Callan.

Robert Genje, Paul Fanning, Tom Ryan and Sam Dawson, all from Metro's cartoon department, in picture business.

Louis Cline, former VARIETY mugg, dramatized an original story by Arthur Goodman and A. W. Pezet for Republic.

Paul F. Harper, captain in the Ordinance Reserve, checked out of Electrical Research Products for military duty at Baritan, Arsenau, Metuchen, N. J.

Pittsburgh

By Hal Cohen

Vincent Lopez laid off here for a few days' rest during Holy Week.

Draft will shortly break up on the local vaude team of Chick and Lee.

Tasso Harris, local romancer from here, now with Claude Thornburn.

Nitely owner, Tony Conforti birthday-ified his wife with a diamond bracelet and a tucker, orders from him.

Paul Moss, Billy Sones' mmmmer, in Miami and seeing a lot of dancer Betty Bruce.

Pittsburgh actor John McQuade in the Experimental Theatre's "Trojan Women."

Joe Consolo, Joe Villella's pianist, had to have six stitches where a fall broke rock hit him.

Wolly Shawkey, vet projectionist at Penn. is in hospital convalescing from heart attack.

Jerry Thom, night club singing waiter, will do his stuff for the Army during his vacation.

Three Playboys back at Yacht Club for second engagement there from here.

Opening of Charlie Gaynor's revue, "Lend An Ear," at Playhouse has been postponed until April 28.

Joe Consolo, Joe Villella's pianist, had to have six stitches where a fall broke rock hit him.

Wolly Shawkey, vet projectionist at Penn. is in hospital convalescing from heart attack.

Jerry Thom, night club singing waiter, will do his stuff for the Army during his vacation.

Three Playboys back at Yacht Club for second engagement there from here.

Opening of Charlie Gaynor's revue, "Lend An Ear," at Playhouse has been postponed until April 28.

Joe Consolo, Joe Villella's pianist, had to have six stitches where a fall broke rock hit him.

OBITUARIES

C. S. (TINK) HUMPHREY
Claude S. (Tink) Humphrey, 64, former butter dealer, and Keith-Ophreum Vande Boker, widely known as "Tink" died April 12 in Van Nuys, Calif., following a heart attack.
Details in vaudeville section.

HENRY E. WARNER
Henry E. Warner, 65, who accompanied Sarah Bernhardt as general press representative on her farewell tour of America and was later associated in the same capacity with the Shuberts, died in Baltimore April 11.

Son of a Methodist minister, Warner was born in Elyria, O. He was at various times city editor of the Chattanooga Times, the Denver Times, and managing editor of the Birmingham Press. He also had worked for the Knoxville Journal and the Knoxville Sentinel and at the time of his death was director of the educational division of the Sunpapers in Baltimore, with which he had been a staff member for some 31 years.

Warner also wrote the celebrated doll song, "I've Got a Pal in My Sawdust," for Kittie Cheatham in

greats of that day, among them E. H. Sothern, Robert Mantell, Julia Marlowe and Robert Warwick. She retired from the stage several years ago and lately had been an ordained minister in the Spiritualistic Church.

LEO KOUTZEN
Leo Koutzen, 64, member of the WPA New York City Symphony Orchestra and prominent in the Yiddish art world as musician and composer, died April 11 at his home in New York.

Koutzen, who came to America some 15 years ago, was for years head of the violin department of the Petrograd Conservatory of Music and at one time was a member of the State Opera House Orchestra, Moscow.

Surviving are his widow, Minna, and a son, Boris, a composer with the NBC Symphony Orchestra.

EUGENE MACGREGOR
Eugene MacGregor, veteran legit actor who appeared in "Four Flushers," "Battling Butler" and "Within Four Walls," died in New York April 8.

MacGregor, who at one time was

IN MEMORIAM

OUR DEAR DEPARTED FATHER

C. S. (TINK) HUMPHREY

AUDREY AND CLAUDIA

1911. He also was a prolific writer of verse and had several published collections to his credit.

HJALMAR LUNDIN

Hjalmar Lundin, 50, strong man and wrestler, known as the "Swedish Lion," whose muscle feats were such that John Ringling gave him a 28-week contract in 1894 to exhibit his prowess before circus audiences, died April 8 at his home in Jamaica, L. I., after an illness of several months.

A native of Sweden, Lundin's particular specialty with the Ringling show was to use his body as a forum for a plank holding 22 men aloft. While doing the routine at a Chicago benefit late in 1894, he suffered fractures of both arms when the board broke.

Thereafter, Lundin turned to wrestling upon his recovery. He won the Swedish title and met such American champions as George Hackenschmidt, Paul Gotch and George Bothner. More recently he had been a manager of wrestlers and occasionally served as wrestling referee and judge.

Surviving are his widow and a daughter.

WILLIAM WORTHINGTON

William J. Worthington, 68, former stage and screen player, and pioneer in color films, died April 9 in Beverly Hills. A graduate engineer, he studied voice in Europe, became a stage actor and moved to Hollywood in 1915.

After a brief career as a film player, Worthington became a director and later a co-producer with the Japanese actor, Seisuke Hayakawa, incorporating parts of their names in a company known as Hayworth. When Hayakawa moved to Paris, Worthington organized the Multicolor Film Co., of which he was president. Surviving are his widow, a son and daughter.

NATE LE VENE, JR.

Nate Le Vene, Jr., 49, veteran Cincinnati film salesman, died Saturday (12) at Christ-Hospital, Cincinnati, after a brief illness from a stomach ailment. He was city salesman for Universal for many years and previously had been with William Film Corp.

A native of Brooklyn, N. Y., Le Vene was a newspaperman in Chicago before entering the motion industry. He was a pioneer member of Variety Club, Ten's, Cincinnati.

Survived by widow, Nonnie Drexler Le Vene.

Services Monday (14) and Interment in Cincinnati.

ALICE GALE

Alice Gale, veteran actress, who starred in old Harry Davis and Avenue Theatre stock companies in Pittsburgh shortly after turn of the century, died recently of natural causes in Harrisburg, Pa.

Following her stock days, Miss Gale toured with many of the legit

under the management of Klaw & Erlanger, leaves his widow, Elizabeth, and a son, William. Funeral services were held in New York under auspices of the Actors' Fund and cremation followed.

W. J. MERRILL

W. J. Merrill, 42, v.p. and treasurer of RKO, died suddenly Thursday (10) at his New York home, being found dead in bed. Death was caused by coronary thrombosis.

Details in film section.

R. E. PRICE

Robert E. Price, 40, co-owner and manager of CKB, Prince Albert, Sask., died in a Saskatoon, Sask., hospital April 2, after a brief illness. Survived by widow and daughter.

DONA BARRELL

Dona Barrell, 50, screen writer, died April 8 in Hollywood. Her father was Fernando Michels, Metropolitan Opera singer.

ISIDORE WITMARK

Isidore Witmark, 71, the music publisher, died of pneumonia after a

IN LOVING MEMORY

JOE YOUNG

Died April 21st, 1939

RUTH YOUNG

brief illness in Polyclinic hospital, N. Y., April 9.

Details in music section.

Henry O'Melveny, 82, senior member of law firm of O'Melveny, Tuller & Myers, representing many film clients, died Los Angeles April 13.

Mrs. Anna E. Fulton, 61, wife of Fitch E. Fulton, scenic artist for David O. Selznick and mother of John P. Fulton, of Universal, died April 7 in Glendale, Cal.

Oliver Thomas Machin, 48, studio electrician at Paramount, died April 10 in Los Angeles. He was a member of Post 307, American Legion.

Mrs. Melville Cummings, 70, mother of Allen T. Simon, owner of station WADC, Akron, O., died at her home in nearby Tallmadge, April 3.

MARRIAGES

Kathryn Adams to Hugh Beaumont, in Hollywood, April 13. Both are screen players.

Peggy Youngworth to William Callahan, in Hollywood, April 8. He is in Metro's production department.

Mary Rolfe to Lette Bytger, in Chicago, April 8. Both are legit players.

Margaret Barnett to Harold Bernstein, in Detroit, April 9. Bride is employed by Monogram Pictures in Detroit; he operates three film theatres at Bay City, Mich.

Grace O. Garland to Gregory La Cava, in Las Vegas, Nev., April 2. He's the film producer.

Romelle Theresa Schneider to James Roosevelt, in Beverly Hills, April 14.

Marcia Neal, niter singer, to Bill Patterson of NBC information division, in New York, April 16.

BIRTHS

Mr. and Mrs. E. E. MacCosbe, daughter, in Pittsburg, April 8. Father's firm WCAE, Pittsburg.

Mr. and Mrs. Jimmy Sabella, daughter, in Pittsburgh, March 16. Father's ass. to Jake Smith, Barnesboro.

Mr. and Mrs. Warren D. Bailey, son, April 7, in Sioux City. Father is an operator at WNAK, Sioux City, Yankton.

Mr. and Mrs. Reed Browning, a daughter, born April 6 in San Francisco. Father is announcer on the KGO-KPO staff (real name Bill Livesey).

Mr. and Mrs. Thomas Anderson, son, born April 4 in San Francisco. Mother is former Helene Peters, one-time radio editor of Berkeley Gazette and KGO-KPO interviewer.

Mr. and Mrs. Art Tolchin, daughter, April 9, in New York. Father is salesman for WHN, New York.

Mr. and Mrs. Wally McHee, daughter, April 7, in Los Angeles. Father is radio actor.

Mr. and Mrs. Hal Garry, daughter, in New York, April 8. Father's a radio writer.

Mr. and Mrs. Bob Allen, son, April 13 in Indianapolis. Father is former vocalist with late Hal Kemp's band.

Mr. and Mrs. Frank E. Mullen, son, in New York, April 5. Father is v.p. and general manager of NBC.

Mr. and Mrs. Henry Slate, daughter, in Los Angeles, April 13. He's of Slate Bros. comedy team. Mother former chorister.

Mr. and Mrs. John Sutherland, son, April 13 in Los Angeles. Mother is Paula Winslow, radio actress; father, screen-radio writer.

Mr. and Mrs. Larry Barnett, son, April 13 in Hollywood. Father is with MCA.

Atlas-RKO

Continued from page 5
done, Atlas Corp. would benefit and make the Methan deal worth while financially for the Oidium crowd.

Other S. E. C. Trailings

Washington, April 15.
Belated reports to the S.E.C. showed S. Machnovitch of New York increased his interest in Universal Pictures via purchases of U common by Universal Corp. in September 1938 and of U first preferred in July, 1937. Statements showed the holding company acquired 8,000 shares of the subsidiary's common in September 1938, raising the total to 230,927, and 180 pieces of preferred in July 1937, making the holdings 220. The S.E.C. also disclosed that Preston Davis acquired 2,000 Universal Corp. common voting trust certificates in February this year, raising his stake to 3,700 in addition to his undisclosed slice of 2,000 shares and 26,500 securities and 11,283 warrants.

The semi-monthly review revealed Austin C. Keough acquired 1,000 pieces of Paramount common, giving him 1359. While Manufacturers Trust Co., which accounted before for 5710 shares of Paramount first preferred, bought \$392,800 worth of convertible debentures due in 1947.

Other transactions in film stocks were:

Loew's picked up another 73 shares of Loew's Boston Theatres common, giving the parent 117,920 shares of the subsidiary.

B. B. Ladd added 100 shares of General Theatre Equipment Corp. capital stock, making his holdings 800.

Walter P. Stevens grabbed 600 shares of Consolidated Film Industries, participating preferred, giving him 1,400.

French Film-Making

Continued from page 15

Linder; 'Le Grand Elan,' directed by Christian Jaque, at the Olympia and Cesar; 'Le Paradis Perdu,' piloted by Abel Gance, with Fernand Gravat, at the Gaumont; 'Les Destinées,' at the Palais; and 'Moulin d'Amour,' the Sollei' showing in the free.

Old French picts doing biz Paris 'Angella,' with Viviane Romance, at the Gaumont theatre; 'L'Homme Qui Cherche la Verite,' with Raimu, and 'Moulin d'Amour,' at the Gaumont; 'Le Jour se Levait,' with Jean Gabin, at the Madeleine; 'Téméraire,' with Edwige Feuillere, at the Max Linder. Carmine Gallone's 'erdil,' under title 'Romance of a Genius,' has been released at the Palais Rochechouart.

The other two have ambitious schedules and both announce new pix will shortly go on the lot.

In this respect they finding plenty of collaboration among French talent. Christian Jaque and Jacques Tourneur, who is about to do series of sketches along the 'Carnet de Bal' formula, are among those presently engaged.

However, Marcel Carne, Leo Joannon and Henri Decoin have already signed contracts with the new film czars of occupied France, Raimu and Fernandel have been shown willingness to go to Paris to lend their talent to this form of Franco-German collaboration.

Marcel Pagnol Doing
1st Pic of a Trilogy

Films announced for early production in the free zone include:

Two by Charles Trenet, who has written both scenarios. One is signed contract with the new film cartoon with drawings by Albert Dubout.

'La Priere aux Etoiles' ('Prayer to the Stars'), written and directed by Marcel Pagnol. This will be the first of a film trilogy, much along the lines of the new film 'Paradise and Cesar,' which started his international film rep. He originally planned to start this pic in September, 1939, but the outbreak of war foisted his plans. Joette Day will be the femme fatale.

'Histoire de Film,' Paris' biggest, legit hit of the '39-40 season' (still going strong), has been adapted for the screen and is announced for early production.

'Napoleon Noir' ('Black Napoleon'), meged by Paul Haugit.

'Strange Madame Baur' ('Strange Madame'), meged by Pierre Ducis, dialog by Yves Mirande, meged by Pierre Stephen. Suzy Prim, Marguerite Moreno, Albert Prejean and Andre Luguet head the cast.

'Croquetaine,' adapted from Alfred Machard's novel of the same name. Jean Delanchoy, who completed 'Diamant Noir' with Gaby Morlay and Charles Vanel just before the Germans got to Paris, will direct.

'Rouletabille Contre Rouletabille,' adapted from Gaston Leroux' dick novel, adapted by Jacques Chabanne, directed by Maurice Cammage.

'Guliga' ('Punch and Judy'), also adapted by Chabanne, Marcel Granicher meging.

'La Grande Erreur,' a sort of French cavalcade between 1914 and 1941, adapted from Marcel Achard's novel, 'Petrus,' which will direct. It introduces a new producer, Andre Hunebelle, glassware artist.

Also planned for early production are several other pictures for which titles have not yet been selected. They included:

Adaptation of Paul Rene's 'La Chevre d'Or' ('The Gold Goat'), with scenario and direction by Maurice de Canonge, film with Cecile Sorel in top role with scenario again written by Mirande film with Raimu and Jean, Mercanton, with Willy Rozier, who died 'Espoir' piloting Raimu also engaged to do pict with Rene St Cyr with Marc Allegret directing.

Crozier. Tino Rossi will do a pic with Jacques Prevert, with Michel Simon as lead. Pierre Billon is the producer.

Fernandel Engaged
Fernandel is actively engaged studying his role in a film, with scenario by Chabanne. Relys is doing likewise, scenario by Jack Daroy. J. P. Paulin, who did the 'D. success,' 'Tols de St. Cyr,' is also preparing new film. Also announced that 'Le Chevalier de Fontaine's Fables may be screened.

Some of the new French pics released in Paris include 'Campement Treize' meged by Jacques Constant, at the Aubert Palace; 'Monsieur Hector,' with Fernandel, at the Max

Linder; 'Le Grand Elan,' directed by Christian Jaque, at the Olympia and Cesar; 'Le Paradis Perdu,' piloted by Abel Gance, with Fernand Gravat, at the Gaumont; 'Les Destinées,' at the Palais; and 'Moulin d'Amour,' the Sollei' showing in the free.

Old French picts doing biz Paris 'Angella,' with Viviane Romance, at the Gaumont theatre; 'L'Homme Qui Cherche la Verite,' with Raimu, and 'Moulin d'Amour,' at the Gaumont; 'Le Jour se Levait,' with Jean Gabin, at the Madeleine; 'Téméraire,' with Edwige Feuillere, at the Max Linder. Carmine Gallone's 'erdil,' under title 'Romance of a Genius,' has been released at the Palais Rochechouart.

The other two have ambitious schedules and both announce new pix will shortly go on the lot.

In this respect they finding plenty of collaboration among French talent. Christian Jaque and Jacques Tourneur, who is about to do series of sketches along the 'Carnet de Bal' formula, are among those presently engaged.

However, Marcel Carne, Leo Joannon and Henri Decoin have already signed contracts with the new film czars of occupied France, Raimu and Fernandel have been shown willingness to go to Paris to lend their talent to this form of Franco-German collaboration.

Marcel Pagnol Doing
1st Pic of a Trilogy

Films announced for early production in the free zone include:

Two by Charles Trenet, who has written both scenarios. One is signed contract with the new film cartoon with drawings by Albert Dubout.

'La Priere aux Etoiles' ('Prayer to the Stars'), written and directed by Marcel Pagnol. This will be the first of a film trilogy, much along the lines of the new film 'Paradise and Cesar,' which started his international film rep. He originally planned to start this pic in September, 1939, but the outbreak of war foisted his plans. Joette Day will be the femme fatale.

'Histoire de Film,' Paris' biggest, legit hit of the '39-40 season' (still going strong), has been adapted for the screen and is announced for early production.

'Napoleon Noir' ('Black Napoleon'), meged by Paul Haugit.

'Strange Madame Baur' ('Strange Madame'), meged by Pierre Ducis, dialog by Yves Mirande, meged by Pierre Stephen. Suzy Prim, Marguerite Moreno, Albert Prejean and Andre Luguet head the cast.

'Croquetaine,' adapted from Alfred Machard's novel of the same name. Jean Delanchoy, who completed 'Diamant Noir' with Gaby Morlay and Charles Vanel just before the Germans got to Paris, will direct.

'Rouletabille Contre Rouletabille,' adapted from Gaston Leroux' dick novel, adapted by Jacques Chabanne, directed by Maurice Cammage.

'Guliga' ('Punch and Judy'), also adapted by Chabanne, Marcel Granicher meging.

'La Grande Erreur,' a sort of French cavalcade between 1914 and 1941, adapted from Marcel Achard's novel, 'Petrus,' which will direct. It introduces a new producer, Andre Hunebelle, glassware artist.

Also planned for early production are several other pictures for which titles have not yet been selected. They included:

Adaptation of Paul Rene's 'La Chevre d'Or' ('The Gold Goat'), with scenario and direction by Maurice de Canonge, film with Cecile Sorel in top role with scenario again written by Mirande film with Raimu and Jean, Mercanton, with Willy Rozier, who died 'Espoir' piloting Raimu also engaged to do pict with Rene St Cyr with Marc Allegret directing.

Crozier. Tino Rossi will do a pic with Jacques Prevert, with Michel Simon as lead. Pierre Billon is the producer.

Fernandel Engaged
Fernandel is actively engaged studying his role in a film, with scenario by Chabanne. Relys is doing likewise, scenario by Jack Daroy. J. P. Paulin, who did the 'D. success,' 'Tols de St. Cyr,' is also preparing new film. Also announced that 'Le Chevalier de Fontaine's Fables may be screened.

Some of the new French pics released in Paris include 'Campement Treize' meged by Jacques Constant, at the Aubert Palace; 'Monsieur Hector,' with Fernandel, at the Max

Linder; 'Le Grand Elan,' directed by Christian Jaque, at the Olympia and Cesar; 'Le Paradis Perdu,' piloted by Abel Gance, with Fernand Gravat, at the Gaumont; 'Les Destinées,' at the Palais; and 'Moulin d'Amour,' the Sollei' showing in the free.

Old French picts doing biz Paris 'Angella,' with Viviane Romance, at the Gaumont theatre; 'L'Homme Qui Cherche la Verite,' with Raimu, and 'Moulin d'Amour,' at the Gaumont; 'Le Jour se Levait,' with Jean Gabin, at the Madeleine; 'Téméraire,' with Edwige Feuillere, at the Max Linder. Carmine Gallone's 'erdil,' under title 'Romance of a Genius,' has been released at the Palais Rochechouart.

The other two have ambitious schedules and both announce new pix will shortly go on the lot.

In this respect they finding plenty of collaboration among French talent. Christian Jaque and Jacques Tourneur, who is about to do series of sketches along the 'Carnet de Bal' formula, are among those presently engaged.

However, Marcel Carne, Leo Joannon and Henri Decoin have already signed contracts with the new film czars of occupied France, Raimu and Fernandel have been shown willingness to go to Paris to lend their talent to this form of Franco-German collaboration.

Marcel Pagnol Doing
1st Pic of a Trilogy

Films announced for early production in the free zone include:

Two by Charles Trenet, who has written both scenarios. One is signed contract with the new film cartoon with drawings by Albert Dubout.

'La Priere aux Etoiles' ('Prayer to the Stars'), written and directed by Marcel Pagnol. This will be the first of a film trilogy, much along the lines of the new film 'Paradise and Cesar,' which started his international film rep. He originally planned to start this pic in September, 1939, but the outbreak of war foisted his plans. Joette Day will be the femme fatale.

'Histoire de Film,' Paris' biggest, legit hit of the '39-40 season' (still going strong), has been adapted for the screen and is announced for early production.

'Napoleon Noir' ('Black Napoleon'), meged by Paul Haugit.

'Strange Madame Baur' ('Strange Madame'), meged by Pierre Ducis, dialog by Yves Mirande, meged by Pierre Stephen. Suzy Prim, Marguerite Moreno, Albert Prejean and Andre Luguet head the cast.

'Croquetaine,' adapted from Alfred Machard's novel of the same name. Jean Delanchoy, who completed 'Diamant Noir' with Gaby Morlay and Charles Vanel just before the Germans got to Paris, will direct.

'Rouletabille Contre Rouletabille,' adapted from Gaston Leroux' dick novel, adapted by Jacques Chabanne, directed by Maurice Cammage.

'Guliga' ('Punch and Judy'), also adapted by Chabanne, Marcel Granicher meging.

'La Grande Erreur,' a sort of French cavalcade between 1914 and 1941, adapted from Marcel Achard's novel, 'Petrus,' which will direct. It introduces a new producer, Andre Hunebelle, glassware artist.

Also planned for early production are several other pictures for which titles have not yet been selected. They included:

Adaptation of Paul Rene's 'La Chevre d'Or' ('The Gold Goat'), with scenario and direction by Maurice de Canonge, film with Cecile Sorel in top role with scenario again written by Mirande film with Raimu and Jean, Mercanton, with Willy Rozier, who died 'Espoir' piloting Raimu also engaged to do pict with Rene St Cyr with Marc Allegret directing.

Crozier. Tino Rossi will do a pic with Jacques Prevert, with Michel Simon as lead. Pierre Billon is the producer.

Fernandel Engaged
Fernandel is actively engaged studying his role in a film, with scenario by Chabanne. Relys is doing likewise, scenario by Jack Daroy. J. P. Paulin, who did the 'D. success,' 'Tols de St. Cyr,' is also preparing new film. Also announced that 'Le Chevalier de Fontaine's Fables may be screened.

Some of the new French pics released in Paris include 'Campement Treize' meged by Jacques Constant, at the Aubert Palace; 'Monsieur Hector,' with Fernandel, at the Max

Linder; 'Le Grand Elan,' directed by Christian Jaque, at the Olympia and Cesar; 'Le Paradis Perdu,' piloted by Abel Gance, with Fernand Gravat, at the Gaumont; 'Les Destinées,' at the Palais; and 'Moulin d'Amour,' the Sollei' showing in the free.

"ACTIVE-LATHER FACIALS with LUX SOAP are a wonderful help in keeping skin smooth"

says
BETTE DAVIS

"I NEVER NEGLECT this daily facial," this famous star tells you. "It's a simple, easy care you can use at home. Pat the ACTIVE lather lightly in—rinse with warm water—then a dash of cool. Pat to dry. Now see how fresh your skin looks—how soft and smooth it feels!" Why don't you see what this gentle Lux Toilet Soap care can do for your complexion!



**YOU try
Hollywood's
ACTIVE-LATHER
FACIALS for
30 days—**

BETTE DAVIS

In Warner Bros.

"THE GREAT LIE"

Now Showing Locally

9 out of 10 Screen Stars use Lux Toilet Soap

SCREEN

RADIO

MUSIC

STAGE

VARIETY

Published Weekly at 154 West 46th Street, New York, N. Y., by Variety, Inc. Annual subscription, \$10. Single copies 25 cents.
Entered as second-class matter December 22, 1905, at the Post Office at New York, N. Y., under the act of March 3, 1879.
COPYRIGHT, 1941, BY VARIETY, INC. ALL RIGHTS RESERVED

VOL. 142 NO. 7

NEW YORK, WEDNESDAY, APRIL 23, 1941

PRICE 25 CENTS

RADIO TO SELL WAR BONDS

Dutton's Flying Circus Keynotes A New Type of Sky Showmanship

By HERB GOLDEN

Trenton, N. J., April 22. Putting planes through stunts that a handful of spectators refused to believe possible, even after seeing them, Dutton's Flying Circus took the breath out of William Morris office execs in an audition at the Fair Grounds here Sunday (20).

Aerial wild men are slated to put on a show for the Trenton American Legion next Sunday (27), but put on a special preview for William Morris, Jr., and a crew of his assistants from New York. Morris, after seeing a rough-cut version of the show, optioned it with the right of taking it under his wing after viewing this coming Sunday's regular performance.

Billy Rose, who has heretofore confined himself to terra firma and aquatic spectacles, has been interested for the better part of a year in an other edition of 'Jumbo' and the 'Aquacade,' and Morris will reportedly attempt to sell him Dutton's extravaganza as a basis.

Morris brought Lem Ward down here with him to build a production around the diamond in the raw before.

(Continued on page 55)

Now It's Candid Movies In Saloons; or the Saga Of Louie, Ex-Bartender

Milwaukee, April 22.

It was 2 a.m. and the boys in Louie's were sucking up the last bubbles of foam. Louie sat at a corner table having trouble tearing open, with fingers scarred by 30 years of a bung-starter, mail that had arrived some 20 hours earlier.

'Ach, he gutturalized as a green circular dropped out of a big envelop, "what a business!"

'What'samatter with the business?' Joe Goon inquired over an empty glass, anxious to start any kind of conversation that might lead Louie to set one up after closing.

'It ain't the same,' Louie gripped.

'The saloon business ain't the same, that's what,' Louie flung back sadly, realizing that it was a mistake that (Continued on page 52)

Par's Texas Guinan

Musical Next Year

Film based on the life of Texas Guinan will be a high budget musical for Paramount's 1941-42 program. B. G. de Sylva will produce.

Paramount has bought the film rights to 14 scrapbooks containing material on Tex Guinan's life.

JOHN VS. LIONEL ON RADIO

Hollywood, April 22.

John and Lionel Barrymore tilt verbal lances on the Seal Test air May 1.

No holds are barred.

Circus Band Album

Ringling Bros.-Barnum and Bailey circus band will do a Columbia Records album of circus tunes. Four double-faced records will be made in New York, May 1, before circus exits its current Madison Square Garden stand.

Record outfit has also made a tieup with the big top to display and sell copies of the album at every spot played.

More War-Monger Charges Aimed At Hollywood

Washington, April 22.

More rocks were thrown at the motion picture industry last week by Congressional isolationists. Charges of propagandizing and war-mongering came from Representatives James O'Connor, Montana Democrat, and Lewis D. Thill, Wisconsin Republican.

Hope that the film industry will change its ways was voiced by Representative Thill, who inserted in the Congressional Record a newspaper interview with Lillian Gish deploring her participation in propaganda pictures during the World War. Thill said Hollywood is 'seemingly reenacting the war propaganda role played by the movies prior to the last war' and appealed to the producers to 'act in the interests of American blood and treasure.'

Similar squawk came from O'Connor. In talking about agitation for war, the Montanan agreed with Representative H. Carl Andersen, Minnesota Republican, that pictures are being used to inflame the U. S.

LEASE-LEND'S YANKEE INFLUENCE ON BRITISH

London, April 22.

Awakening of British consciousness to their American cousins has become increasingly evident of late—thanks to the influence of the typically American conservatism for the adoption of things Yankee.

This town now has Winchell running daily in the Express, and Raymond Gram Swing on Sundays; Old Glory bedsacks Charing Cross road; among other conspicuous spots, and there are plenty signs of direction to the American Eagle Club.

Headlines have taken on a tabloid tinge.

HELPS U. S. GOV'T REACH FARMERS

Defense Stamps and Bonds Campaign Over the Air Starts May 1 — Shortcomings of Liberty Loan Drives in World War I Overcome

NEW SHOWMANSHIP

By ROBERT J. LANDRY

A complete, detailed, many-sided campaign for the use of radio has been worked out by the United States Treasury to sell the public its new National Defense Savings Stamps and bonds. Radio, under the setup, will become the sockiest, sellingest, directest of the mediums employed. While newspapers and magazines and moving pictures will cooperate, it appears that the active leadership of the publicity drive will be radio's job.

Through radio, and especially the clear channel stations, the Treasury will be able to reach the farmers, a great improvement over the last war, when it was simply too difficult to do an effective Liberty Loan job with the remote sod-busters.

The Treasury also expects radio to (Continued on page 35)

Jimmy Walker's Lyrics For Stolz-Herczeg Show

Jimmy Walker is doing the lyrics for a new musical being readied for fall presentation. Former mayor's music-writing partner Robert Stolz, best known for his 'Two Hearts in Three-Quarter Time,' Book is being prepared by Geza Herczeg, who won the Motion Picture Academy award for his screenplay of 'Emile Zola.'

Show, it's said, will bear resemblance to some aspects of 'The Wonder Bar,' Al Jolson starrer of 1931. It's the story of the evolution of a band. Outfit starts as a string ensemble, five years later is shown as a swing combo, and five years after that is presented as strictly a longhair classical crew.

Picketing Pickets

Restaurant union pickets parading in front of the Brass Rail, N. Y., went on strike Monday against their own union. They have been getting \$2.50 a day, but wanted \$3. Now the union is, in effect, picketing the old pickets by putting on new sidewalk walkers.

The Brass Rail holds a Broadway record run, its pickets having not let up for around three years.

Fewer Strawhats This Summer; 49 Probably Active Vs. 80 Barns in '40

Toscy Nixes L.L.D.

Arturo Toscanini has quietly declined the proffered Doctor of Laws and Letters degree from Princeton University which was to have been bestowed at commencement this spring.

Veteran maestro, in declining, explained that because of 'world affairs,' he was attempting to shun all public functions whenever possible.

According to present indications, there will be fewer professional strawhat theatres in operation this summer than last. Survey this week reveals that 49 spots will probably be active, with 19 still uncertain or virtually slated to remain dark. Last summer around 80 barns were open. The summary does not take into consideration the large number of amateur outfits, all operating without Equity sanction. As before, Equity approval is the basis for rating strawhats professional or amateur.

Apparent reason for the decline in the number of professional barn theatres this season is the unprofitable business that characterized last summer generally. Some of the regular stands, such as Stockbridge, Mass.; Showhagan, Me., and Dennis, Mass., ground out a profit last summer, but many others ordinarily drawing good business were just about able to get by. Other established spots, such as Mt. Kisco and Suffern, N. Y., folded last summer without finishing the season.

One expected development this season is the discontinuation of the (Continued on page 50)

Pros Can't Find Sleeping Space In Crowded D. C.

Professionals playing Washington face the problem of getting sleeping accommodations. The casts of several shows have solved the situation by sleeping in Pullmans, those so doing including a recent musical show and a name band, but individuals have found it most difficult to obtain quarters within the city.

The Capital has rarely been so crowded, chiefly because of defense spending and projects. It's reported that many persons regularly employed in Washington since the lend-lease bill was enacted are living as far away as Baltimore.

PAN-AMERICANISM'S BALLYHOO HEADACHES

With hopped up interest recently in Latin-America, flood of good will organizations being formed is giving the official Rockefeller Committee on hemispheric relations a headache. Latest gag, cursory committee investigation has revealed, is hotels forming Pan-American organizations.

(Continued on page 47)

Banquet to Jack Benny

Hollywood, April 22.

Jack Benny's 10th year in broadcasting will be celebrated May 9 by an NBC dinner at the Biltmore Bowl with 1,000 present. Clay Morgan of NBC in New York is here to edit invitation list from 2,000 names.

Delegation of about 200 will come here from New York and Chicago. Niles Trammell will be a chief speaker. Sid Strotz, Bertha Brainerd and John Royal will come west. NBCEers will fly from here to N.A.B. convention in St. Louis.

Half hour broadcast will be aired from banquet.

Low-Number Draftee Juvies Are a Bad Investment—Piazzia

Shortage of leading men, always a Hollywood problem, has been aggravated by the draft to possibly the severest point in Hollywood history. So declared Ben Piazzia, RKO's studio talent scout, who arrived in New York Monday (21) for a gander at the shows and at people lined up.

Arthur Will, RKO's eastern talent head.

'The government's call on men within this age group we seek (Continued on page 47)

Bullfighting in Cuba For 1st Time in 40 Yrs.

Havana, April 22.

For the first time in 40 years bullfighting will take place Cuban soil.

The National Sports Commission, in its current program of selling Cuba, has contracted Jaime Nozain and Rafaelito, matadors, for appearances on April 27, May 4 and 11.

Lopez Turns Savant

Boston, April 22.

Vincent Lopez has signed a contract to write a book on his hobby, astrology, tentatively titled 'Predictions' to be published by U. S. Sales Co.

Some of the chapters: 'Why the Human Body Is Like a Radio Set,' 'Why Astrology Is Ridiculed,' and 'Balance and Rhythm of Life.'

Doug's Widow Denies Feuding With Jr.—'As Yet'—Over Fairbanks' Estate

By GEORGE FROST

Double-barrelled 'double talk' bounced around LaGuardia Field, New York, when Norma Shearer and the former Lady Sylvia Ashley were eased down in an American Airlines Friday (18) to tell newsmen about their trip from Mexico City and their plans for a N. Y. visit. The widow of the widow of Douglas Fairbanks and her stepson, Douglas Fairbanks, Jr., are as friendly as the German Luftwaffe and the RAF was tossed around the "buses in such a manner that the press gentlemen concluded the ball game has not yet begun.

Miss Shearer told those within earshot that her companion and she were in the "town of Times and Tenements on a business visit." The working end of the question box was swung toward the widow and she queried about "Business? What business?" "Told that Old Tom Rutherford and she and young Doug were mapping a Dodge-Giants feud over the estate of the late Doug Fairbanks and that she was here to hear legal opinions on the subject," she countered. "There is no dispute—as yet."

The travelers said they would turn toward the West Coast again. (Continued on page 55)

B'way Was Never Like This

Hollywood, April 22. One of the busiest actors in Hollywood is Richard Lane, who moved off the Broadway stage in 1937, and now appearing in the new film, "Tight Shoes," the Damon Runyon yarn at Universal.

In three and a half years Lane has appeared in an average of 25 pictures a year.

Fairbanks' Trust Funds of \$1,407,000 In N.Y., Pitt Banks

Trust funds totalling \$1,407,000 in New York and Pittsburgh banks were held by Douglas Fairbanks from 1928 until the time of his death, an accounting of his estate filed in New York revealed last week. Papers covered only the screen-painter's eastern assets. They were accompanied by a petition for a transfer of these assets—the only ones which are liquid—from New York to California.

Accounting disclosed that only two of the beneficiaries named in Fairbanks' will have received Charly requests. They are the Motion Picture Relief Fund and Charles L. Lewis, actor's physical trainer and personal friend. Both got \$10,000, total amount due them in December. Others named as recipients of Fairbanks' largesse, including his wife, former Sylvia Ashley, and Doug, Jr., are expected to get part of their coin in the fall. It's contingent on the New York courts' apportionment. (Continued on page 53)

Benefit for Bert Swor, Ill and Broke, in Dallas

Dallas, April 22. Bert Swor, once one of the top blackface comics and a big-time vaude headliner for years, will be on the receiving end of a benefit here Saturday (26). Show arranged by the local Variety Club and will be given at midnight at the Majestic theatre.

Swor is bedridden and broke, ill and reverses have dogged him all that was left of the great amount of coin he earned on the stage. He originally started with a brother, vaude, and he called as the Swor Bros. Then, on his own, he became a topnotcher on the variety stages and in minstrels. For short time he was one of the Morans with the late Charles E. Mack in the "Two Black Crowns" after Mack and the original George Moran became estranged for a few years.

RCA Theatre Television Demonstration

New York Installation for Film Industry's Benefit Costs Over \$25,000

AYLESWORTH MAY VISIT SOUTH AMERICA

M. H. Aylesworth, former NBC screen television, who the RCA Manufacturing Co. is putting on the New Yorker theatre, off Broadway May 9, is primarily for motion picture theatre operators. The televised event will be the Ken Overlin-Billy Soose fight at Madison Square Garden and among the other invitees to the demonstration will be various classes of indoor and outdoor promoters and the press. It is similar to demonstrations in London during 1939.

RCA's idea is to find out whether the film exhibitors regard this development as something that can be useful to them at the boxoffice and also whether it can fit into the scheme of their operations. If so the company will try to work out a development price and start installing the equipment. Meanwhile, the equipment (Continued on page 55)

On Their Own

Mrs. Harry Goetz, whose husband is now producing for Columbia, and Charles LeMaire, theatrical costume designer, have opened a dress shop in New York's East 50's. Layout is known as LeMaire Originals.

Durbin-Paul Wedding Eschews Tinsel, Baky; Close Friends Attend

Hollywood, April 22. Although it was the first great "State wedding," Hollywood has seen since Jeanette MacDonald and Gene Raymond were married, Deanna Durbin's wedding last Saturday (19) was staged with simplicity and good taste. There were no celebrities invited, and no wedding with either Miss Durbin or Vaughn Paul, bridegroom, and Universal associate producer.

Instead, the cameramen, grips, electricians, wardrobe girls, artists, bit players, publicity men and other Universal attaches the bridal pair knew-filled the pews of the Wilshire Methodist Episcopal Church, along with relatives and friends of the families.

Actress, who staged-managed the affair, nixed all display outside the church, although there were some 5,000 fans gathered along Wilshire boulevard to watch the wedding party arrive and leave: There were no lights and no loudspeakers. Not one photograph was shot of the ceremony as it was performed by Dr. Willis Martin. Stills were made as Paul and Miss Durbin emerged (Continued on page 51)

ABBOTT AND COSTELLO VICE CANTOR IN 'HATS'

Abbott and Costello have been loaned by Universal to Jules Levey's Mayfair Productions for the starring position in "Hold On to Your Hats," with Lou Costello playing the Al Jolson role. This, naturally, means that Levey's deal for Eddie Cantor is cold. Martha Raye also has been set for "Hats," repeating her chore in the original stage version.

No production date has been set, but the film probably won't be released until next spring, Jolson intending to take the show on tour again next fall.

Off Again Hollywood, April 22. Universal has pulled the "Abbott and Costello" name from the title "In the Navy," team's next feature. Insertion of star team name in title didn't work out because Dick Powell has equal billing in the film.

Come in Packages Now

Hollywood, April 22. Package deal, price \$235,000, is being offered to picture studios, with a complete script, director and two stars.

Stars are Shirley Temple and Warner Baxter and the director is Al Santell.

THE BERLE-ING POINT

By Milton Berle

Hollywood, April 22.

Yessir! It's still raining out here! In fact, the weather is so bad, the Civil Aeronautics Authority grounded the swallows flying back to Capitola.

One thing I like about Hollywood is that you have the ocean at your door—and sometimes in your cellar.

Had dinner at producer Sol Wurtzel's mansion. It's the biggest home I've ever seen. They even have surf boards in the bathtubs.

Marianne Dietrich really started something with slacks. The other day I kissed my mother—and it was my brother.

Sure proud of Mother. She just signed three-year contract—she bought a Frigidaire on time.

Broadway Department

My tailor wires that Ben Blue just had a new suit made—with a special pocket for scratch sheets.

Monte Proser is turning Madison Square Garden into a dance hall this summer—from battered pugs to jitterbugs.

Frankie Conville, the Earl Carrollton, knows a Bronx safecracker who broke with his girl and now he's carrying a blowtorch for her.

Bob Weisman wires that things are so bad for a certain producer that he had to fire his wife's boy friend.

Hollywoodiana

Flash. W. C. Fields received Four Roses for Easter—and finished it the same day.

Vine Street is the only place in the world where the touch screen has nothing to do with a typewriter.

Olivia de Havilland is busy knitting socks for Jimmy Stewart—and Stewart is busy knitting sweaters for Lana Turner.

New that Maxie Rosenbloom has been signed for the lead in "Harvard, Here I Come," he sleeps in a cap and gown.

Radio Department

Do you think BMI music will bring back waltzfoes?

A certain radio comedian's house was robbed while he was listening to the program, "Take It Or Leave It." They stole everything but his ad-lib.

Know a radio actor who walks in his sleep so much his wife puts cab fare in his pajama pocket?

What have the "Quiz Kids" got that Jack Benny couldn't learn from Oscar Levant?

Hangnam Descriptions

John Barrymore: The Bottle Cry of Freedom... Sonja Henie: A Frozen Delicacy... J. Benny-D. Wilson: Jack and Jill... Vic Mature: Lava Boy... Marlene Dietrich: Leg-ent... Leif Erickson: Farmer Boy... Mickey Rooney: Darnell That Dream... U. S. Internal Revenue: For Whom the Berries Toil.

Observation Department

Slogan for actresses who don't do well in pictures: "If you want to do better, wear a watch!"

Evadedropped at Eublich's: "Stay out of my dreams, my wife is getting suspicious."

Evadedropped at Chasen's: "He has rattlesnake shoes—and a face to match."

Whatever Became of—?

Willis & Davis: Holmes & Lavere
Malinda & Dale: "Change Your Act, or Back to the Woods"
Irving & Jack Kaufman
Jane & Katherine Lee.

Afterpiece

Some people say you can keep Hollywood. Others say you can keep Broadway. I'm satisfied as long as they both keep me.

Gershwin's Bio at WB To Be Tagged 'Rhapsody'

Hollywood, April 22. Title of George Gershwin's life story, to be filmed at Warners' is "The Rhapsody," named after the composer's most popular work. Ira Gershwin is due here next week to collaborate with the screen writers, Wally Klein and Aeneas Mackenzie.

L. A. to N. Y.

Irving Brilly.
Steve Brody.
Eddie Brown.
Vic Denney.
Roy Disney.
Charles Feldman.
Sam Fuller.
Tony Gale.
John Garfield.
Mitchell Hamblin.
Oscar Hammerstein, 2d.
O. B. Hanson.
Henry Herzbrun.
Jean Holloway.
Jules Levey.
John McCarty.
Jack Miller.
Alan Mowbray.
Harmon Nelson.
Ben Piazza.
Nat Persson.
H. C. Potter.
Irene Rich.
Joseph Ruttenberg.
Sig Schlager.
Sally Smith.
Kate Smith.
Robert Sinclair.
Barbara Stanwyck.
Arthur Stebbins.
Ted Torma.
Sylvan Tupper.
Robert Taylor.
Peggy Thompson.
Glenn Tryon.
Jane Tompkins.

ARRIVALS

(At the Port of New York)
Mr. and Mrs. Clifford C. Fischer.
Oscar Morini, Carlos Moore, Charles Pathe.

SHEARER AS DANCING PRINCESS IN M-G PIC

Hollywood, April 22. Next starrer of Norma Shearer at Metro is "We Were Dancing," a yarn about a Polish princess who makes a living as a professional guest.

Sidney Franklin production will be the first Metro appearance for Miss Shearer since she played in "Escape" with Robert Taylor.

Harriet Parsons Now Full-Fledged Producer

Hollywood, April 22. Harriet Parsons has been elevated to producer-writer-director post on feature films at Republic.

The daughter of the Hearst columnist has been making one-reelers in the "Meet the Stars" series at the studio.

SAILINGS

April 19 (New York to Lisbon) Mrs. Emylin Williams, Kirsten Flagstad, Richard de Rochemont (Clipper).
April 18 (Los Angeles to Honolulu) Nunnally Johnson (Lurline).
April 18 (New York to Los Angeles) Frances Gashel (President Monroe).

N. Y. to L. A.

Lady Sylvia Ashley.
Madeleine Carroll.
Alice Faye.
Gene Fowler.
E. S. Gregg.
Bernard Herrmann.
Margot Johnson.
Mori Krushen.
Hal Matson.
Dorothy Peterson.
Oscar Selvin.
Norma Shearer.
Edward Sherman.
Norman Taurog.
Mr. and Mrs. Lee Tracy.
Herbert J. Yates.

FONDA'S BRUSHOFF TO THE FAN MAGS

Omaha, April 22. Omaha's Henry Fonda, graduate of the local Community Playhouse and No. 1 local dramatic success, went over the fan mags and mail at the Chamber of Commerce luncheon for him. Fonda declared that the glamorizing of subjects in the fan magazines was regrettable and expressed himself "crestfallen" over aspects of the publications that feature the hour-by-hour lives of the flicker greats and near-greats.

Fonda is a big favorite here and has a number of relatives in the city. Several years ago he came to the rescue of his alma mater, the Playhouse, and planked down coin for a full set of new seats.

It'll Probably Wind Up As His Next Film Story

Mexico City, April 22. Anthony Quinn, just quitted as a newsman when leaving here for Los Angeles. The actor was on the train bound for El Paso, Texas, when it crashed head on into an inbound freight train, killing the trainman and injuring 20 other persons, including Quinn. The Hollywoodian's hurts were slight.

Before the excitement had subsided and without medical attention, Quinn phoned the news to a local newspaper. "His was the first information of the wreck to reach this city," Quinn conceded to Los Angeles on the emergency train, finished a few hours after the wreck.

Mitchell, Lindy Wade Hurt on RKO Location

Hollywood, April 22. Thomas Mitchell suffered concussion of the brain when thrown from a horse in a runaway scene in "Devil and Daniel Webster" at RKO. Lindy Wade, kid actor, also was injured. "Only when the nags bolted."

"Devil" lately had been held up pending Mitchell's recovery from a leg injury suffered on the Warner lot. The full extent of injuries in Mitchell's latest mishap still are undetermined at Cedars of Lebanon hospital.

Two specialists were called in today (Tuesday) to determine the extent of injuries. It is believed they may have suffered internal injuries which were not immediately diagnosed. Also hanging on the outcome "Unexpected Uncle," for which production had been slated to start May 1 following completion of "Devil."

ARMY COULD USE SHOWBOLK

Naughty Disk Jams Up Dwight Fiske; U.S. Calls Esper's Platter 'Lewd Matter'

Philip Pratt, an instructor at the Pratt Institute, Brooklyn, N. Y., was awarded \$60,000 damages for libel in a Brooklyn supreme court action against Dwight Fiske, the John McBride Co. and John McBride, head of the publishing company, by a jury before justice Phil A. Brennan, RCA, which had made records of 'Coney Island Honey-moon,' the allegedly libelous disk, was let out as a defendant.

The record tells of the slightly sulphurous happenings in the Coney Island Hotel of one Pratt and his wife, a taxidermist. Plaintiff in this instance married a woman connected with the Museum of Natural History, and the jury decided the similarity was a little too close for comfort. Damages were assessed at \$20,000 each against Fiske, McBride Publishing Co. and McBride.

The reason RCA was not held liable as a defendant was that the recordings were privately made for Fiske and not intended for any public use. Because they were not, and were never intended to be used commercially, the record company was held blameless.

Dwain Esper Faces U. S. Rap

Los Angeles, April 22. Trial of Dwain Esper, independent film producer, charged with violating the U. S. code governing the interstate shipment of lewd matter, goes to trial here June 3 before a jury in the U. S. District court. Esper, accused of sending phonograph records, via Railway Express to Terre Haute, Ind. His demurrer was recently overruled by Judge A. M. Holzer in U. S. District court.

Esper has been mixed up in production of sex films in Hollywood for a number of years. Platters which he is accused of shipping with one or two exceptions, had salacious titles. There is nothing in the criminal complaint on file in the U. S. court here as to who made the record, but the supposition is that Esper played a part.

Shumlin's Parlay; Two Critics' Awards, 'Rhine' And 'Corn' (Foreign)

Lillian Hellman's 'Watch on the Rhine' at the Beck N. Y. was selected as the best Broadway play of the season by the N. Y. drama critics yesterday afternoon (Tuesday), and Emlin Williams' 'The Corn Is Green,' playing the National, was named the top foreign play. Both plays are presented by Herman Shumlin, it being the first time a showman copped both critics circle nods. Runner-up was William Saroyan's 'The Beautiful People,' which opened at the Lyceum Monday (21).

There were 19 ballots cast. Rules call for the winner to poll three-quarters of the total, but after the seventh ballot that rule was suspended. 'Rhine' thereupon won by getting 12 votes, six reviewers standing out for 'People,' while one cast his vote in favor of 'Native Son.' Paul Green-Richard Wright mixed-cast drama, produced at the St. James by Orson Welles.

AUTHORS LEAGUE AND SWG'S JOINT MEETING

Hollywood, April 22. Plans are under way for a joint Coast meeting of the Screen Writers Guild and the Authors League of America. Slated for a three-day session some time next month, it would mark the first get-together of writing groups on opposite ends of the continent.

F.D.R. on Free Speech

Washington, April 22. Further assurance that rigid Federal censorship is not intended, at least while the United States remains technically at peace, was given by President Roosevelt last week, but various Administration spokesmen renewed past pleas for voluntary withholding by newspapers and radio of any information that might have military value to enemies of Great Britain and possible foes of this country. President's latest disclaimer was in a letter to the annual American Society of Newspaper Editors convention.

Emphasizing his devotion to free speech and free press principles, President declared 'free speech is in undisputed possession of publishers and editors, of reporters and of Washington correspondents; still in the possession of magazines, of motion pictures, and of radio; still in possession of all the means of intelligence, comment, and criticism. So far as I am concerned, it will remain there, for that is where it belongs.'

Coast's Biggest Opera Season To Cost \$750G

The most pretentious opera season in West Coast history will be launched in early October by the San Francisco Opera company, under the management of Gaetano Merola, its director since 1921. Besides the regular five-week season in Frisco, the company will appear in Los Angeles, Seattle, Portland, Sacramento and Pasadena.

Cost of the 10-week season will probably run as high as \$750,000 or more, as Merola pays the highest salaries in the world today for his singers, all of whom are Metropolitan opera stars. The singers average two to three times as much per performance on the Coast as they do in New York, where top salary is \$1,000 a performance. Merola's top for the same singers is \$3,000 a performance.

Artists signed for his 20th season include, among the women, the Misses Pons, Flagstad, Roman, Albanese, Sayao, Grace Moore, Swarthout, D'Elza, and Petrina, while some of the male group include Tibbett, Boerling, Weede, Jagel, Jobin, Schipa, Kulman, Melchior, De Paolis, Brownlee, Pinza, Alvary and Huen.

Conductors include the Messrs. Paul Monteux, McArthur, Leinsdorf, and Merola himself.

BECHET'S TOUR DE FORCE

He Plays All The Instruments On Victor Sides

Sidney Bechet, soprano saxist, in his latest release for Victor plays all of the six instruments used. Tunes were made with piano, bass, drums, clarinet, tenor sax and soprano sax.

It was worked by having the instrumentalist play each part separately, which was recorded on a master and playback disc. As the cutting progressed to the next instrument he played the part for it with the previously recorded instrument being fed to him through earphones from the playback platter, to keep timing accurate. After all parts were in they were mixed on a final master.

CITES CHANCE FOR DRAFTEES

Inductees Should Write to Morale Officers of Camps to Which They're Being Sent, Citing All Qualifications — Radio Engineers Wanted in Particular

MAY USE CIVIL SERVICE.

Musicians, actors and technicians trained in radio, legit, vaude, film and other branches of show biz are needed by the U. S. Army and will be given an opportunity to continue their civilian pursuits in military service if they take proper steps before enlisting or being drafted. VARIETY has been informed by ranking officers of various Army branches.

The procedure for musicians, legit players, vaudevillians, etc., to write to the morale officer of the camp to which recruits from the particular local draft board are sent. Letter, which should be mailed as soon as an approximate date of induction is determined, should state all experience and qualifications.

Recruits or others with experience in show business but uncertain about what camp they will be sent to should write to the chief of the Army's morale division, Brig-General James A. Ulloa, War Department, Washington, D. C.

Radio engineers, particular demand by the Army, should communicate with the local camp where they are to be sent to—with Major R. G. Swift, Radio and Tele. (Continued on page 16)

The Boys Still Have It In for Connie Bennett, N. Y. Times' Brushhoff

Further evidence of the pointedness of Jimmy Walker's famed crack, 'I never argue with a newspaperman because he always has the last word,' was the New York Times' handling of Constance Bennett's marriage to Gilbert Roland, Sunday (20). Story drove the knife in, but good.

Treatment was coming to the screenplayer, the newspaper boys (Continued on page 16)

REPORT AL BOWLEY DEAD IN AIR RAID

Al Bowley, former vocalist with the Ray Noble orchestra, was listed among those killed in last Wednesday's (16) 'heaviest of the war' air raid on London. Singer spent two years in the U. S., with the band. Bowley, 32, was born in London and until 1937 when he went back to England with Noble on a vacation. Noble came back to the U. S. and became a citizen, but Bowley remained in London.

He was in his early 40's and was born in Johannesburg, South Africa.

Jack Warners Part

Hollywood, April 22. Jack Warner and his wife, the former film actress Ann Page, have separated 'because of incompatibility,' it was announced yesterday (Monday) by attorneys for the Warner Bros. vice-president in charge of production. Mrs. Warner has taken their six-year-old adopted son and gone to the home of relatives; it was said.

Couple were married Jan. 10, 1936, at Armonk Village, N.Y. Mrs. Warner was formerly the wife of Don Alvarado, an actor.

No Regular Army Camp Shows Until Fall, When Theatres Will Be Rebuilt; Set Summer for Intensive Training

Hissers' Delight

Hollywood, April 22. Five 0.11 m. melodramas, slightly remodeled for the modern market, have been added to Republic's production schedule, to follow 'The Great Train Robbery' and 'From Rags to Riches,' now being directed by Joe Kane, producer-director.

New oldies are 'Ten Nights in a Barroom,' 'Nellie the Beautiful Cloak Model,' 'Lost in the Big City,' 'Sink or Swim' and 'The Black Crook.'

How're You Gonna Square Mother Goddam' Tag?

Screenwriter Geza Herczeg and Joe Breen, Hays office production code administrator, have just reversed their relationship of some 23 years ago. At that time, Breen was a war correspondent for the Associated Press and Herczeg was in charge of censorship in Hungary. Breen had to present his dispatches to Herczeg for his pencil.

Now Herczeg has just completed a session with the Hays office, in which Breen held the blue pencil. Herczeg was doing the screenplay of 'Shanghai Gesture,' which Arnold Pressburger will put into production around July 1, as his initial United Artists release.

'Gesture,' legit version of which was written by John Colton and presented by Al Woods on Broadway in 1926, had been proposed by film studios to Hays office some 30 times before Herczeg's present screenplay was approved. Even the title was at one time banned for films. Rather than by deleting material, Herczeg claims he won approval by adding some 75% of original material to the play.

Pressburger bought screen rights from Lee Shubert, who had previously secured all rights from Wood. Budget of \$800,000 has been set up for film, producer declared. All four acts of the legit are located in a Shanghai brothel, with the principal character named Mother Goddam. Pressburger said he is seeking Loretta Young for the 'Goddam' role.

STILL UNLUCKY

12-Letter Stepin Fetchit Plunched — No Auto License

Buffalo, April 22. Dropping the first 'F' from his 13-letter name was no goodluck charm to Stepin Fetchit. Four days after his announced intention in last week's VARIETY to drop the 13 'f' from the colored entertainer was collared by localgendarmes for driving without a New York license.

Fetchit took his manager's auto for a short spin between shows at Clark's Oasis, where he is filling two-week stretch here, and was caught later by bluecoats. They promptly charged him with driving without an operator's license and hauled him to precinct house.

Negro comic showed his California license, and said he didn't know another was required here. Also, he was almost late for second show at Clark's, and would they let him go? They would in \$50 bail, so Fetchit had to scurry up that sum from a friend.

California license won his discharge in City Court Saturday (19).

Although there may be occasional shows in the army camps, subject to the orders of individual commanders, organized presentations for trainees are not definitely dated until autumn. Latest word from Washington is that touring shows are not wanted until October, because the summer will be devoted to intensive training and there will be outdoor diversions for the men.

After another trip to Washington, Robert E. Sherwood, of the army's advisory committee on entertainment, informed Bert Lytell of Equity that an operating committee will be formed to direct camp stage shows. Equity and the other talent groups will be represented on the committee and it is fully expected that managers, dancers, and other practical showmen will also be members. According to plans, theatres will not be reconstructed before late September, structural changes including the addition of dressing rooms, important requirements.

At this time it is realized that the touring of shows cannot be inclusive of all the camps because of distances between them. Country will (Continued on page 55)

BUTLER-KYSER O. O. TEXAS 'LOCATION'

San Antonio, April 22. David Butler, Hollywood director, has arrived here with Kay Kyser and his orchestra. Butler plans to look over a location site for a proposed picture.

It was understood here that several scenes of the forthcoming Kyser will be filmed during the two-day stay here of Kyser and his band. Also that a maverick (a young unbranded calf) would be presented to Kyser by Mayor Maverick which will be sent to Hollywood and used in the picture.

Trade Mark Registered
FOUNDED BY JAMES SILVERMAN
Published Weekly by VARIETY, Inc.
815 Silverman, President
154 West 45th Street, New York, N. Y.

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

Vol. 142 No. 7

INDEX

Band Reviews	40
Bills	48
Chatter	53
Exploitation	53
Film Booking Chart	18
Film Reviews	15
House Reviews	46
Inside—Legit	50
Inside—Orchestra	36
Inside—Pictures	22
Inside—Radio	35
International News	14
Literati	42
Legitimate	49
Music	42
New Acts	44
Night Clubs	44
Night Club Reviews	44
Obituary	54
Orchestras	36
Pictures	15
Radio	23
Radio International	30
Radio Markets	36
Radio Reviews	32
Units	40
Vaudeville	41

DAILY VARIETY
(Published by JAMES SILVERMAN)
Daily Variety, Inc.
\$10 a year—\$12 foreign

U. S. Filmers Using Lease-Lend Law As a Wedge to Dislodge More Than \$25,000,000 Now Frozen in Gt. Britain

Lease-Lend law is being employed as the instrument or agency for dislodging more than \$25,000,000 in money reportedly now frozen in Great Britain, according to latest reports. Understood that negotiations are going forward although no official confirmation has been made by a film official or Haystack because of the hush-hush attitude requested by British officials. Lord Halifax, ambassador to U. S. from England, is reported to have asked that no American film officials discuss the subject, and this request is being closely followed.

Based on the contention that nearly 67% of U. S. distributor income is being frozen in Great Britain under the new frozen coin pact, which ends next Nov. 1, it is estimated that by then around \$40,000,000 or more income coin will be piled up in Great Britain. American distribution companies were allowed half of the distributor income, after deducting about 33% for operating costs, or \$17,500,000, in the initial frozen pact that ended last November. Under the presently operating one (concluding next November) only \$12,000,000 is being remitted, although U. S. distributor income is reported running about the same, leaving about \$22,000,000 income frozen there.

Film company executives admit that this frozen monetary situation is a highly important one for American picture companies just now. Sidney R. Kent last week explained that it is one of those important matters which would be kept constantly in the foreground. He expressed the belief then that the matter doubtlessly would be cleared for all companies through the Haystack office.

BAKLEINIKOFF HEADS MUSIC DEPT. AT RKO

Hollywood, April 22. RKO signed Constantin Bakleinkoff as head of its music department, to succeed Dave Dreyer, resigned. Until recently Bakleinkoff was a musical director at Metro, and before that at Paramount.

Dorothy Peterson All Set at Par, M-G

Dorothy Peterson planned back to the Coast Thursday. (17) from New York with deals set at Metro and Paramount. Film and legit player had come east for a role in Tennessee Williams' "Battle of Angels," which failed to reach New York after being given a preem by the Theatre Guild in Boston. Miriam Hopkins was starred in "Angels." She had since been playing in various radio serials.

Miss Peterson has a four-week ticket at Metro, to be followed by appearances in three Henry Aldrich series films at Par.

20TH-FOX SETTLES

Izola Forrester and Mann Page Drop — Temple Pic Suit

Suit of Izola Forrester and Mann Page, writers, against 20th Century-Fox Film was settled and discontinued Thursday (17) out of the N. Y. supreme court. The suit claimed the plaintiff's play "Joyous," written allegedly for Shirley Temple, and released by 20th-Fox, in "The Poor Little Rich Girl." An accounting of profits, an injunction and damages had been sought.

The film company told Miss Forrester and Page a "nominal sum to settle."

Fancy Tune Indeed

Hollywood, April 22. Costliest music background for a picture in many years is 20th-Fox budget for "Blood and Sand." Alfred Newman's gypsy score will require three weeks' playing by a 90-piece symphony orchestra. Vincent Gonzales, composer-guitarist, recorded 14 numbers for the film at an outlay of around \$60,000.

Bogart Forces WB's Hand

Hollywood, April 22. Humphrey Bogart, recently suspended by Warners, balked at going on Life Buoy broadcast of "Wagon Rall at Night" next Friday (25) unless restored to the company's payroll. The studio lifted the suspension when the actor refused to go on the show.

Selznick Planning Series of 40-Min. Literary Classics

Hollywood, April 22. David O. Selznick, who produced a marquee champion in "Gone With the Wind," is mulling the idea of a series of 40-minute pictures based on the short classics of literature. The idea is to break down the double-feature habit. With production assistant, John Houseman, Selznick is going over a library of ancient yarns that have a tremendous audience appeal because they are so widely known to many generations.

ROACH'S 50-MINUTE PIX IN TECHNICOLOR

Number of the "streamlined" (50-minute) features that Hal Roach will turn out for release next season is noted of standard-length product will be done in Technicolor. First inter probably will be "Fiesta," which Roach originally had on his 1940-41 slate for a full-length.

Although United Artists a few weeks ago announced Roach will make five of the pint-sized features as a starter to test exhib reaction, Roach is preparing to go ahead immediately with 10. Scripts and casts are now being worked on and the first one will go into production in about two weeks.

First two are "Niagara Falls" and "Tanks a Million," both of which were originally planned for full-length this season. Roach plans a sort of stock company cast system which will include Paaty Kelly, Zasu Pitts and Victor Mature.

Chas. Pathe Due Over By Clipper Tomorrow

Charles Pathe, French film pioneer who founded the newest world, bears his name and made early shorts, is due in New York from Lisbon on the clipper arriving tomorrow (Thursday).

Pathe was expected a couple months ago but failed to arrive. No word was received from him and there were fears for his safety in Paris until it was learned yesterday (Tuesday) that he is on board the flying boat.

WB's Band Biz Pic

Hollywood, April 22. "Hot Nocturne," dealing with the band business, rolls at Warners April 28, with Curtis Bernhardt directing. Picture is being adapted from a stage play by Edwin Gilbert.

CHAPLIN, NEW OR OLD, STILL STRONG AT B. O.

While Charles Chaplin's "The Great Dictator" is hitting grosses in general release that are surprising even the distributors, United Artists, another chunk of Chapliniana is likewise mining gold from the b.o. It's a two-hour feature compiled from six two-reelers made by Chaplin for Mutual back in 1916 and 1917.

Compilation is billed as "The Charlie Chaplin Festival," currently opened on Saturday (19) in Newark and Detroit, and follows in a couple weeks in Chicago, Washington and Baltimore. Distributors are Guaranteed Pictures (Samuel Goldstein and M. E. Sicauff), who bought the negatives and copyright for world release from RKO.

Guaranteed, at the same time, acquired from RKO six other shorts made during the same period. These will be released in a year or so in a similar compilation. The winning titles have been retained in the films, but art work has been added to give the impression of an album being unfolded, and to provide feature-like continuity for the shorts. Pix were dubbed with music and sound effects when acquired by Buena Vista Corp. (RKO subsid) in 1935.

PAR'S 11 FOR '41-42 Release

Throwing two additional pictures into production this week, which, according to the company's latest schedule of releases will not be delivered on this season's contract, Paramount has a total of what appears to be 11 features that are to be sold on the '41-42 season. A tentative slate of releases taking the company through to Sept. 1 includes none of the following 11 pictures: "Great Man's Lady," "Night of January 16," "Skyline," "Hold Back the Dawn," "Buy Me That Town," "World Premiere," "Nothing But the Truth," "Henry, the President," "Birth of a Nation," "Among the Living" and "Sullivan's Travels." Latter two were placed in production Monday (21). Additionally Par has a picture called "New York Town" which is already in the can and will probably be held for the 1941-42 season.

PAR SCOUTING NYAWK FOR YOUNG WRITERS

Hollywood, April 22. Paramount is galloping eastward on a literary scouting tour to corral writers in the corner of Master William Dozier, chief of the Par story and scripting departments, is about to prowling New York for a new contract list of young scribers for the studio's 1941-42 program.

Since B. G. De Sylva moved in as production chief, the studio has signed a number of writers, including Harry Tugend, Dalton Trumbo, Kenneth Earl, Curtis Kenyon, Joseph Fields, Jerome Chodorov and Walter De Leon. On his eastern tour Dozier will scan the newspaper, magazine and playwright field for youthful talent.

RKO Holds Swanson

Hollywood, April 22. Gloria Swanson, returning to pictures after an absence of seven years for a featured role in "Father Takes A Wife" at RKO, has been held for a second picture on the same lot. Option calls for a possible term contract.

Other News Pertaining to Pictures

Belle 'Good Neighborliness'.....Page 14
Jack Benny in 1942?.....Page 23
Orson Welles-Free Company mess.....Page 25
Radio reviews. Francis Harley, Ned Sparks.....Page 32
ASCAP.....Page 43
RCA Victor and Warner tiff.....Page 43
New Act: Alan Woodbury.....Page 44
Wm. Grein, Whitehead and AGVA.....Page 45
Shumlin-inspired suit against authors.....Page 49

Hays Office Moves for Reparations From Nazis for Seized Paris Funds And Property; Anti-Axis Pix Moves

Ginger's New RKO Deal

Hollywood, April 22. RKO gave Ginger Rogers a new three-year deal calling for two pictures annually and allowing her one outside picture yearly. Her current seven-year contract expires mid-May.

Hope's \$100,000 Flight For Goldwyn in S. A. Aerial Epic Next Fall

Hollywood, April 22. Bob Hope is going to be a smart-cracking air pilot with a South American background for Samuel Goldwyn at \$100,000 for a single flight, but there won't be any take-off until next fall, due to congested business on Hope's home lot at Paramount.

Original contract between Hope and Goldwyn, made when the actor was dicker for a new deal with Paramount, called for a film to be made during June or July, contingent on the result of his negotiations with the home studio.

The Par schedule will keep Hope busy all summer, and there is no chance of an outside job unless it can be sandwiched somewhere in between his jobs at home plate. Goldwyn's present production schedule calls for Hope as his fourth starlet. His first is "The Little Foxes," to be followed by a Gary Cooper picture and a producing venture with Walt Disney on the Hans Christian Andersen fairytale.

METHODIST MINISTER BLASTS WB 'HEAVEN'

Philadelphia, April 22. Rev. B. Smith Stull, prominent Methodist minister, today (Tuesday) attacked WB's "One Foot in Heaven" as a "scheme of the part of Hollywood to lure church people into the movies." Speaking before the weekly Methodist ministers meeting, Dr. Stull declared that inasmuch as the film was about a Methodist minister, it should have had a clergyman of that faith advising in its making.

"Instead Hollywood obtained the advice of a Baptist clergyman," he said. The Baptist clergyman was the Rev. Daniel A. Poling of the Baptist Temple here and editor of the Christian Herald, Protestant publication.

Dr. Poling was asked by J. L. Warner, vice-president of Warner Bros., to select a technical advisor for the filming of Harriet Spence's biography of his father. After meeting with representative clergymen of Protestant denominations, Dr. Norman Vincent Peale, of New York, was chosen. He is due to leave for Hollywood shortly.

Autry's Rodeo Encore In Madison Sq. Garden

Gene Autry, who winds up week spring rodeo schedule in the West, will appear in a return date at Madison Square Garden, N. Y., in the fall. Republic Pictures tumbledown/tenor made his initial appearance in the MSG show last season with good results all around.

Autry's set to return to the Coast around May 15 to start work in "Down Mexico Way." He's currently showing in Cleveland and goes to Pittsburgh before heading his platoon west. He had previously been in Washington and Hershey, Pa.

Rep's second-string cowhand, Roy Rogers, is due in from the Coast during the second week in May for a rodeo engagement in Philly which Autry handled last year.

Johnson's Long Story

Hollywood, April 22. Julian Johnson inked his 10th consecutive one-year contract as story editor at 20th-Fox. Department has acquired 28 new story properties since the first of the year.

Machinery was set in motion by the Hays office to obtain reimbursement from the German government for property and money taken over by German military authorities in Paris following a meeting last Thursday (17) of American film company foreign managers. The U. S. State Department has been queried as to the exact status of this takeover; reported in dispatches from Vichy. Also steps were taken to take advantage of the setup provided by the Foreign Funds Control Commission in securing reparations for property and funds lost by the German action.

All foreign managers at the Hays office session expressed deep concern over the situation in France, although admitting having few details about what actually had been taken. The film company foreign departments have feared some such action by the Nazis ever since they were told to quit operations in occupied France within 30 days after Germany marched into Paris last spring. That is why most major companies sent their European chiefs abroad to get affairs in shape so they would have a clear account of what was on hand in case their business was possessed by the German authorities.

Fred Lange, Paramount's managing director, had been recently was in Paris and lately was reported in Spain. But no official word had been received from him by the Par home office on the new development in Paris.

Besides losing exchange and headquarters properties several foreign managers estimated some money and a few films also would be lost by the German action. Compensation for losses would be sought by all film companies.

Frozen French Coin In U. S. Fact that French interests have coin and investments in U. S. would be employed as the medium for such reimbursement, if not directly from the German government. Because French funds and investments are frozen in this country, permission to unfreeze to cover any losses would have to be taken up with the Foreign Funds Control Commission. This doubtlessly will be a slow process because it was estimated recently that there are 200,000 applications on file from other American businesses for reimbursement of investments in seized nations abroad. Biggest amounts for the film companies will be in property taken over by the Nazis, since the total loss on films and actual funds would be comparatively small.

Foreign managers also met Addison Durland, new Latin-American expert, who left the same day to become a new aide to Joseph L. Breen in Production Code work of the office.

The same day word of the Nazi seizures came through, Max Cohen, as president of Allied Theatre Owners of New York, informed Ed Kuykendall, head of the Motion Picture Theatre Owners of America, that he would bring the issue of foreign films before the MPTOA convention in Los Angeles June 9. N. Y. Allied recently passed a resolution asking the State Department to ban Nazi and Italian films because no American films can play totalitarian countries.

U. S. government already has the right to ban any film, alleging this country on the grounds that it is immoral or indecent, which gives it considerable leeway if they want to exercise the authority. However, the distribution of films, of course, can appeal such decision to the courts here.

Independent Theatre Owners Assn. plans to make a formal request that the Government ban German and Italian films in the form of a resolution to be presented at the meeting today (Wednesday). Poll of members indicates that the resolution will be unanimously adopted. The Italian film, shot out that during 1940, 45 German and 54 Italian films were shown in U. S. and that they netted a total of \$22,861 to be used in any way Germany might choose. Also, most of these were released purely because of their propaganda content.

4 FILM COS. REFUNDING

Sol Lesser's Post as RKO Studio Head Complicated by UA Contract

Whether or not Sol Lesser wangles his release from United Artists to become production head of RKO, he is determined to break the exclusivity clause in his contract with UA, it was learned yesterday (Tuesday). Only point which is holding up Lesser's acceptance of the offer made to him four weeks ago by RKO prez George J. Schaefer is that in his UA pact which prohibits his working for any other company while the agreement is in force. Murray Silverstone, UA topper, is resisting Lesser's demands that he be allowed to take the RKO post. Lesser has promised, it was learned authoritatively, that despite a move-over to RKO, he would otherwise live up to the letter of his UA deal. That would require that he turn out at least one picture a year for UA for the next three years. Lesser has a five-year contract signed two years ago.

[Silverstone declared on the coast yesterday that he had informed both Lesser and Schaefer that he would hold Lesser to his contract in an effort to nullify any possibility of an RKO deal.] Schaefer's offer to the UA producer is said to have been "very flattering" and to have "come out of a clear sky." RKO studio has virtually been without a real chief for months. Schaefer having taken over most of the duties himself from titular head Harry Edington.

Nothing is ascertainable yet as to what the position of Edington would be if Lesser came in. Edington has a contract at \$2,500 a week which runs until the end of this year. Proposed Lesser deal is for five years.

Lesser, it is known, has not been completely happy at UA. His desire to get out of an exclusive tieup with the company is understood to date back long before the RKO offer but to have come to a head as the result of it. "Exclusiveness of Mr. Lesser's contract is something he must rectify," it was said yesterday.

UA has made no secret of its efforts to hold Lesser, but whether it can do so may lie in legal action ahead, reminiscent of Samuel Goldwyn's recent battle to break away. Lesser, it is learned, is still negotiating with Silverstone and if he can obtain his release even with a guarantee to deliver more pictures, he is said to "have other plans in mind."

METRO'S 'KID' AHEAD OF HUGHES' 'OUTLAW'

Hollywood, April 22. Metro has won a decision over Howard Hughes on similar outdoor pictures. Hughes is temporarily withdrawing "The Outlaw" to avoid conflict with "Billy the Kid," the Metro opus.

Both films treat with identical subjects.

Langton, Rep's Story Ed

Hollywood, April 22. Francis Langton has been named story editor by Republic.

He formerly headed the writers' department at Paramount.

Trendle's 20th Year

Detroit, April 22. George Trendle, former Paramount partner here, chief of WXYZ station and key theatre operator of Detroit, has just been reappointed for another four-year term as Fire Commissioner. This will make it a run of 20 years.

He has been appointed by various administrations.

MERRY MACS' U. PIC.

Hollywood, April 22. Merry Macs have been linked for acting and singing roles in Universal's "Moonlight in Hawaii."

Quartet is currently at the Paladium here.

Morros Still Dickering

Hollywood, April 22. Dave Grisold is here from New York to work on a deal for Boris Morros to produce "Hunting Tower" for United Artists release under James Roosevelt aegis.

Grisold is contract-approval representative for U. A. Globe Productions.

RKO WILL BACK B'WAY PLAYS ALSO

RKO has also entered the ranks of film companies ready to back plays on Broadway. Prime rule governing its choice of legitims, however, will be that the show be potential film material for players of star rating. Studio will not back plays merely as an investment, as some other companies have done.

Number of scripts are under scrutiny by RKO execs. A number have already been looked over and rejected. Company is ready to put up coin for productions either now or in September and isn't particularly fussy under which of the three methods prescribed by the minimum basic agreement it operates.

Selwyn's Metro Play

Hollywood, April 22. Edgar Selwyn heads for N. Y. tomorrow (Wednesday) to take up again as a Broadway producer. He will be ready for fall production on the Metro-financed "We Fought It Out," later to be produced by this studio.

Robert Sinclair, who directs, is accompanied Selwyn.

RKO EARNINGS FOR '40 PROBABLY UNDER 500K

Radio-Keith-Orpheum earnings for 1940, first year in which the company operated almost entirely out of 77-B, are expected to be less than \$500,000, although figures from the foreign field are still coming in. This Wall Street estimate takes into consideration uniformly good income shown in recent reports by Keith-Albee-Orpheum and B. F. Keith, two theatre subsidiaries, and improved picture company producing-distributing subsid of the parent RKO corporation.

RKO must file its annual statement by the end of this month with the Securities and Exchange Commission, but likely will apply for an extension of time because reports from foreign nations recently have been four months behind usual schedule in transmission to U.S., even statements from England coming through lately three months behind normal schedule. While the statement may be completed sometime in May, actual release to the public may have to be postponed until the annual stockholders meeting early in June.

Ballet Masters Made Overnight—In H'wood

Hollywood, April 22. Two ballet masters, George Bainachine and Adolf Bolm, have been signed by Gregory Ratoff to coach Loretta Young dancing in "The Stolen Ballet" numbers for "Tonight Belongs to Us."

Picture is being readied at Columbia, with Ratoff as producer-director.

'CHEAP MONEY' SPEEDS PLANS

Main Idea Is to Lower Interest Rates on Revolving Credits—Columbia, for Example, Cuts 1% Off Its Interest — \$2,000,000 for 1941-42 Productions

U, RKO, PAR ALSO

Taking advantage of present "cheap money" market, refunding operations are on the upbeat in the industry as the principal current financial matter occupying the attention of major film companies. Columbia, Universal, RKO and Paramount either have loans in work, negotiated or under consideration to refund certain stocks, supplant other obligations at a lower interest rate; or call them into the company treasury with cheaper interest loans taking their place.

An agreement with the First National Bank of Boston, Bank of America National Trust & Savings Assn. and the Manhattan Co., making a maximum of \$3,000,000 in loans available to Columbia was revealed last week. Only \$1,000,000 of this credit has been borrowed thus far, the money being employed to retire the principal amount of its six-year sinking fund debentures. These drew 4 1/2% interest, and the new Columbia loan is under this figure, said to be 3 1/2%.

Remainder, the \$2,000,000 revolving bank credit, would be used by Columbia partially to finance new production and build up a backlog for 1941-42 release.

Universal borrowed \$1,500,000 last fall at a lower interest rate to pay off a \$1,000,000 loan held by Consolidated Films; remainder being used for studio improvements, etc. Then late last December it borrowed an additional \$1,000,000 using most of it to retire part of its \$9 preferred.

U's \$2,500,000

Currently U is attempting to secure new loans, one for four years and another for five, to supplant its present short-term revolving bank credit said to be approximately \$2,500,000. Advantage of this loan would be that it gives the corporation a lower interest rate and extends over a period of years. Coincidence would be in developing a backlog of 1941-42 production, it is understood.

Keith-Albee-Orpheum again is talking about retiring \$4,500,000 worth of B. F. Keith 6% bonds and bringing the Mike Meehan-KAO preferred shares into the treasury, with nearly \$3,000,000 likely needed to swing the combined deal. Directors must approve the plan, after which it goes to RKO, parent corporation, for okay by that directorate. This is virtually the old deal lined up last December, but dropped when it failed to receive approval from the RKO directors. Then, as now, idea back of both proposals was the simplification of corporate structure, as sought by George J. Schaefer, president, for more than a year, and simplifying of subsidiary operations.

K-A-O's Saving

As worked out before, instead of paying 6% on the bonds and 7% on the Meehan-KAO preferred, Keith-Albee-Orpheum only would have to pay 3 1/2%, the interest on a mortgage, and 3%, the rate on the contemplated bank loan. This represented an annual saving of around \$230,000. With Atlas Corp. (Floyd B. Odum) expected to pick up its option for the remainder of 26,000 KAO preferred shares held by the Meehan interests before May, as reported previously, the switch of this stock into the company treasury is expected to eventuate without much difficulty. Atlas would be paid its purchasing price, it is reported, Consumption of the deal would leave less

WB Release of Goldwyn Pictures Virtually Reached; Deal Calls for 15% Distrib Fee, Use of Co.'s Stars

Roosevelt to Far East

Hollywood, April 22. Capt. James Roosevelt planned for the Far East on assignment as an observer with the U. S. Marine Corps.

His further connections with motion pictures depend on military and naval operations.

HEAVY RUN OF TECHNICOLORS ON SLATE

Hollywood, April 22. New high in Technicolor productions will hit the screen in summer and fall to augment the large number of tinters now in release. Four features from four studios are practically ready for distribution, in addition to 11 colored shorts from seven plants, and plenty more scheduled during the next few months.

Four Technicolor features to be released shortly are Walt Disney's "The Reluctant Dragon," to be distributed by RKO; "Blood and Sand" by 20th-Fox; "Shepherd of the Hills" by Paramount and "Billy the Kid" by Metro. Five currently on the screen are "Fantasia," Disney; "That Night in Rio," 20th-Fox; "Thief of Bagdad," Korda-UA; "Virginia," Paramount, and "Western Union," 20th-Fox. Technicolor pictures in work for the 1941-42 program are "Belle Starr" and "Miami" 20th-Fox; "The Yearling" and "Blossoms in the Dust" at Metro; "Aloha of the South Seas" and "Mr. Bug Goes to Town" at Paramount; "Dive Bomber" at Warners, and "Bambi" on the Disney lot.

In preparation for future color production are "Reap the Wild Wind," "Dildo Cay" and "Louisiana Purchase" at Paramount; "Caribbean Cruise" at 20th-Fox; Edward Small's "Corsican Brothers" and Alexander Korda's "Jungle Book."

JOHN MOCK AT COL., D. A. DORAN AT PROD.

John Mock, former Fox and later Paramount story editor in London, has become assistant to D. A. Doran, Columbia's Coast story chief. Mock has been back from Europe about a year and succeeds Mike Kraike at Col.

It's understood Doran will shortly be upped to a producer post on the lot and Mock will take over the editorship.

Threat of a proxy fight at the RKO stockholders' meeting June 4 at Dover, Del., apparently has blown over with the lining up of this loan plan. RKO directors could act on the KAO preferred and Keith bond plan, after KAO approval, at its meeting this week. However, the session, scheduled for tomorrow (Thursday), undoubtedly will be postponed because Schaefer is on the Coast.

Paramount's proposal to retire the first preferred shares still is marking time although it has been in work now for several months. Idea back of the retirement proposition not only is to affect an interest saving of 1 1/2% to 2% per year but also to simplify the corporate structure thereby bringing common stockholders closer to substantial divvy payments. Any new developments are not expected until Stanton Griffler returns from Mexico.

Agreement, it is understood, has virtually been reached for distribution of Samuel Goldwyn's pictures by Warner Bros. Company is said to have topped all other distributors' offers of advantageous terms to the producer. It is reported WB will handle the Goldwyn output for a 15% distribution fee, provide all production financing and make available its entire roster of players.

Negotiations are being handled for Goldwyn by Leo Spitz, who has concluded that it would be virtually impossible for any company—with the probable exception of Metro, which isn't interested—to exceed the offer by WB. However, inasmuch as there's no particular reason to hurry in closing a deal, Spitz is waiting with the hope that something even better may come along.

It is well agreed in distribution circles that at 15% Warners would be no more than breaking even in handling the Goldwyn merchandise. Producer paid United Artists, from which he recently broke away, 35% minus discounts which only on tremendous grossers in markets all over the world could conceivably bring the fee down to 15%.

Despite all the advantageous terms, other distributors agree WB still will have a bargain because of the new method of selling in blocks-off five under the consent decree. It is expected in each case that one or two top features may be the influencing factor in causing exhibitors to buy a block. Goldwyn films, with the prestige they carry, therefore, could become bait by which more playdates and better terms are obtained for the other four pix in the group.

Offer of complete financing is no particular concession so far as Goldwyn is concerned. Virtually any company would offer the same, and the producer usually has no difficulty in obtaining coin. UA's projected new financing unit is thought by some to have been created partially as bait to retain Goldwyn.

WB BACKLOT PAYROLL LEAPS 155% TO 1,400

Hollywood, April 22. Seven pictures in work and four more in preparation have brought an increase of 155% in craftsmen employed at Warners. Current total is 1,400, compared with a normal payroll of 550.

Employment roster consists of 270 carpenters and cabinet makers, 510 general laborers, 125 grips, 60 powder and special effects men, 80 machinists and tinsmiths, 30 staff shop workers, 70 property men, 125 painters, 80 nursery men, 35 plumbers and 15 scenic men.

20th Remaking 'Chicago'

Hollywood, April 22. Talker rights to the old silent film "Chicago," were acquired by 20th-Fox from Muriel Watkins, Sam Harris and other writers. The film, an old days with Marie Prevost as the star, Harris produced the Watkins-produced play. Pathe filmed it. Nunnally Johnson has been assigned to produce the audible version.

Financial Ramifications Behind Schenck-Moskowitz Convictions

Some definition of the future to be pursued by the Government in its prosecution of Joseph M. Schenck, chairman of Fox Co., for income tax evasions and certain perjury counts in the federal indictments, which were not pressed at the trial of the firm executive, will be forthcoming tomorrow (Thursday) when Schenck and Joseph H. Moskowitz appear in court to hear the penalty imposed for violations of which both were judged guilty by a jury last November.

Schenck was found guilty of tax evasions aggregating \$253,692 on his income for the years 1935 and 1936. Moskowitz, fined \$50,000, Moskowitz and fine of \$50,000. Moskowitz, who is eastern representative of 20th Century-Fox studio and long time business associate of Schenck, was found guilty of aiding in the evasion of the same taxes and the maximum penalty of five years imprisonment and a fine of \$10,000.

When court convenes tomorrow Harold H. Corbin, defense counsel, will ask Judge Judge J. Edgar Hoover to set aside the jury verdict. If the motion is denied and sentence passed by the court, Corbin will enter his motions for delay in order to permit appeals for both defendants to be made to the Circuit Court of Appeals. Latter court will not be able to hear arguments until its October term, or more likely in November or December. Failure to appear the verdict will mean an appeal to the U. S. Supreme Court.

While there is an extended appeal program in sight for the defendants, there is reported at the office of the U. S. district attorney, Mathias J. Corra, who is expected to plan to press civil actions to recover with penalties unpaid taxes. Moskowitz is not involved in these contemplated actions but Schenck faces suit for \$24,953.31 on his 1935 income tax, \$24,973.31 on his 1936 income. The Government also may seek to recover \$158,353.07 on the 1937 tax, although the jury ruled there was no fraud or evasion in the 1937 or 1937. With 50% penalties on the amounts for the first two years, and the addition of the 1937 claim, the Government may sue to recover a total of \$38,691.15 plus interest.

Another questioning feature of the proceedings surrounds the Government's disposition of the 20 counts in the perjury indictment against Schenck which were returned by the grand jury after the hearing and examination into income tax affairs of Willie Bioff, Coast labor leader. Schenck is alleged to have made false statements, under oath, to a "tax agent" in connection with Bioff matters. Bioff must stand trial of tax evasion charges in California next month. Testimony at the proceedings against Schenck were to the effect that he had loaned \$100,000 to Bioff, although the financial records and the verbal accounts of the transaction were not to the satisfaction of the Government. The perjury charges remain in force and are affected by the jury verdict in the income tax counts.

Highly technical nature of the testimony offered against Schenck and Moskowitz during the five weeks trial in the New York Federal court building is best illustrated by the unusual legal and accounting confusion which surrounds the status of Schenck's income tax return for 1937. It was asserted that the firm acquired the defendant on this portion of the indictments, because the defense brought out that monies received by Schenck in 1937 were returned in 1938 in payment of taxes. Since such monies were less than the defense said, Schenck actually overpaid his taxes that year and the Government owes him between \$90,000 and \$55,000. During the trial the Government did not overtly refute this.

Schenck's Good Chances
Lawyers who attended the sessions have volunteered opinions that the defense is undoubtedly entitled to a continuance of the trial to appeal in the criminal action, and also the civil action, if undertaken by the Government. Allocations of various types of income, as well as expenditures, are being reviewed by the trial as a precedent in many respects. The disparity between in-

come for the years 1935-6-7, as reported by Schenck, as charged by the Government, and as finally accepted by the court, as evidence, was not large, considering the high earnings of a man of Schenck's financial connections and activities. For the three years the Government claimed the reported income was \$2,016,007. His reported income was \$1,601,832. Figure accepted by the court was \$1,857,654.

As the jury was not required to make specific findings, it is not known what particular claimed deductions for 1935 and 1936 were interpreted as "evasions." It was in connection with 1935 that testimony was brought out at the trial regarding the transfer by Schenck of stock in the Agua Caliente hotel enterprise to Roland West, and stock in the racing plant to William Goetz, on each of which transactions Schenck's defense claimed substantial losses.

In 1936 Schenck reported income of \$547,299 against the prosecution's claim of \$563,414. Deductions amounted to \$113,852, whereas the Government insisted only \$40,944 was allowable. In this year, also, Schenck is said to have failed to report as income election bets amounting to \$40,000, but to have deducted as business expenses some \$4,700 for entertainment at pleasure resorts and half of the cost of upkeep of his home, used frequently for business conferences and entertainment.

The entire Bioff loan transaction took place during 1937. Windup of the trial, the defense and prosecution's pleas and the court's instructions to the jury was completed at 10:30 a. m. on Tuesday, April 22, at which time the jury was sequestered for a protracted period of 10 hours during which the jury argued the evidence. Soon after midnight on Thursday morning the jury requested elucidation of a legal point. The jury was reconvened after some delay and the jury foreman declared:

"Your honor, we may be able to come to a quick decision if you can answer one point. If the jury finds the defendants guilty of any or all of the first three counts (dealing with income tax evasions) must it necessarily find them guilty of the fourth count, the conspiracy charge?"

Judge Moskowitz instructed the answer was no. At 2:30 in the morning the jury returned to the courtroom and reported its findings. By 10:30 a. m. the appearance of C. (Blumen) Blumenthal, friend of Schenck. The name was repeated by bullfights at the door of the courtroom. There being no response, U. S. District Attorney Mathias J. Corra told the court that "proper steps had been taken."

It was learned that the government early in its investigations had subpoenaed Blumenthal as a witness, but was unable to complete service. Blumenthal has been in Mexico City for some months. Effort to compel his return took the form of a court order, which was issued on March 10, 1941, by Judge J. Edgar Hoover. Failure to obey the order, according to the government attorneys, places Blumenthal in contempt of court and liable to a fine of \$100,000.

Further light was shed on the incident when Eugene M. Blumenthal, the attorney, made a motion in Federal court on Monday (21) to quash the order, which was served on Blumenthal by an attaché of the local consulate in Mexico City.

Sustaining his contention that Blumenthal is ill and unable to come to New York, Garey filed with the court affidavits from six Mexican physicians stating that Blumenthal's physical condition.

That Leaves Him 24½
Hollywood, April 22. Arthur Spitz, producing 49c operettas at the downtown Mason, has a new partner in his enterprise. She is Bette Davis, film star, who bought 25% interest.

Weire Bros. comedy dance team, also is in for 25%.

MAN-SIZED ORDER
Hollywood, April 22.

Warners ordered 300 prints of 'Million Dollar Baby,' the largest assignment of the year at the Burbank plant.

Picture gets a top-budget advertising campaign.

Sounds Fishy

Hollywood, April 22. Wallace Beery went fishing and got paid for it yesterday (Mon.) in the role of "Bar-nacle Bill," a Metro production, with 25 tuna boats as atmosphere.

Script calls for three weeks of fishing at Fish Harbor off the California shore near Los Angeles, with Richard Thorpe directing and Beery fishing, which is a hobby with him.

Oldsters Will Be Baited

For Par's 'Blues' With Nostalgia-Loaded Ditties

Hollywood, April 22. Nostalgia is what the scientists call it, but to Old Joe Public it is the music of his youth.

When he played third base on the field alongside the gashouse in his youth, or spent the evening in Bricklayers Hall waiting to a sensational new tune after the Paramount theater.

Paramount is using the nostalgia idea in 'Birth of the Blues,' digging up 13 tunes, which range back as far as 40 years, to tempt the older generation into the picture houses.

Bing Crosby goes back to the o-o-o-o-o's with 'By the Light of the Silvery Moon,' a nocturnal knockout for college boys on Saturday night. After their grueling athletics had won the traditional game against Old Hoosier. Bing also sings 'Wait Till the Sun Shines, Nellie,' which was a popular song in the city east before the Hollywood Junior Chamber of Commerce put the sunshine on a production schedule.

Mary Martin is going to sing that nostalgic song 'By the Light of the Church' and a more intimate tune, 'Cuddle Up a Little Closer.' Others on the program are 'Memphis Blues,' 'St. James Infirmary,' 'Georgia Camp Meeting,' 'Cotton Rag,' 'Jack Teagarden and his band are cooking up old tunes you could hear if you dropped a nickel into an electric piano when every saloon had a side door entitled 'Ladies Entrance.'

Blumen Pleds Illness

For Failure to Testify

In the closing minutes of the income tax trial of Joseph M. Schenck and Joseph H. Moskowitz before counsel began summing up, a court attendant called a loudspeaker to the appearance of C. (Blumen) Blumenthal, friend of Schenck. The name was repeated by bullfights at the door of the courtroom. There being no response, U. S. District Attorney Mathias J. Corra told the court that "proper steps had been taken."

It was learned that the government early in its investigations had subpoenaed Blumenthal as a witness, but was unable to complete service. Blumenthal has been in Mexico City for some months. Effort to compel his return took the form of a court order, which was issued on March 10, 1941, by Judge J. Edgar Hoover. Failure to obey the order, according to the government attorneys, places Blumenthal in contempt of court and liable to a fine of \$100,000.

Further light was shed on the incident when Eugene M. Blumenthal, the attorney, made a motion in Federal court on Monday (21) to quash the order, which was served on Blumenthal by an attaché of the local consulate in Mexico City.

Sustaining his contention that Blumenthal is ill and unable to come to New York, Garey filed with the court affidavits from six Mexican physicians stating that Blumenthal's physical condition.

Studio Contracts

Hollywood, April 22.

Steve Fisher's writer option lifted at 20th.

Dennis Moore had his player option taken up by RKO.

Donald Clark, drew writer contract at Warners.

Metro handed Donna Adams player ticket.

Jerome Chodoroff and Joseph Field signed in place to write two scripts at Paramount.

Brenda Joyce's contract at 20th-Fox renewed for a year.

Ruth Warwick inked, drew writing ticket at Metro.

H. B. Franklin, an Outstanding Theatre Operator, Dies at 47

Harold B. Franklin, 47, outstanding motion picture exhibitor and for a considerable period prominent in executive capacities, with Paramount, RKO and Keith-Albee-Orchestra, and formerly president of West Coast Theatres, died suddenly early Monday morning (21) at the Geneva Hotel in Mexico City, according to reports received here, and in Hollywood the cause of death was coronary thrombosis.

Franklin played a dominant role through the twenties as a vice-president of Paramount and operating head of the corporation's theatre department. He was chiefly instrumental in negotiating partnership deals with theatre operators and in the field of supervising numerous undertakings. Franklin directed the building of the El Comodoro theater when the circuit was expanding.

Fearing high altitude of Mexico City, Franklin had medio look him over, and latter pronounced his heart okay, but he was not to live long after that. Decision is expected to be made today (Wednesday) on cremation of body in Mexico due to international complications in removing remains to the States.

Franklin was to have returned to Hollywood with his son to close up his Beverly Hills home and move family to Mexico City, from where he was to have supervised operation of a theatre.

He had been inactive since last July when he produced for RKO, at its Hollywood studios, a film entitled, 'The Villain Still Pursued Her.' Within the past few months he was investigating possibilities of developing exhibition in Mexico.

He had made several trips there, accompanied by Ted Gildred, theatre builder. He had written to his brother, Charles, Franklin, at New York City, that his contemplated enterprise was rapidly taking shape and that he was enthusiastic at the prospects. The high altitude of Mexico City had caused him some annoyance, he wrote, but he was proceeding carefully. It was not known outside of a few intimates that lately he had not been in good health.

Started As Office Boy

Although in middle-age, Franklin's career in show business had been extensive. He was born in New York April 4, 1894, and as a clerk at a warehouse worked as a messenger for Sam H. Harris and A. H. Woods, who were producing melodramas. When he was 14 he became a filing clerk in an office. He was later promoted to Mr. Morris Small. Latter's brother, Edward, was office-boy in the Saenger, Jordan firm of play-brokers. Morris furnished the model finance necessary for Franklin and Edward Small in a booking agency in the Knickerbocker Theatre Building.

The partnership did not last long and Franklin withdrew to manage a stock theatre on Staten Island. With limited resources he made a success of the venture and attracted the attention of the late Mike Shea, Buffalo theatre man, who induced him to abandon one of his operations.

In his years with Shea he enlarged his experience with an intimacy of vaudeville, burlesque and shows, developed a type of stage show that was original and widely commented upon.

Zukor Sponsored Him

In 1922 Franklin was brought to New York by Adolph Zukor to coordinate the scattered theatre interests of Paramount. His promotion was rapid. Within two years the Paramount chain embraced the S. A. Lynch enterprises in the South, the Grauman theatres in Los Angeles, and the Hollywood interests in San Francisco. Soon after Paramount acquired a substantial stock interest in Balaban & Katz, Franklin resigned from the company to head the independent West Coast Theatre chain.

His biggest success was in the standardization of entertainment in the circuit group that was rapidly expanding. He was reported to have earned substantially under a contract which gave him a percentage

of the circuit profits. When William Fox purchased 42% of the West Coast chain, Franklin resigned the presidency and intimates understood that he had acquired a fortune in excess of \$500,000.

For a short period thereafter he was associated with Howard Hughes in a projected chain of theatres through the southwest. In 1930 he returned to New York to serve in an advisory capacity for RKO and KAO companies. When the late S. R. (Rocky) Rubeaux, who was managing director of Radio City Music Hall, Franklin took over the operation which, up to that time, had not been too successful and instituted the stage show and film policy which has maintained to the present day. From a white elephant the Music Hall within six weeks under Franklin's supervision turned to a profitable venture.

Shrewd Showman

His particular flair for consolidating theatre units into chain management manifested itself while he headed the KAO group. He was a shrewd trader and film buyer, and in 1932 had completely re-vamped the exhibition field in metropolitan New York. Not every business move he made was approved in the trade circles. He was a great disfavor KAO when he virtually 'killed' vaudeville by converting the neighborhood houses into straight film showrooms.

His KAO experience also ended after few years when he established a partnership with Arch Selwyn and entered the legit producing field. This was financially disastrous. He was in the fall of 1934 the film produced four plays, Yvonne Printemps-Pierre Fresnay in Noel Coward's 'Conversation Piece,' Eva Le Gallienne in 'L'Algonquin,' and a musical, 'Revenge With Music.' The enterprise was reported to have cost Franklin \$400,000. A fifth play, in which the firm disposed of its interest before it was brought to New York under other management, was a financial success. This was 'Escape Me Never,' starring Elisabeth Bergner.

Franklin's period of ill-fortune continued with an unsuccessful film production of George M. Cohan in 'Gambling.'

He returned to Hollywood and entered production as an associate producer for Columbia studios. His last film was the farce, 'Villain,' made for RKO.

When major film companies in the summer of 1938 launched the promotional scheme of Motion Pictures Greatest Year, Franklin was invited to direct the campaign from headquarters in New York.

He was the author of two textbooks, 'Motion Picture Theatre Management' and 'Sound Motion Pictures.'

Franklin is survived by his widow Anna May Franklin, not a professional, a son, Elbert, who was named for Elbert Hubbard, friend of father, and two brothers, Charles and John J. Franklin. Latter is a theatre operator in San Francisco and has interests in houses in Hawaii.

REP'S 'ROBIN HOOD'

CLIFFER IN 3 REELS

Hollywood, April 22.

Serials grow bigger under the new Republic plan, which calls for extra long serials. The first of the new English cliffhangers, with Roy Rogers shooting arrows instead of six-gun slugs.

Serial calls for 18 chapters of three reels of 20 minutes each instead of the usual two 8-minute reels. Production starts in August.

Bioff Wants More Data

From U. S. in Tax Suit

Hollywood, April 22.

Full bill of particulars on the income tax evasion charges is being sought by attorneys for Willie Bioff in U. S. district court. Former labor leader, now free on \$5,000 bail, goes to trial June 24.

The Government charges that he defuded on his 1936 and 1937 returns to the extent of about \$200,000.

COYOTE TAKES 'WOLF'

Add: Hearst Vs. Welles ('Citizen Kane'); More Newspaper Attacks

Battle of the Hearst papers against Orson Welles continued on all fronts during the past week as RKO prepared for the roadshow preem of Welles' pic, "Citizen Kane" at the Palace, N.Y., May 1 and other cities throughout the country during the following month. Warfare included:

1. Continued drumming up of sentiment by the American Legion, Veterans of Foreign Wars and other patriotic groups against Welles. He was charged with being a Communist because of his Free Company broadcast on CBS a couple of weeks ago.

2. Hearst papers in N.Y. and elsewhere refused to accept "Citizen Kane" ads which broke in all the other dailies in New York on Sunday, (20). Efforts to obtain an "official reason" for the refusal resulted in a superlative back-passing campaign by execs on both Hearst's and RKO's.

3. Welles, resting in Palm Springs, complains he is being harassed by photos lurking in bushes to catch his personal actions. There's no evidence, of course, that these are Hearst's men, or that the persistent inquiries made to his draft board about why he is not called to service are Hearst-inspired. He does definitely accuse the Hearst papers, however, of making a mystery of his whereabouts but no mystery whatever exists.

Whatever other effect the Hearst attacks on Welles may have, they are stimulating, if anything, the advance sale of tickets for the opening of "Kane." No other papers, except those owned by Hearst, have touched on the protests concerning the radio show.

Back-passing by the Hearst execs on the ad refusal was topped by Ted Friend, chief of both the editorial and advertising aspects of the amusement department of the N.Y. Mirror. Asked by VARIETY why the ads weren't accepted, he declared:

"Sunday was a lovely day. I planted 150 rose bushes in my garden."

Coast Hearstian Tabu

Los Angeles, April 22.

Two local Hearst papers turned down advertising copy on "Citizen Kane" for its dual run at the El Capitan in Hollywood and the Hillstreet downtown.

Eight-inch ads were submitted to the Examiner and the Herald-Express, to run with similar copy furnished to the other Los Angeles dailies April 24. The Hearst papers declined the copy without explanation.

Chi Goes to Town

Chicago, April 22.

Hearst papers went to town here last week on building up the American Legion story against the Orson Welles "Free Company" broadcasts on Columbia.

Carried front-page story on anti-Welles resolutions by two units of the Cook County American Legion and spread columns on the inside on a national battle against Welles.

Hearst rags blasted that the Legion was fighting Welles and the "subversive influence" of the CBS shows. Paper stated that the Legion's Americanism Commission, "called upon all patriotic citizens to join in the nationwide fight to rid the airlines of Welles' program because the program was attempting to make the people of the United States believe this nation is not worth defending." Other papers continue mum on the matter.

[More details on the broadcasting aspect in the Radio Section.—Ed.] RKO will run "Citizen Kane" in two theatres day-and-date in the loop starting May 6. Will air in the 2,500-seat RKO Palace and will be on a reserved-seat policy in the 1,200-seat Woods.

Local Angles in Wisc.

Milwaukee, April 22.

While RKO Kew-Forest is doing "Citizen Kane" locally, Hearst's Sen-

tinel here has been going to town in its attempt to discredit Orson Welles for participation in the Free Company's series of Sunday CBS broadcasts. Not only columns, but pages are devoted daily to attacks upon Commy angles to the situation, with the American Legion, the Grand Army of the Republic and other patriotic organization leaders given unlimited space on interviews, actions and proposed actions.

Welles' name is played up in practically all headlines in the Hearst paper, one page alone in Friday's (18) editions practically filled with four stories captioned "Big Post-Tests, Welles' Broadcasts," "Legion Parley Is Called on Welles' Plays," "Legion Asks Probe of Un-American Radio Broadcasts," and "Los Angeles Councilemen Score Welles Program."

The Sentinel's radio station WISN, an affiliate of CBS, has been broadcasting the Free Co. plays, being committed to airing the network's program, and so far as local execs know, will continue to do so as long as the series is on the air, regardless of Hearst's feelings and attitude toward Welles.

That the publisher's attacks upon Welles, with the resultant publicity for "Citizen Kane" and RKO, will have an effect quite contrary to that intended, is indicated by the interest shown here in the picture. Welles' hails from Kenosha which gives him a natural local interest, but never before in the history of the local RKO exchange has there been so much anxiety manifest from people outside the business as to the picture itself.

City and state officials, educators, clergymen, of all denominations, professional people in various walks of life are keeping the exchange under a constant bombardment of calls as to when they can see "Citizen Kane," either publicly or privately, but up to now there hasn't been a single print available to anyone.

Paper Drops Hearst Columns

Omaha, April 22.

Omaha's only daily, the World-Herald, has discontinued using Louella Parsons and Harrison Carroll, syndicated by International News. Decision to drop the columnar comment from Hollywood was prompted by a squawk to the boss by Keith Wilson, amusement editor, that inasmuch as the Parsons and Carroll daily roundups do not carry any mention of RKO pictures or personalities, due to the Hearst-Citizen Kane feud, the comment is not reflect a true coverage of the film front.

Wilson was backed up by the sheet's publisher on the toss-out when he declared that the "Herald" had been from a pre-selected fraction of picture news. Hearst attack on the CBS Sunday sustaining feature, "The Free Company," is not being transmitted on his INS line. Attempt to draw Hollywood Legion Post of the American Legion into the "Free Company" controversy failed yesterday when the resolutions committee refused to take any action. Attempt to force the show off the air. Committee stated that it would take no action until ample proof of Welles' alleged radical tendencies is submitted.

Goddard in Big Blow

Hollywood, April 22.

Paulette Goddard gets the top femme spot in the Cecil B. DeMille production, "Reap the Wild Wind," at Paramount.

Background shots are being filmed by camera units along the Atlantic and Gulf of Mexico.

BURDENED SHOW BIZ'S NEW MOES

Morgenthau's 'Largest Tax Bill' Warning Causes Alarmed Tax-Loaded Showmen to Flinch—Bound to Hit Amusements On Every Front

20% GATE TOP?

"Possibly the largest tax bill the world has ever known," That phrase—used by Secretary Morgenthau last week in announcing a new measure to push up the Government's income from all sources by at least one-third—made showmen in every facet of the amusement field flinch. It caused predictions by some of admission tax increases to as high as 20%.

In addition, the heavy levy—partially designed to forestall inflation—is seen as siphoning off much coin that would logically go for entertainment. Tax experts calculated the increase as hitting every man, woman and child in the country for an additional \$25.50, or a total of almost \$50 per person all, of course, being on a per capita basis.

Morgenthau, in his efforts to finance the largest rearmament project the world has ever known, is seeking to raise \$12,697,000,000. That's just two-thirds of what will be spent by the Government next year, with the remainder to be obtained by borrowing.

Treasury secretary refused to state what form the new taxes would take, but said they would tap the pockets of people who had never paid direct Federal taxes. "Every business and every individual, that is our goal," he declared. Washington tax experts were sure that meant the inclusion of admissions in the increases.

Tax bill appears certain of passage with both Republican and Democratic leadership in Congress backing it.

Feb.'s Amus. Tax Upbeat; \$20,183,516 So Far in '41

Washington, April 22.

Spring upturn in boxoffice revenues carried the Federal Government's receipts from theatre and other amusement gross to the second highest figure since the reports were stiffened last summer. Rate on March collections (based on February turnstile records) showed heartening \$600,000 increase, impressively low point in the prior statistic.

Carrying the 1941 take to \$20,183,516 or more in three months than Uncle Sam pocketed in the whole of 1939—the 10% bite showed the fattest gain over any preceding month since last October. Then the jump above September amounted to \$775,774.

Most encouraging aspect of the March collection report—which followed only a few days after Secretary of the Treasury Morgenthau laid the way for staggering rises in corporate and personal income taxes by getting both Republican and Democratic leaders in Congress to promise support of new revenue legislation bringing in \$3,500,000,000—was the positive reverse in the downturn that set in during November. For three months, the Government's take (and the exhibitors' gross) had declined successively from the peak hit November. And the March payments were within \$20,000 of the all-time high so that if the trend continues there will be a series of new records during the remainder of the year.

The rise over 1940 was about the same as in preceding months, considering the changed tax base. March total this year topped the comparable 1940 stanza by \$4,714,025. This jump has been surpassed three times since Congress lowered the starting point to 20c. (Continued on page 15)

Indie Vs. Indie on Overbuying: Majors Not at All Involved

On the Make-Up

Hollywood, April 22.

Perc Westmore, who has been 'making faces' on the Warner lot for 19 years, inked a new makeup contract for another year.

He holds the record for tinuous employment at the studio.

HERRON BOOKS SOME 400 ARMY CINEMAS

Col. Frederick L. Herron, former head of the Hays office foreign department, now heads one of the largest theatre circuits under one central management in this country as head of the U. S. Army Motion Picture Service. When Herron was called into active service several weeks ago his initial assignment with the Adjutant-General's office in Washington was to head this service.

Under the contemplated size of the U. S. Army (2,000,000 men), U. S. Army Motion Picture Service will book for some 400 theatres in camps situated throughout the nation. Majority of picture theatres in army camps will have permanent projection equipment and will be administered by individual camps. All are being placed on a self-supporting basis. Actual booking, prices and clearance will be supervised by Col. Herron, who has a good overall picture of the industry from his years of service handling foreign affairs.

Canova Demands Say-So; Gets Suspended by Rep.

Hollywood, April 22.

Judy Canova and Republic are singing clashing tunes about her third picture, "Fuddin' Head," scheduled to start this week and threatened with a postponement, owing to her insistence on the right to supervise the story and choose the director.

Republic announced the actress' suspension, asserting that she had demanded that her brother, Pete Canova, be handed authority over scripts, casting, directorship and whatnot. Studio stated the suspension meant that Miss Canova could not carry out her commitments with Paramount until the original contract is worked out.

Write a Screenplay, Sonny

Hollywood, April 22.

Paramount assigned Claude Binyon to write a screenplay out of "Take a Letter, Darling," an original by George Beck.

Claudette Colbert draws the lead.

Milam's WB Suit

Hollywood, April 22.

Trial has been called for Wallace Milam's \$100,000 plagiarism suit against Warner Bros.

He charges that the studio appropriated his "For Heirs is a Kingdom" in WB's "Angels Wash Their Faces."

So. American Agency

Hollywood, April 22.

Nat Liebenberg and Harry Wulst are opening offices in South America for an interchange of talent for radio, stage and pictures. Liebenberg has been a Latin-American representative for Warner Bros. and RKO for the last 16 years.

Minneapolis, April 22.

Whether an exhibitor is liable for the damage caused to a competitor through 'overbuying' of pictures, thus depriving the opposition of films needed for proper operation, and whether such alleged 'overbuying' and related actions constitute monopoly in violation of the Sherman anti-trust law, is an issue in a suit being tried in federal district court here.

Believed to be the first case of its kind because the injured exhibitor, who has been unable to obtain product, has proceeded only against the competing theatre owner sewing it up, and not against any of the film companies that chose to sell the opposition instead of him, the suit, was brought by David Ratner in behalf of his White Bear theatre, White Bear, Minn.

Ratner is asking \$75,000 triple damages from Mrs. Jessie Jensen, owner of the opposition Avalon in White Bear, Minn. He charges that Mrs. Jensen bought 70 more pictures, than she actually could use in order to keep it away from him and that, in consequence, he has been unable to operate his theatre properly. He also charges that she has had the only theatre prior to Ratner's 'invasion.' He also said he would prove that Mrs. Jensen had instructed her employees to tear down advertising matter announcing the White Bear theatre's opening and create disturbances at the premiere. That Mrs. Jensen also sought to 'injure the credit' of the plaintiff by buying films on the property 'for face value when the debts could have been purchased for 65c on the dollar,' was another Halpern allegation.

Witnesses Testify

Witnesses for the plaintiff testified that they had overheard Mrs. Jensen declare she was going to buy up 'all the product she possibly could to prevent Ratner from obtaining it.' These statements, it was alleged, were made while Mrs. Ratner theatre was in the course of construction.

Then, according to the testimony, Mrs. Jensen bought up seven major companies' product, whereas, prior to Ratner's theatre, she had been purchasing only five. It was brought out that for two to three years prior to Ratner's coming to White Bear she hadn't bought the other two companies' products. She hadn't bought Paramount pictures for at least five years before construction started on the Ratner theatre, but did at once after the White Bear theatre was opened. It was testified that Paramount, however, sold to Ratner and that is the only first-run major product he has been able to get, according to the testimony.

Further testimony was to the effect that Mrs. Jensen had overbought all the product of seven of the major companies for the purpose of depriving Ratner of sufficient product and to put his theatre out of business, and she pays for many more pictures than she uses. Halpern told the jury.

The case is not expected to reach the jury until next week. Ratner also is seeking to obtain some run from the seven major companies, and is represented by Mrs. Jensen, in arbitration proceedings which have been interrupted by the court case.

'Ziegfeld Girl' Wow \$30,000 in 2 Hub Spots; Durbin Nice \$19,000, Rio' 181/2G

Boston, April 22. Film fans staged an all-out offense on local box offices on the holiday (19) and big perked up generally through the early days of the current week. With holiday prices prevailing for two days of the week, it added up to a little tale. 'Ziegfeld Girl' is the smartest card in town, playing the State and Orpheum to packed houses over the weekend. 'Nice Girl' at the Memorial, and 'Night in Rio' at the Met are running neck-and-neck for snappy grosses.

Estimates for This Week
Boston (RKO) (2,300; 33-44-55-65) — 'Vanderbilt' (Warner) and 'Carroll's Fannies' on stage. Very strong \$17,000 indicated. Last week, 'Mr. Dynamite' (U) with Milk Britton and \$8,000.

Pennway (M&P) (1,332; 28-39-44-55) — 'Zanzibar' (Par) and 'Dead Men Tell' (20th) (both continued run from Met). Shaping up to okay \$5,500. Last week, 'Adam' (Col) and 'Inspiration' (M&P) (2,300; 33-44-55-65) — 'Nice Girl' (U) and 'Man Last' (U). Going strong towards \$18,000 and h.o. \$25,000. 'Mr. and Mrs. Smith' (RKO) and 'Vivacious Lady' (RKO) (re-issue), \$12,000, okay.

Majestic (Shubert) (1,014; 55-75-110-165) — 'Fantasia' (Disney) (10th wk). Easing off to \$6,500. Last week, \$9,000.

Metropolitan (M&P) (4,307; 28-39-44-55) — 'Night in Rio' (20th) and 'Shadows Stairs' (WB). Good steady day and night hit to around \$18,500. Last week, 'Zanzibar' (Par) and 'Dead Men Tell' (20th), holdover, \$12,000.

Orpheum (Loew) (2,800; 28-39-44-55) — 'Ziegfeld Girl' (M-G) and 'Blondie Latin' (Col). Opened on the holiday (19) to terrific big, big, and socko \$14,000 with holdover alone certain. Last week, 'Hardy's Secret' (M-G) and 'Queen Bees' (Col), nine days, dandy \$21,400.

Paramount (M&P) (1,797; 28-39-44-55) — 'Zanzibar' (Par) and 'Dead Men Tell' (20th) (continued run from Met). Should hit \$8,000, okay. Last week, 'Adam' (Col) and 'Blondie Latin' (Col), five days, dandy \$12,000.

Scollay (M&P) (2,538; 28-39-44-55) — 'Girl Guy' (RKO) and 'Adam' (Col) (both 2d run). Broke \$4,500, promised. Last week, 'Sea Wolf' (WB) and 'Comes Happiness' (WB) (both 2d run), \$4,200.

State (Loew) (3,600; 28-39-44-55) — 'Ziegfeld Girl' (M-G) and 'Blondie Latin' (Col). Five days, dandy \$14,000 with holdover alone certain. Last week, 'Hardy's Secret' (M-G) and 'Queen Bees' (Col), nine days, \$18,600, big.

H-E Houses Shutter By 11 P.M. in Seattle; 'Dictator' Fine \$8,800

Seattle, April 22. Hamrick-Evergreen houses this week rearranged their time schedules so that the last showing of the major film began at 11 p.m. and the house is dark by 11. It's the pet idea of Frank Newman, president of the chain, and means that the public sees favorable stars far.

Wicket is busy around 8 p.m., when the last full show starts. Stragglers can come in late but they only want to see the main celluloid solo.

Big money of the week goes to 'Dictator' at the Fifth Avenue. Second and strongest entry is 'Back in the Saddle' plus 'Shot in the Dark' and vaude at the Pantages.

Estimates for This Week
Blue Mouse (Hamrick-Evergreen) (850; 30-40-50) — 'Tonber Returns' (U) and 'Free, Easy' (M-G) (3d wk). Still good for \$5,200. Last week, \$3,200, big.

Coliseum (Hamrick-Evergreen) (1,300; 31-35) — 'Strawberry Blonde' (2d run). Okay \$3,000 in store. Last week, 'Come Live' (M-G) and 'Buck Private' (U) (both 2d run), \$3,000.

Fifth Avenue (Hamrick-Evergreen) (2,349; 30-40-50) — 'Dictator' (UA) and 'Dead Men Tell' (20th). Broke \$4,500, big newspaper campaign, and heading for swell \$8,800. Last week, 'Men Boys Town' (M-G) and 'Scattergood Baines' (RKO), big \$8,000.

Liberty (J-VH) (1,650; 30-40-50) — 'Wolf Chances' (Col) and 'Under the Gun' (Col). Looking \$4,500, good. Last week, 'Queen's Penthouse' (Col) and 'L'il Abner' (RKO), dipped to weak \$3,200.

Box (Hamrick-Evergreen) (850; 30-40-50) — 'Men Boys Town' (M-G) and 'Scattergood Baines' (RKO) moved over to the Fifth Avenue for a second round. Excellent \$3,500, slight. Last week, 'Eve' (Par) and 'Melody Three' (RKO), signed down to \$2,000.

Orpheum (Hamrick-Evergreen) (2,800; 28-39-44-55) — 'Ziegfeld Girl' (M-G) and 'Blondie Latin' (Col). Opened on the holiday (19) to terrific big, big, and socko \$14,000 with holdover alone certain. Last week, 'Hardy's Secret' (M-G) and 'Queen Bees' (Col), nine days, dandy \$21,400.

(2,800; 30-40-50) — 'Great Lie' (WB) and 'Strange Alibi' (WB). Again amazing a big \$7,400. Last week, same films, garnered very healthy \$6,800 after slow start. Week ends built.

Falomar (Sterling) (21-40) — 'Back in Saddle' (Rep) and 'Shot in the Dark' (WB), plus vaude. Still \$5,500 an (Rep), plus vaude, \$5,500, big. Film moved to Colonial, where it should pull swell \$2,800.

Paramount (Hamrick-Evergreen) (3,039; 30-40-50) — 'Night Rio' (20th) and 'Shadows Stairs' (WB) (2d wk). Good \$4,200. Last week, \$5,500, very smart.

Rosevelt (Sterling) (400; 30-40-50) — 'Sea Wolf' (WB) (4th wk), with 'Double Date' (U) added last four days. Good \$2,700. Last week, \$3,300.

Winter Garden (Sterling) (800; 18-30) — 'Philadelphia' (M-G) and 'Jennie' (20th) (2d run). Acceptable \$2,200. Last week, 'Son Cristo' (UA) and 'Nanette' (RKO) (2d run), big \$2,400.

CLEVE, WOBBLY; CROSBY-HOPE \$16,000

Cleveland, April 22. Gene Autry's rodeo, which is packing 'em into the Arena, and the 55-75-110-165 spell and spell and spell on the deluxers. Latter are turning on their ice plants, and doubling size of their ads to off-set competition.

'Road to Zanzibar' is weathering the August-like temperatures most bravely, taking the high road for the State in a sure-fire fashion that spells a grand \$16,000. 'Adam Had Four Wives' not getting going at Palace, despite all the bally on 'Screwballs of '41' stage unit. Hipp show may still ally with 'Great Lie' while 'Fantasia' is still spurring along in its sixth week at the Hanna.

Estimates for This Week
Allen (RKO) (3,000; 30-40-55) — 'Miss Jones' (RKO). Carried over after fair run at Hipp and going stronger here, \$4,000. Last week, 'Lady Cheyenne' (U) (2d wk), barely okay \$2,800.

Faloma (RKO) (3,000; 30-40-55) — 'Adam' (Col) (Hanna) (1,435; 50-75-115) — 'Fantasia' (Disney) (6th wk). Distinctly hurt by Met opera in last show, but getting second week and steady seat-blocks of school reservations. Good \$7,200 very probable, after letting down to \$6,300 last week.

Hipp (Warners) (3,700; 30-35-42-55) — 'Great Lie' (WB). Presages a big \$11,000. Last week, 'Miss Jones' (RKO) was out of the house's groove, and poor \$7,700 resulted.

Palace (RKO) (3,000; 30-40-55) — 'Adam' (Col) plus 'Screwballs of '41' unit. Lacks marquee power. Little get-away likely to come in neighborhood of so-so \$13,000. Last week, 'Girl Guy' (RKO) plus 'Tene' (Hanna), Allen Jones and Black stone suffered release \$14,000, ordinary.

State (Loew's) (3,450; 30-35-42-55) — 'Zanzibar' (Par) A natural for this sort of weather, and terrific turnout putting it on inside track for \$16,000. Last week, 'Men Boys Town' (M-G), satisfactory \$12,300.

Stittman (Loew's) (1,972; 30-35-42-55) — 'Men Boys Town' (M-G) (2d wk). Takeover from State rather weak, \$3,500, compared to surprising \$4,800 garnered by 'Bad Man' (M-G) last week.

Col's Contract List Soars to Peak at 40

Hollywood, April 22. Columbia's contract roster reached a new high with the signing of 'Dictator' at the Fifth Avenue, and fetching the current list up to 27 males and 13 females.

Hubbard, whose contract with Hal Roach was under, goes into 'Our Wife'. Miss Trevor's first assignment is still in the offing.

Garbo On Skis

Hollywood, April 22. Greta Garbo does a bit of leaping on skis in her next picture, still untitled, but with snowy backgrounds in Sun Valley.

Garbo was signed Andrew Marton, European skip expert, as technical director on winter sequences.

Yr.-Round Daytime Time?

Theatre operators are expected to put up a stiff fight against a national 12-month daylight saving law as proposed in Washington. Meantime, the opposition is girding against extension of the advanced-hour plan in various states which do not have daylight saving.

In those that do, the clock advances an hour Sunday (27) and goes back to normal the final Sunday in September (28).

Hillbillies, \$11,500, Outdraw Names In So-So Indianapolis.

Indianapolis, April 22. Lyric, with Boone County Jamboree on the stage and 'Ride on Vaguer' on the screen, is plowing under grosser in other theatres of town this week, with the dollar crop yielding more than the name bands which have been in the house recently.

Indiana is doing nicely, dualing 'Lady Eve' and 'Power Dive', with all the credit given to former. Pic Loew's showing 'Great Dictator' and 'Meet Boston Blackie' at pop prices, is pushing forward for an average week's gross.

Roller Derby returned to the Coliseum at the State Fair grounds on Monday (21) to give added competition to the already much-abused week-day night at Indiana.

Estimates for This Week
Circle (Katz-Dolle) (2,600; 25-30-40) — 'Miss Jones' (RKO) and 'Repet Leisure' (RKO). Down \$5,000. Last week, 'Night Rio' (20th) and 'Scotland Yard' (20th) (2d wk), dull \$4,000.

Indiana (Katz-Dolle) (3,100; 25-30-40) — 'Eve' (Par) and 'Power Dive' (Par). Good \$6,500. Last week, 'Zanzibar' (Par) (2d wk), \$5,000.

Loew's (Loew's) (2,400; 25-30-40) — 'Dictator' (UA) and 'Boston Blackie' (RKO). Fair \$5,500. Last week, 'Hipp show' (M-G) and 'Lone Wolf Chance' (Col), good \$10,000.

Lyric (Lyric) (1,900; 25-30-40) — 'Ride on Vaguer' (Boone County Jamboree). Healthy \$11,500. Last week, 'Shot Dark' (WB) and 'Sammy Kaye orchestra', fair \$10,200.

Balto Has Only 2 New Entries; 'Pot' 91/2G, 'Bishop' 9G

Baltimore, April 22. Balmly weather driving potential customers to the theatre. Last week's toll on b.o.'s all over town. With most of town holding over last week's fare, only two new entries are 'Pot O' Gold', at Loew's Century, and 'Cheers for Miss Bishop' at the Hipp. Given an enthusiastic buildup, latter is attracting some strong femme following. Rest just so-so.

Estimates for This Week
Century (Loew's-UA) (3,000; 15-28-44) — 'Pot O' Gold' (UA). Holding fairly well at around \$9,500. Last week, 'Men Boys Town' (M-G) did moderately well, but not up to expected figures at \$11,300.

Hipp (Loew's) (2,200; 15-28-39-44-55-66) — 'Miss Jones' (RKO) (2d wk) plus new stage entry of Major Bowe's 'Prize Winner' unit. Maintaining rather steady gain at indicated \$10,000. Last week, all right \$14,000.

Loew's (Schanberger) (2,400; 15-28-39-44) — 'Cheers Bishop' (Par). Well sold in advance and attracting large \$10,000. Last week, 'Lady Cheyenne' (U) didn't hold up as expected \$7,000.

New (Mechanic) (1,581; 15-28-39-44) — 'Night Rio' (20th) (2d wk). Doing all right at \$5,000 after a solid opening round to \$7,400.

Stanley (WB) (3,280; 15-28-39-44-55) — 'Great Lie' (WB) (2d wk). Hold-abstain \$10,000. Last week, after ringing the bell on initial sech for \$12,900.

Lie' Okay \$3,100 In Lincoln; Pot' \$3,200

Lincoln, Neb., April 22. Race is being run this week between 'Pot O' Gold' and 'Great Lie', latter somewhat hampered by word-faith. 'Great Lie' is doing surprisingly well, although not overloading the b.o. It was rather expensive to head to the head of the Stuart, but made stand equivalent

Pitt. B. O. Is a Wallflower

Industrial Boom Fails to Waltz Grosses — 'Zanzibar' Mild \$16,000, 'Wolf' \$13,000

Pittsburgh, April 22. Disappointing Easter Week being followed by another very ordinary session. Managers don't know what to make of it. Town is booming as seldom before, big seems to be on the upswing in every other line, but very little of the loose coin is apparently going for entertainment.

Only solace is that usually films are last to feel a depress, and it follows that on the other hand they would also be last to feel a money rise.

'Road to Zanzibar' taking an easy lead, but Penn's trade won't be commensurate with what the pic is doing elsewhere. 'Sea Wolf' is picking up after slow start at Stanley and 'Wolf' is going strong at the State.

'Road to Zanzibar' taking an easy lead, but Penn's trade won't be commensurate with what the pic is doing elsewhere. 'Sea Wolf' is picking up after slow start at Stanley and 'Wolf' is going strong at the State.

Estimates for This Week
Fulton (1,200; 50-75-110-165) — 'Fantasia' (Disney) (6th wk). Held over last week, minute after minute announced to close last Saturday (20). Now scheduled to fold this week-end (26) and house has penciled in 'Night in Rio' (20th) (2d wk). That could be pushed back, however, if 'Fantasia' warrants it. Last week, 'Zanzibar' (Par) was very good around \$7,400, just few hundred bucks under high session for run. Currently being hyped by stock of stock parties which should account for better than \$4,500 on wind-up.

Penn. (Loew's-UA) (3,300; 25-35-50) — 'Zanzibar' (Par). Sufficient marquee pull to grab close to \$18,000. That's more than plenty for a h.o., probably at the Warner. Last week, 'Great Lie' (WB) eased off to just a shade below \$10,000.

Men Boys Town (M-G). Switched here after a week at Stanley, and doing about \$7,400, or a shade less. 'Hardy's Secret' (M-G) (3d wk) did one better than at Penn and Warner) week \$2,100.

Senator (Harris) (1,750; 25-35-50) — 'Nice Girl' (U). Held over for five days of second week, house getting caught to regular Wednesday opening tomorrow (23) with 'Lady from Chicago' (U) in abbreviated extension, will hit around \$4,000, fair. First week for Durbin picture, disappointing at \$5,500, but everything was under expectations Easter Week.

Stanley (WB) (3,600; 25-35-50) — 'Sea Wolf' (WB). Doing away slowly but on strength of good word-of-mouth began to pick up by late Saturday. Should wind up with shade over \$10,000. Could be enough to get it extended downtown playing time at the Ritz. Last week, 'Men Boys Town' (M-G), around \$14,500.

Warner (Warner) (2,000; 25-35-50) — 'Great Lie' (WB). Held over here from Penn, and doing the best of the h.o. biz. Packing strong femme appeal, and big mags should be a good thing. Last week, 'Victory' (Par) and 'Play Girl' (RKO), n.s.h. \$3,500.

'WOLF' NABS \$8,000 IN PROV.; 'POT' \$11,000
Providence, April 22. 'Sea Wolf' at the Majestic is riding high this week for top honors. 'Pot O' Gold' (UA) is doing fairly good, while 'Road to Zanzibar' at the Strand is enjoying an okay second week. 'City' (WB) is so-so.

Estimates for This Week
Albee (RKO) (2,200; 28-39-50) — 'Lady Cheyenne' (U) and 'Mr. Dynamite' (U). Fairly good \$8,000 expected. Last week, 'Zanzibar' (Par) (RKO) and 'Melody Three' (RKO), so-so \$5,500.

Cardinal (Loew's-Loew) (1,400; 28-39-50) — 'Men Boys Town' (M-G) and 'Queen's Penthouse' (Col) (2d run). Stepping along for good \$3,500. Last week, 'Men Boys Town' (M-G) and 'Mary Dugan' (M-G) (2d run), weak \$2,000.

Strand (Indie) (2,000; 25-35) — 'Robbers Range' (RKO) and vaude. Picked up nicely after Easter week, and rounding up good \$6,500. Last week, 'City' (WB) and vaude, slow \$5,000.

Majestic (J-VH) (2,200; 25-35-50) — 'Sea Wolf' (WB) and 'Double Date' (U). Healthy \$8,000. Last week, 'Night Rio' (20th) and 'Shot in Dark' (WB) (2d wk), \$7,000.

State (Loew's) (3,200; 28-39-50) — 'Pot Gold' (UA) and 'Penalty' (M-G). Held at near \$10,000. Last week, 'Men Boys Town' (M-G) and 'Queen's Penthouse' (Col), nice \$14,000.

Strand (Indie) (2,000; 28-40-50) — 'Zanzibar' (Par) and 'District Attorney' (Rep) (2d wk). Promising \$10,000. Last week, 'City' (WB) and vaude, slow \$5,000.

Majestic (J-VH) (2,200; 25-35-50) — 'Sea Wolf' (WB) and 'Double Date' (U). Healthy \$8,000. Last week, 'Night Rio' (20th) and 'Shot in Dark' (WB) (2d wk), \$7,000.

State (Loew's) (3,200; 28-39-50) — 'Pot Gold' (UA) and 'Penalty' (M-G). Held at near \$10,000. Last week, 'Men Boys Town' (M-G) and 'Queen's Penthouse' (Col), nice \$14,000.

Strand (Indie) (2,000; 28-40-50) — 'Zanzibar' (Par) and 'District Attorney' (Rep) (2d wk). Promising \$10,000. Last week, 'City' (WB) and vaude, slow \$5,000.

Majestic (J-VH) (2,200; 25-35-50) — 'Sea Wolf' (WB) and 'Double Date' (U). Healthy \$8,000. Last week, 'Night Rio' (20th) and 'Shot in Dark' (WB) (2d wk), \$7,000.

State (Loew's) (3,200; 28-39-50) — 'Pot Gold' (UA) and 'Penalty' (M-G). Held at near \$10,000. Last week, 'Men Boys Town' (M-G) and 'Queen's Penthouse' (Col), nice \$14,000.

Strand (Indie) (2,000; 28-40-50) — 'Zanzibar' (Par) and 'District Attorney' (Rep) (2d wk). Promising \$10,000. Last week, 'City' (WB) and vaude, slow \$5,000.

Majestic (J-VH) (2,200; 25-35-50) — 'Sea Wolf' (WB) and 'Double Date' (U). Healthy \$8,000. Last week, 'Night Rio' (20th) and 'Shot in Dark' (WB) (2d wk), \$7,000.

State (Loew's) (3,200; 28-39-50) — 'Pot Gold' (UA) and 'Penalty' (M-G). Held at near \$10,000. Last week, 'Men Boys Town' (M-G) and 'Queen's Penthouse' (Col), nice \$14,000.

Strand (Indie) (2,000; 28-40-50) — 'Zanzibar' (Par) and 'District Attorney' (Rep) (2d wk). Promising \$10,000. Last week, 'City' (WB) and vaude, slow \$5,000.

Majestic (J-VH) (2,200; 25-35-50) — 'Sea Wolf' (WB) and 'Double Date' (U). Healthy \$8,000. Last week, 'Night Rio' (20th) and 'Shot in Dark' (WB) (2d wk), \$7,000.

State (Loew's) (3,200; 28-39-50) — 'Pot Gold' (UA) and 'Penalty' (M-G). Held at near \$10,000. Last week, 'Men Boys Town' (M-G) and 'Queen's Penthouse' (Col), nice \$14,000.

Strand (Indie) (2,000; 28-40-50) — 'Zanzibar' (Par) and 'District Attorney' (Rep) (2d wk). Promising \$10,000. Last week, 'City' (WB) and vaude, slow \$5,000.

Majestic (J-VH) (2,200; 25-35-50) — 'Sea Wolf' (WB) and 'Double Date' (U). Healthy \$8,000. Last week, 'Night Rio' (20th) and 'Shot in Dark' (WB) (2d wk), \$7,000.

State (Loew's) (3,200; 28-39-50) — 'Pot Gold' (UA) and 'Penalty' (M-G). Held at near \$10,000. Last week, 'Men Boys Town' (M-G) and 'Queen's Penthouse' (Col), nice \$14,000.

Strand (Indie) (2,000; 28-40-50) — 'Zanzibar' (Par) and 'District Attorney' (Rep) (2d wk). Promising \$10,000. Last week, 'City' (WB) and vaude, slow \$5,000.

Majestic (J-VH) (2,200; 25-35-50) — 'Sea Wolf' (WB) and 'Double Date' (U). Healthy \$8,000. Last week, 'Night Rio' (20th) and 'Shot in Dark' (WB) (2d wk), \$7,000.

State (Loew's) (3,200; 28-39-50) — 'Pot Gold' (UA) and 'Penalty' (M-G). Held at near \$10,000. Last week, 'Men Boys Town' (M-G) and 'Queen's Penthouse' (Col), nice \$14,000.

Strand (Indie) (2,000; 28-40-50) — 'Zanzibar' (Par) and 'District Attorney' (Rep) (2d wk). Promising \$10,000. Last week, 'City' (WB) and vaude, slow \$5,000.

Majestic (J-VH) (2,200; 25-35-50) — 'Sea Wolf' (WB) and 'Double Date' (U). Healthy \$8,000. Last week, 'Night Rio' (20th) and 'Shot in Dark' (WB) (2d wk), \$7,000.

State (Loew's) (3,200; 28-39-50) — 'Pot Gold' (UA) and 'Penalty' (M-G). Held at near \$10,000. Last week, 'Men Boys Town' (M-G) and 'Queen's Penthouse' (Col), nice \$14,000.

Strand (Indie) (2,000; 28-40-50) — 'Zanzibar' (Par) and 'District Attorney' (Rep) (2d wk). Promising \$10,000. Last week, 'City' (WB) and vaude, slow \$5,000.

Majestic (J-VH) (2,200; 25-35-50) — 'Sea Wolf' (WB) and 'Double Date' (U). Healthy \$8,000. Last week, 'Night Rio' (20th) and 'Shot in Dark' (WB) (2d wk), \$7,000.

State (Loew's) (3,200; 28-39-50) — 'Pot Gold' (UA) and 'Penalty' (M-G). Held at near \$10,000. Last week, 'Men Boys Town' (M-G) and 'Queen's Penthouse' (Col), nice \$14,000.

Strand (Indie) (2,000; 28-40-50) — 'Zanzibar' (Par) and 'District Attorney' (Rep) (2d wk). Promising \$10,000. Last week, 'City' (WB) and vaude, slow \$5,000.

Majestic (J-VH) (2,200; 25-35-50) — 'Sea Wolf' (WB) and 'Double Date' (U). Healthy \$8,000. Last week, 'Night Rio' (20th) and 'Shot in Dark' (WB) (2d wk), \$7,000.

State (Loew's) (3,200; 28-39-50) — 'Pot Gold' (UA) and 'Penalty' (M-G). Held at near \$10,000. Last week, 'Men Boys Town' (M-G) and 'Queen's Penthouse' (Col), nice \$14,000.

Strand (Indie) (2,000; 28-40-50) — 'Zanzibar' (Par) and 'District Attorney' (Rep) (2d wk). Promising \$10,000. Last week, 'City' (WB) and vaude, slow \$5,000.

Majestic (J-VH) (2,200; 25-35-50) — 'Sea Wolf' (WB) and 'Double Date' (U). Healthy \$8,000. Last week, 'Night Rio' (20th) and 'Shot in Dark' (WB) (2d wk), \$7,000.

State (Loew's) (3,200; 28-39-50) — 'Pot Gold' (UA) and 'Penalty' (M-G). Held at near \$10,000. Last week, 'Men Boys Town' (M-G) and 'Queen's Penthouse' (Col), nice \$14,000.

Strand (Indie) (2,000; 28-40-50) — 'Zanzibar' (Par) and 'District Attorney' (Rep) (2d wk). Promising \$10,000. Last week, 'City' (WB) and vaude, slow \$5,000.

Majestic (J-VH) (2,200; 25-35-50) — 'Sea Wolf' (WB) and 'Double Date' (U). Healthy \$8,000. Last week, 'Night Rio' (20th) and 'Shot in Dark' (WB) (2d wk), \$7,000.

State (Loew's) (3,200; 28-39-50) — 'Pot Gold' (UA) and 'Penalty' (M-G). Held at near \$10,000. Last week, 'Men Boys Town' (M-G) and 'Queen's Penthouse' (Col), nice \$14,000



BIG NEWS FOR MAY 4TH!

**GENERAL RELEASE OF
"CAPRA'S FINEST,
BAR NONE!"**

(N. Y. World-Telegram)

The stage is set! The whirlwind pre-release has set it up in every corner of the continent! "The talk" is now at its peak so write it in today!

**THE FRANK CAPRA
PRODUCTION FOR 1941
GARY COOPER
BARBARA STANWYCK
MEET JOHN DOE**

with
EDWARD ARNOLD • WALTER BRENNAN
Spring Byington • James Gleason and Gene Lockhart
This Screen Play, as were most of the major successes of Frank Capra, is by
ROBERT RISKIN
Directed by Frank Capra
Distributed by Vitaphone, Inc.

Produced at **WARNER BROS. STUDIO**
Backed by **WARNER BROS. SHOWMANSHIP**

**L.A. Listless; 'Zanzibar' -Phil Harris
Orch, \$30,000, Start Three-Wk. Run;
'Rio' So-So \$24,500, H.O.s Mild**

MEMPHIS N.G.;
'POT' \$5,200

Memphis, April 22.—'Pot o' Gold' is setting the pace this week at Loew's Palace, despite the lukewarm notices. 'Cris' didn't rap it particularly, but neither did they rave. Still, it is managing to show the way in a town that's off again after a week's post-Lenten flurry.

Scribes went for RKO's 'Devil and Miss Jones' at Loew's State in large manner, but take is nothing to whoop about.

Competition from baseball, plus the lure of outdoors as spring commences, may be accountable.

Estimates for This Week

New Male (Lightman) (2,800; 10-34-44)
Last week, "The New Male" (2,800)
Probable \$2,000 in bottled week
Last week, "Zanzibar" (Par), \$6,300
Last week, "The New Male" (2,800)
Palace (Loew) (2,200; 10-33-44)
"Pot Gold (U)" Looks like radio appeal means a lot here. Heid pro-
gram, "The New Male" (2,800)
Last week, "Men Boys Town"
IM-G, \$5,300, very fair.
Last week, "The New Male" (2,800)
"Miss Jones" (RKO). Only drive. Wil-
son \$4,500. Last week, "Night Rider"
Last week, "The New Male" (2,800)
Strand (Lightman) (1,000; 10-22-33)
"Back Street" (U) (2d run), three
days; "The New Male" (2,800)
Last week, "The New Male" (2,800)
Three days; "Road Show" (A) (2d
run), two days; and "Ridin' Rainbow"
Rep., two days, \$1,000, 10-34-44
Last week, "The New Male" (2,800)
Great Lie" (WB) (2d wk). May pull up
to \$2,000. Last week, \$1,000

**'TOPPER'-WAYNE KING
SOCK \$20,000 OMAHA**

Omaha, April 22. Wayne King's band and revue pulled "Topper Returns" on the screen and jumped into what looks like the smash division at the Orpheum, and is set for a terrific \$20,000. Sammy Kaye's \$21,000 may also be threatened by the tremendous pull of the King ensemble, which opened its road tour here.

"Adam Had Four Sons" and "Blondie Goes Latin" at the Brandeis will move up to a healthy \$6,000. A new Omaha "Men of Boys Town" will only for the days of next week for \$6,100. From the Sundae "Road to Zanzibar" and "Father's Son" for what looks like a very good \$10,000.

000. Estimates for This Week
Orpheum (Tristates) (3,000; 10-40-55) -Toppers Records (UA) and
Wayne King orchestra and revue
RKO (20th) and 'Ride, Kelly, Ride'
very good \$12,000.
(Most Singer) (1,500; 10-20-55-40) -Adam (Col) and 'Blondie
Latin' (Col). Fine \$6,000. Last
week: Miss O'Connor (UA) and
Tina Turner (RKO). Good \$5,300.
Omaha (Tristates) (2,000; 10-30-40-55)
Zanzibar (Par) and Father's Son
(UA) good for \$10,000. 'Men Boy
Town' (M-G) second week ran four
days. 'The Great Gilday' prior last
week had earned \$10,500.
State (Goldberg) (9,000; 10-20-25-55)
(M-G) and 'The Great Gilday' (M-G)
Come Live (M-G), sell with 'Devil
Commands' (Col), 'Victory' (Par)
and 'Bank Dick' (UA). Fair \$11,000.
Tampa (Goldberg) (1,500; 10-20-55-40)
single-actured, sell with 'Vigilantes
(U)' 'Bit of Heaven' (U) and 'Honey
Moon' (RKO).
Town (Goldberg) (1,500; 10-20-25-55)
-Colorado (Par). Reuter's (WB)
and 'The Great Gilday' (M-G) ran
three weeks with Ghost Patrol
(Cap). Spending (WB) and Across
the Street (WB) good for \$10,000.
RKO (10-20-55-40) 'Bit of Heaven' (U). Only
fair \$1,000. Last week. Bury M.
Nor (WB), Villain Pursued (RKO) and
The Great Gilday (M-G) good for
\$10,000. Last week. 'The Great Gilday'
with Return Wild Bill (U). 'All
ways Bride' (WB), 'White Eagle'
(WB) and 'The Great Gilday' (M-G)
handle (Col). Thing Called Love
(Col), 'Give Wings' (U), ditto.
Tampa (Goldberg) (1,500; 10-20-55-40)
and 'The Great Gilday' (M-G) (Gold-
berg) (950; 600; 300; 250; 200; 150).
Mrs. Smith (RKO). Come Live (M-G),
sell with 'Where Get Girls' (WB)
(WB) and 'The Great Gilday' (M-G).
(U). Good 12,000. Last week, 'Phil
adelphia' (M-G), single-actured, sell
with 'The Great Gilday' (M-G) 'Bit
of Heaven' (U) and 'Honeymonth
(WB), ditto.

Estimated Total Gross
This Week \$314,100
 (Based on 13 theatres)
Total Gross Same Week
Last Year \$293,700
 (Based on 12 theatres)

Louisville, April 22. Plenty of activity in town the last few days, with baseball getting under way Thursday (17), and some 7,000 school teachers swarming over downtown streets while attending the annual Kentucky Education Assn. three-day meeting (16-17-18). Downtown houses were well patronized.

Rialto with 'Night in Rio,' and Loew's State with 'Pot o' Gold' and 'Mary Dugan,' are currently doing brisk biz. Moveover of 'Road to Zanzibar' at the Brown is continuing off a nice figure, while biz around the corner at the Strand is on the light side, as is h.o. of 'Sea Wolf' at the Mary Anderson.

Couple of legit shows are heading this way to play at the Memorial Aude. 'Pins and Needles' is slated for one night at \$1.75 top, and Rute Chatterton due in town Saturday (26) with Barry Thomson, in a new

Brown (Loew's-Fourth-Avenue) (1,400; 15-30-40)—Zanzibar' (Par) and March of Time. Started off with a bang after moveover from Rialto, and it pace holds at current clip should ring up swell \$3,800. Last week 'Eve' (Par) and 'Sleepers West' (town), took light \$1,700 or third downtown week.

Kentucky (Switow) (1,200; 15-25-25)—Son Cristo' (UA) and 'Bank Dick' (U), split with 'Escape Glory' (Col) and 'Victory' (Par). Going along indicated \$1,500. Last week 'Kittie Foyle' (RKO) and 'Flight Destination'

(W.B.), managed all right \$2,500;—
Loew's State (Loew's) (3,300; 15-
30-40)—'Pot Gold' (UA) and 'Man
Dugan' (M-G). Marquee names
pulling 'em in. Grabbing some of the
teachers who zoomed into town for
three days to attend their conver-
sation, and altogether shapes up as
profitable stanza, probably good \$8
500. Last week 'Men Boys Town'
(M-G) and 'Blondie Latin' (Col)
maintained healthy pace to tall
okav \$8,000.

Mary Andersen (Libson) (1,000; 15-30-40)—'Sea Wolf' (WB) (2 wks). Holding up pretty well, and with some boost from many visitors in town, should manage good enough \$2,800. Last week, a winner at first \$4,500.

Rialto (Fourth Avenue) (3,400; 15-30-40)—'Night Rio' (20th) and 'Scotland Yard' (20th). Crowds are lining up at the wicket to buy this pair. Pace is plenty healthy, pointing to solid \$9,000. Last week 'Zar' (Libson) and 'Menzel of Time' (Libson) won.

Strand (Fourth Avenue) (1,400, 15-30-40)—'Man Betrayed' (Rep) ar 'Devil Bat' (Ind). Some effort po in street exploitation, with ev ning-dress male decked out with fore and aft, parading downtown streets. Results are disappointin Will do well to cop weak \$2,500. La-week 'Round Up' (Par) and 'Las Vegas Nights' (Par), felt power Fourth Avenue opposish and couldn

get more than light \$2,600.
'TOWN' 14G IN DENVER
 'Zanzibar' 2d Great \$13,500—'R.
 Pretty 10G

Denver, April 22. "Men of Boys Town," coupled with "Blonde Inspiration," leading the town and inspiring... Send... of Mizab... showed very little slack after the film's first cancrnashed the house record at the... enham... that Night in Rio" doine fine at the Denver...
Estimates for This Week
Aladdin (Fox) (1,400; 25-40)—P... Gold (UA) (1,000; 25-40)—G... Good (MGM) (1,000; 25-40)—"Cheers Bishop" (UA), after a week at the Denver, fair \$3,500.
Broadway (Fox) (1,040; 25-35)—A... "Miss Mary" (MGM) and "Melod... Three" (RKO), after a week at the Orpheum. Looks like fair \$2,500.
Last week, "Vivacious Lady" \$2,500.

Los Angeles, April 22. Paramount, with 'Road to Zanzibar' and the Phil Harris band on stage, leads the town currently and show will probably stick for three weeks. 'Night in Rio' at the State and Chinese, is not showing. The strength that was expected although combined take will be close to the \$25,000 mark.

Holdovers include 'Devil and Miss Jones' at the RKO and Pantages; 'Sea Wolf' at the Warners Downtown and Hollywood; 'Fantasia' at Carthay Circle; 'That Hamilton Woman' at the Four Star; and the

Estimates for This Week
Carthay Circle (F-WC) (1,518; 83-
 \$1.10-\$1.65) — 'Fantasia' (Disney)
 (12th wk.) Dropped somewhat after
 the Easter week, with fair \$8,000 in
 prospect. Last week, just topped

Chinese (Grauman-F-WC) (2,034; 30-44-55-75) - 'Night Rio' (20th), and 'Jennie' (20th). Should wind up with around \$10,000. Last week, 'Men Boys Town' (M-G) and 'Free, Easy' (M-G), only fair \$9,200.

Downtown (WB) (1,800; 30-44-55) - 'Sea Wolf' (WB) and 'Mr. Nobody' (WB) (2d wk). Biz holding firm and another \$8,400 in prospect, after first stanza turned in lucrative \$13,500.

Four Star (UA-F-WC) (900; 30-44-55) — Hamilton Woman' (UA) (5th wk). Nearing the end of its run and will fold in another week or two. Current take around \$3,300, compared with okay \$4,400 last week.

Hawaii (G&S) (1,100; 30-44) — 'Emperor Jones' (Levinson) and 'Break News' (Tri-Films) (2d wk). Looks like okay \$2,100, after first week hit satisfactory \$3,200, not nearly as good

Hollywood (WB) (2,756: 30-44-55)
—**Sea Wolf (WB)** and **'Mr. Nobody'**
(WB) (2d wk). Holdover headed for
so-so \$6,500, after first week topped
\$11,800.
Orpheum (B'way) (2,200: 30-44-55)

'Wild Man of Borneo' (M-G) and 'Ladlie' (RKO) with holdover of Bowes Spring Jubilee unit. Will hit probable \$7,000, after first week of Bowes troupe, with 'Back in Saddle' (Rep) and 'Youth Served' (20th), reached very good \$11,800.

Pantales (Pan) (2.812: 30-44-55)—'Miss Jones' (RKO) (2d wk) and 'Mr. Dynamite' (U). With main feature held over, house is headed for \$7,500. First week, with 'Lone Wolf Chance' (Col), as bottom feature, very good \$12,400.

Paramount (Par) (3,595; 30-44-55-75)-'Zanzibar' (Par) and Phil Harris orchestra. Starting what is expected to be a three-week run. Gross on initial stanza hitting terrific \$30,000. Harris band is engaged for two weeks only, but film is expected to remain longer. Last week, 'Power Dive' (Par) and Kay Kyser orchestra, just topped \$40,000, new house record.

RKO (RKO) (2,872; 30-44-55)—
 'Miss Jones' (RKO) (2d wk) and
 'Mr. Dynamite' (U). Will probably
 add another \$7,600 on holdover, after
 first week of 'Jones' with 'Lone Wolf
 Chance' piled up lucrative \$12,600.
State (Loew-F.WC) (2,404; 30-44-
 55-75)—'Night Rio' (20th) and 'Jen-
 nie' (20th). Okay \$14,500, although
 below what was expected. Last
 week, 'Men Boys Town' (M-G) and
 'Free, Easy' (M-G), close to \$14,

United Artists (UA-F-WC) (2,100 30-44-55)—'Men Boys Town' (M-G) and 'Free, Easy' (M-G). Not so forte on moveover, \$3,800. Last week, 'Dictator' (UA) on continued first run, excellent \$6,200.

—'Men Boys Town' (M-G) and 'Free, Easy' (M-G). Will hit around \$4,500 on moveover. Last week. 'Dictator' (UA), excellent \$7,200.

and 'Mary Dugan' (M-G), after a week at the Orpheum, ditto.
Denham (Cockrill) (1,750; 25-35-40) — 'Zanzibar' (Par) (2d wk) — Bringing home a great \$13,500, after last week broke house records with \$13,000.
Denver (Fox) (2,525; 25-35-40) — 'Night Rio' (20th). Very pretty \$10,000. Last week 'Pot Gold' (UA).

'and Jennie' (20th), good \$9,500.
Orpheus (RKO) (2,600; 25-35-40)
 'The Boys Town' (M-G-M). Roaring
 'Blonde' (Paramount). Raging.
 \$14,000, assuring a hold-over. Last
 week. 'Miss Jones' (RKO) and
 'Melody Three' (RKO), poor \$7,700.
 Columbia. 'Foghorn Leghorn'
 'Adam' (Col) and 'Bride, Kelly'
 (20th). Nice enough. \$8,000. Last
 week. 'Knockout' (WB) and 'Campus
 Confidential' (20th).
Rialto (Fox), (\$78; 25-40) - 'Cheer-
 up' Bishop' (UA). After a week at each
 the Denver and Aladdin, and along
 with 'The Girl from Rio' and 'The
 Good Guy' (both Fox) are doing
 good. Last week. 'Great Dictator'
 (UA). After a week at each the
 Denver and Aladdin, and 'Flying
 Wild' (Mono), poor \$2,500.

Leo socks 2 Home-Runs in a Row!



"MEN OF BOYS TOWN" HELD OVER!

Philadelphia 3rd Week! 2nd Week; Los Angeles (2 theatres Day and Date); New York; San Francisco; Cleveland; St. Louis; Milwaukee; Washington, D. C.; Buffalo; Omaha; Seattle; Columbus; Cincinnati; Worcester; Hartford; Denver; Oakland; Portland and MORE EXTENDED RUNS AS WE GO TO PRESS!

"ZIEGFELD GIRL" SENSATIONAL!

Boston (playing 2 theatres Day and Date), beats "Boom Town." Philadelphia is 30% better than "Great Ziegfeld." Chicago terrific! Albany is doing marvelous "Philadelphia Story" business! Detroit tops "Babes in Arms." Just the first few engagements. The most widely publicized and advertised picture in years.

HELD OVER EVERYWHERE!

SPENCER TRACY, MICKEY ROONEY in "MEN OF BOYS TOWN" with Bobb Watson, Larry Nunn, Darryl Hickman, Henry O'Neill, Mary Nash, Lee J. Cobb. Original Screen Play by James Kevin McGuinness. Directed by Norman Taurog. Produced by John W. Conedine, Jr. A Metro-Goldwyn-Mayer Picture.

"ZIEGFELD GIRL" starring James Stewart, Judy Garland, Hedy Lamarr, Lana Turner with Tony Martin, Jackie Cooper, Ian Hunter, Charles Winninger, Edward Everett Horton, Philip Dorn. Screen play by Marguerite Roberts and Sonya Levien. Directed by Robert Z. Leonard. Produced by Pandro S. Berman. A Metro-Goldwyn-Mayer Picture.

Joe Gins Heads Col. in Charlotte, N. C.; Other Theatre and Exchange Briefs

Columbia Pic Salesman's Reaction to Selig Yarn

Minneapolis, April 18.

Editor, VARIETY:

The writer, devoted VARIETY reader for many years, has for some time wanted to write and commend you on Al Selig's article in your issue of March 12, under the title of "The Unusual Heroes of the Film Business."

It seems odd that only twice in my 14 years in this business that I have ever run across anything in the trade paper that even refers to us, we who so ably try to carry on under circumstances so well told by Mr. Selig.

With the Trade Papers that are on the market, we who are somewhat influential towards their circulation (by a good word or a dig), it seems that we are the important cog in the business.

One reader that over \$100,000 was raised in nine months for charity purposes but please tell me what small part of that went to the care of the Film Fiddler who so earnestly has carried on and given his best?

We have our Variety Clubs which do so much for charity, and do it so capably, but what else is there that reaches out towards us for future care? With salaries that, astound, and money spent like water for this and that, no reservation has ever been made for the Film Fiddler who has gone out and done exactly as Mr. Selig put it.

I think as a whole, the boys have no complaint, but I was very much interested in your article, and I write this after showing this article to one of the boys who just ended up going back to work after months in the hospital, and seeing his reaction.

P. S. to Al Selig:

The writer would very much like to walk up to you and say "Thanks, Al!"—it was a grand tribute and so capably carried out in truth and word.

What made it hit home even harder was the meeting up with a Warner salesman who travels out of Minneapolis, named Adeock, who recently was discharged from a hospital after being confined for several months.

This lad hit a culvert and was confined to a hospital in a town of about 5,000 and after being told he would be out in a few days was removed to a Minneapolis hospital where he found that his jaw was broken and it was far more serious than indicated in this so-called burp.

The words in which you expressed your thoughts were so true to our work that I would like to know where you were when you sold the accounts have changed somewhat, but the conditions that you refer to, ring so true.

Just a personal example. Here I am in Minneapolis, and I am in a zone in South Dakota. I get home to my family only every other weekend. Never get in or can stay in for time enough to enjoy the hospital over the variety club or any such organizations that meet thru the week, and have inspirational talks and the likes of that.

The hotels that house us are so accurately described in your article, and the meals and all, that this could only come from one with a very brilliant mind or who has talked the talk and lived the life.

What elates me is that a publication like VARIETY is willing to devote the space and throughout the nation's theatres various trade papers never even give us a line.

Your remarks about being married in a bus and the "Highways" which we have to fight thru the winter (which only pertains to North and South Dakota) are true to the very letter.

Sincerely,
Salesman, Columbia Pictures

Anton Jorgensen, engineer of the Hipp, both died in the past fortnight; and Mary Mooney, matron at the Hipp, is out with pneumonia.

Andrew J. Andover, N. Y., closed.

Further resignations from local theatres are being received, and other defense requirements include George Thompson of Sals; Walter Loeffler, Baltimore; "Fats" Brown, Rockswold; Digson's Bailey; and Marvin Arnet, Schine.

20th-Fox loses two members of its staff in a bus accident. The Cecile Fiebert becomes wife of Glenn Gannon, FBI man at New Orleans. Dorothy Hulse goes to Boston.

Hulse of Pensacola, Fla.

RKO Sets Nat'l Sales Conv., June 16-18 In N. Y.; Metro, WB, 20th, Par Indef

M-G Rallies Stage Door Johns for 'Ziegfeld Girl'

Metro, as an exploitation gag on Ziegfeld Girl, is organizing The Ancient and Honorable Society of Stage Door Johnnies. Applications are made on an engraved form with four categories, one of which must be checked: "The expenditure was (1) futile, (2) married the girl, (3) I have stopped spending and (4) I am still spending."

"Johnnies" got their first public workout at the annual ball of the Ziegfeld Girls Club Monday (21) at the Waldorf, N.Y., proceeds of which went to British War Relief.

COPS AS SHILLS FOR DETROIT CINEMAS

Detroit, April 22.

Special police details helped the picture houses here build up their patronage during the Easter vacation just closed.

Practically every nabe in the town, taking advantage of the small fry's spring vacation and the plentiful armaments cash in town, whipped up extensive cartoon and western bills. About every Mickey Mouse, Popeye, Betty Boop, Porky, etc., in the exchanges was worn out in the hectic week.

Realizing that about the only factor that would keep parents from letting their youngsters attend the shows was the traffic hazard, theatre owners got the police department to assign cops at the corners to aid from the houses. They advertised and the newspapers also carried straight stories on the fact the kids would have police escorts on the way to the theatres. It worked out to terrific business and passes for the cops.

ASCAP MUSIC A NEW BALLY

Seattle, April 22.

Vic Gauntlett, advertising manager for Hamrick-Evergreen, has figured out that it is good advertising to get ASCAP music into the ears of prospective showgoers. The radio ban has caused him to install phonographs in the foyers of all the H-E theatres in town, each playing songs from films to come. This week the phonographs are blaring forth tunes from "Road to Zanzibar" (Par) next at the Paramount theatres.

The songs are played during the five-minute intermission, which has gone into effect at all the houses, coming once during each complete show. That the folk like the music is shown by the fact that they are around the phonographs during that short period. The instrument is supplied free by a music house, and so are the records. So successful is the idea that Paramount, Newprey of Evergreen theatres, plans it for state-wide use.

After Ball Was Over

Mexico City, April 22.

Excitement attending the visit here last week of Hollywood film notables was much longer than the 63 hours they were in town. Feature of this hubbub was a police department shakeup. Two high officials lost their jobs when news-papers and the Association of Mexican Picture Producers complained to Gen. Miguel Z. Martinez, chief of police of generally "rude" behaviour of the film underlings during the feast. The donor of the stars' "Pot of Gold" preem was a feature of the festivities.

With other distributing companies under the consent decree indefinite at this time concerning sales conditions, RKO during the past week decided on June 16-18 in New York for a convention. Metro is mulling either a national meeting or regional ones, some time in the latter, while Warners and 20th are both up in the air on the matter, though 20th may hold a convensh in Chicago.

The amount no decision has been reached, but doubted by Neil P. Agnew, v.p. over sales, that this company will schedule a national convention. Instead Par is leaning inward a session with the district managers some time later. This spring, with the feeling now being that such a meeting will suffice. WB may do the same unless following the lead taken by RKO, and possibly also to be taken by 20th and Metro. Later company has given thought to a powwow for the whole country's sales forces to be held in Hollywood, but that may change in the near future, regional, William F. Rodgers prefers the latter for various reasons.

'Get Together'

Ned E. Depinet, RKO distribution head, is of the opinion that it's more than ever essential to get the boys together to hop them up on the new product, outline sales policies, etc. A recent hint from Depinet also was that there would be more meetings as follow-up to a national convention that in former years because of the new sales method.

The New York convensh will be attended by district managers, branch managers, salesmen, and some representatives from foreign countries that are still being served with film. It was stated that RKO will have its first group of five pictures ready for screening to the delegates when they go into session. Some companies are figuring on also having their own blocks of five ready by that time or early in July.

'Milk All Product'

Speaking at the AMPA luncheon last week, Depinet sounded an important keynote under decree selling—whereas also will probably be stressed at the convention—is that there will be fewer and better pictures and 'our duty will be to milk everyone of them as dry as possible.

ASCAP MUSIC A NEW BALLY

As hypo for the five-week drive in the RKO theatres starting tomorrow (Thurs.), vaude bills and special stage attractions will be played in a number of houses in New York and Westchester houses. Norvell opens at the Fordham tomorrow (Thurs.) for a full week, while tomorrow night (Thurs.), call boy of the radio (Phillip Morris program) the personal at the Empire, N. Y. Gene Marvey of 'American Jubilee' at the N.Y. fair, makes a p.a. at the Fordham Friday night (25) and will appear Tuesday evening (26) at Keith's, White Plains.

Five acts of vaude open tonight at Bushwick and Republic, Brooklyn, and the same number of turns goes into the Greenpoint, Brooklyn, for Friday and Saturday (25-26).

NO ST. LOUIS BLUES FOR RKO EXCHANGE

The St. Louis exchange of RKO, managed by Ray Nolan, is the first among the company's branches to sell all of the current season's (1940-41) RKO pictures 100%.

Mary Raymond, Tom Williamson and Len Greenberg, last-mentioned just promoted to the management on the Salt Lake City office, are the salesmen who turned the trick.

James Boys, in Spades

St. Louis, April 22.

Lavish doses of the exploits of the James boys, Miller's top-ranking band, and the fun, frolics, days were dished out by the St. Louis last week. Double bill consisted of 'Jesse James,' 1939 revival, and 'The Road to Frank James,' Henry Fonda in both districts.

Biz good.

Pittsburgh, April 22.—Joe Gins, city salesman for Columbia Pictures here, has just been elevated to company's Charlotte, N.C., office as branch manager. Leaves Pittsburgh tomorrow (23) to take up new post. Gins will be succeeded locally by John H. Blane, moving up with Main Line sales territory, with Jack Kohler, office manager, moving up to sales department and taking over the territory. Bob Kimmelman becomes office manager and head booker, with Orlando spots, formerly in advertising and accessories, getting assistant berth to Kimmelman. So far no successor to Boyle in advertising and accessories has been named.

Continuing flock of managerial shifts made necessary by draft roads, WB has just announced number of promotions and transfers in personnel. Milford Parker upped from assistant to Jefferson in Pinksutawney, Pa., to manager of Strand in Erie; George Tipp moves from assistant's berth at Kenyon to manager of Erie; John H. Blane, who has been in Erie since he left Kohn, assistant at Schenley, becomes manager of Center, formerly at Weiland, Kohn's assistant, boy in Warner publicity department. Other changes include Harry Rastetter, manager of Columbia in Erie, to Erie; John H. Blane, city manager, from assistant at Liberty in Sharon, to management of that town; John Scholl, from Liberty in Sharon to Columbia in Erie; Bill Miller, from assistant at Wilson in Tyrone, to manager of Liberty in Monaca, and Al Katz, assistant at Cameraphone, to similar post at Kenyon.

Y Variety Club arranging testimonial farewell to Abe Weiner, branch manager for UA here, recently transferred to Boston to take over the Goldman, chairman of affairs. Weiner already taken up his new duties but will come back to Pittsburgh for the dinner at the hotel. Bill Brooker is Par's new exploiter in this territory. He succeeds Al Van Leer, who was formerly at Brooker formerly had Philadelphia, Washington and Baltimore, but Jim Moran is now covering latter two spots, with Brooker retaining Philly in addition to Pittsburgh district.

Louis Krieger, indie distrib and film man, came to the market for new Select Pictures in tri-state area, deal having been completed in New York last week. Charles Krans, head of Select, is old friend of Krieger's and former Pitt distributor.

Jeffrey's Dieker, George Jeffrey, is reported discussing an executive sales connection with one of the major companies.

Many years in high distribution posts and also active in the organization of the United Artists exchange in Canada, Jeffrey recently took a slier in the independent distributing field. His Jeffrey Pictures Corp. recently closed its N.Y. offices.

Interstate's Army House, San Antonio, April 22.—According to C. J. Collins, Interstate circuit will open a new house, the Fort San Houston, located on the boundary of Houston here within the next two weeks. House has been dark for five weeks and has been completely redecorated and modernized, ready to the soldiers, 20c gate for all. Richard Carnelson, of the State theatre staff, will manage the house. This addition gives Interstate 12 houses here and one Drive-in theatre.

Van Leer's Hub District, Arad-Van Leer leaves Saturday (26) for Boston to take over the entire New England territory on exploitation for Paramount. He is being transferred to the Boston region from the Philadelphia zone which he has handled for the company for several months.

Prior to going with Van Leer operated his own public relations agency.

RKO B.O. Drive Set, RKO distribution manager last week, yesterday territories after conferences in New York to discuss the RKO boxoffice drive extending to the end of May (Thurs.) to May 28. All div operators came in excepting Charles Wiener of Los Angeles.

When east coast drive pictures going on release during the five weeks drive were screened for the division managers, who as for all house managers in the Greater New York area, Westchester county and New Jersey.

Harry Warren Sees Up Town, Lincoln, April 22.—Sale to Central States of Stan Blackburn's Mainstreet, in Fremont, Neb., this week brings the town completely under the control of Harry Warren spring, which is home office in Des Moines, and run in close alliance with the Bufile and Tri-States-Par partnership. Black-

burn goes with the house to CST as house manager. Negotiations for the buy were made by M. E. McClain, Warren's district manager. The 46th Street here is operated by Howard Federer and T. B. Noble, Jr., shuttered for summer and second run. The policy of the company is to 1,100-seat Variety, which has been devoting itself to B first-runs.

Edlie Baldwin, new United Artists territory, saying hello and fronting for 'Pot of Gold.'

William Youngclaus, of the Island in Grand Island, Neb., is excited about a coming attraction at his house, but isn't marqueeing same. He's shortly to become a father.

It's a nip-and-tuck race for Wally Johnson, of Friend, Neb., who is trying desperately to make the sale of his two houses, the Vogue in Friend and the Fill-Mor in Exeter, Neb., come to head prior to being drafted. Knute Crawford, suit against the Sioux Falls, S.D., Gas Co. for \$6,000 in personal damages suffered from a gas explosion in the Sioux Falls. Grandis has been moved to district court, on finding the Gas Co. to be Delaware-incorporated. Same suit for \$100,000 against the System, Inc., which runs the house, and Helmer Rierison, assistant manager of the theatre, both asking \$3,000 for the same accident, which occurred last Dec. 3.

Savannah House Leased, Spartanburg, S.C., April 22.

Arcadia, Savannah, Ga. leased to F. & W. Amus. Co. Remodeling existing arm.

South Carolina Theatre Owners Association organized April 15 in Columbia. R. E. Bryant, owner of the Rock Hill houses, elected president. Warren Irwin, Columbia, district manager, Palmetto Amusement Co. managing directors.

R. B. Falbert, city manager, Wilby-Kincaid, announces early June opening for Palmetto, fourth W-K unit here. House 800-seater, costing approximately \$65,000.

Army Causes Revamp

Detroit, April 22.

Induction of Danny Drozan, manager of the Cohen Circuit's, Roxy, into the U.S. Army, has resulted in several switches in the chain. The managerial switch takes Stanley Kinsey from the Rio to the Roxy with Arthur Hunt moving from the Capitol to the Rio. Moved upward is Clarence Simon, former assistant at Capitol, who becomes manager.

Bill Scholl transferred by RKO to Etern Cinema territory, leaving Detroit, from Minneapolis, where he was assigned for the last two years. He will make his headquarters in Cleveland, and the late Al Katz and Dave Carter, who has left the company.

Bonnie Long's House

Ladonia, Texas, April 22.

The Roxy here has been sold by H. L. Robardy to Bonnie Long of Dallas, the former executive secretary of the Variety Club of Texas. Completely remodeled and renovated it will be named the Ritz, open about May 7.

Okay Pictures of Texas

Austin, April 22.

A charter has been issued to the Okay Pictures Co. of Dallas, Inc. incorporators are R. M. School, L. D. Horgan and Willard Young. Dallas office of the new combine is under the management of School.

Vincent Dunfee to K. C.

Providence, April 22.

Vincent Dunfee, student assistant manager at Los Angeles, is being transferred to the Midland theatre, Kansas City, Mo.

McGlone Vice Thompson

Buffalo, April 22.

James McGlone replaces George Thompson, She's Buffalo, the latter joining Bell Aircraft.

Peter Sullivan, son of John Seully, Buffalo, universal branch manager, is being transferred to Universal, Hollywood.

Alfred DiBello's East, East Syracuse, last week sustained a second loss by fire this year.

Bernard McCarthy, RKO Syracuse salesman, upped to RKO branch manager at Denver.

Harry Warren Sees Up Town, Lincoln, April 22.—Sale to Central States of Stan Blackburn's Mainstreet, in Fremont, Neb., this week brings the town completely under the control of Harry Warren spring, which is home office in Des Moines, and run in close alliance with the Bufile and Tri-States-Par partnership. Black-

burn goes with the house to CST as house manager. Negotiations for the buy were made by M. E. McClain, Warren's district manager. The 46th Street here is operated by Howard Federer and T. B. Noble, Jr., shuttered for summer and second run. The policy of the company is to 1,100-seat Variety, which has been devoting itself to B first-runs.

Edlie Baldwin, new United Artists territory, saying hello and fronting for 'Pot of Gold.'

British Gov't Groups Pledge Support To Film Producers on Draft Problem; Easing of Personnel Grab Visioned

LONDON, April 1. Coincidental with first days of spring outlook for British film industry became optimistic when both Board of Trade and Ministry of Information announced they would be lined up in Parliament on side of homeland picture-makers. Latter took the announcement as providing hefty support in their campaign against new draft regulations which, it figured, would strangle film production on this side.

Hullabaloo raised by the industry is likely to see some easing up in the grab of studio personnel for war service. "Already Ministry of Labor has indicated men will not be immediately called up, as was feared," they register, and ample time will be allowed for review of the cases. Such an understanding was not evinced when report of the new draft regulations was first made.

Angle to be watched, though, is that major support in their thrown on production side of the industry. Exhibs have come in for little attention despite fact it's considered many will have to shut down for shortage of both operators now that femmes are being taken over for munitions. Government has indicated there'll be no easing up here.

British Exhibs Beef to Gov't on Lofoten Brushoff

LONDON, April 1. Out of current flareup over government's handling of the exclusive filming of the Royal Navy's Lofoten Island raid, it emerges that Gaumont-British got its extra footage by reportedly grabbing off some 16 mm. snuff shot by one of the servants taking part in the affair. Fellow carried his own amateur cine outfit along, GB then being able to bolster meagre footage issued by government and fashioning its reel into a special feature. The other majors had to be content with what was given.

Exhibitor side of the squabble has emerged with widespread ban, on the Ministry of Information release. Odeon, Gaumont-British and Associated British films are handed out to exhibs gratis. Cinema-owners indicate they have no intention of becoming part of some setup which tends to compete with the major newsreels.

Harmony previously existing between newsreel and MOI is likely to go overboard as result of what trade deems a brushoff. Regular cinema crews are feeling smugly smug at lesser-trained government lensers getting the call.

Archibald Delayed On Biz Trip to N. Y.

George Archibald, United Artists' joint managing director for England, who was slated to attend a sales convention which opens in New York next Monday (28) isn't expected to arrive here in time. Archibald has been unable to obtain reservations on the clipper. Only slight chance remains that he can get a seat on the flying boat this week.

C. S. Moore, general manager in India for UA, is expected to arrive in the United States on Friday (25) for about two months of home office confabs. Foreign department is not positive, however, that he was able to get the boat he was scheduled to take from Capetown, South Africa. Moore hasn't been in the U. S. for three years.

G-B Pays Off

LONDON, April 1. Gaumont-British indicates its 5 1/2% cumulative preferred is paying out as usual for half-year ending March 31.

Provincial Cinematograph Theatres releases word of an ordinary divvy of 15%, same as for last year. Chain is one of the few to share on ordinary stock, a procedure passed up by most everyone else due to tax. In 1938 and 1939, PCT dividend reached a high of 22 1/2%. It's controlled by G-B.

85 OUTLETS FOR UA, 20TH IN SO. AFRICA

Invasion of South Africa by the combo setup of 20th-Fox and United Artists nearly two years ago has worked out so well that the two American distributors now are assured of about 85 cinema outlets there. While this is a small array of theatres compared with about 345 operated by the Schlesinger interests, these houses are mainly all new with latest improvements.

Construction of theatres was promoted by UA and 20th-Fox interests by promising local capital in principal cities to give the operators 10-year franchises. Thus the new local theatre operator was assured of product from two American film companies, with 60% of playing time allotted to 20th-Fox and 40% to UA.

Only other U. S. film company that attempted developing its own theatre chain in South Africa is Metro. Company abandoned plans after several theatre propositions were started, winding up with only two theatres and numerous favorable parts for releasing its product via Schlesinger. Metro now has cinema only in Johannesburg and Durban. It has a lot, purchased ostensibly for a theatre, in Capetown, but work has never been started there.

TWO PAR THEATRES IN BRITAIN BLITZED

LONDON, April 22. Nazi bombers struck two Paramount theatres in London last night, one of them being badly damaged while only minor losses were suffered by the house at Streatham. Both are part of Odeon's Astoria circuit.

This is one of few instances where American film company properties have been damaged by German bombers.

BURGER'S N. Y. VISIT

Sam Burger, Metro representative in the foreign field, is due in N. Y. shortly from South America.

He's been in Latin-America for nearly two years, devoting much of his time to contemplated new theatre building in London and Brazil.

65 Filmlets in Mex City

Mexico City, April 22. Active cinemas here have been brought in number to 65 with the reopening of two of the oldest local houses after extensive faceliftings.

These are the Cines Olimpia and Bucareli.

E. S. Gregg, foreign manager for Electrical Research Products, Inc., left New York for the Coast Saturday (19) on the first leg of his return journey to the Far East.

Mex Troupe Subsidized By Gov't for 'Artistry'

Mexico City, April 22. Further federal aid to the theatre continues to be rendered in accordance with the promise President Manuel Avila Camacho recently made thespians that his government will do all possible to assist their plans and keep the moribund theatre from dying. Subsidy of \$7,000 (Mex.) (\$1,400 U. S.) granted the company headed by Maria Treasa Montoya, junior era dramatic actress, current of the Teatro Freguesas here, is the latest contribution.

Subsidy, the Ministry of Finance explains, was granted because La Montoya's company, presenting dramatic production of the highest artistic quality which are advancing prestige of the Mexican theatre.

QUAKE LEVELS 8 MEX THEATRES

Mexico City, April 22. Though amusement places here got off comparatively lightly with the rest of the city, the devastating series of 20 earthquakes April 15 and 16, six cinemas and two theatres were destroyed in Colima, Jalisco and Michoacan states, western Mexico, which bore the brunt of the disaster. As far as can be ascertained, no member of the amusement biz is among the dead or injured.

All the destroyed amusement places will be reconstructed in the general rebuilding program of the devastated towns. As the most severe shocks occurred in the early afternoon, long before the shows started, all the amusement places were empty.

War Used as Blind By Importers, Says Anglo Exec on Prod. Death

LONDON, April 1. Exhibs clamor around shortage of British product with which to meet their quota percentage was taken up by Maurice Ostrer, Gainsboro chief, when alleging that major importers were holding out on their end of the regulations. He said wartime was being used as a cover, and there need never have been any falling off in available footage if Quota had been properly met.

As means to meeting exhibitor complaint, he suggests a sliding scale based on percentage defaulted by importers. With this decided by Board of Trade, cinema owners would be graded accordingly.

Exhibs have been pressing for a cut from 12 1/2% to 15% of the screening requirements under the Quota.

OJERHOLM IN N. Y.

Par Exec in London Tells of Void in Film Technicians

John A. Ojerholm, general manager of Paramount's Olympic Laboratory near London, arrived in N. Y. last week. He confirmed previous reports on how the withdrawal of technicians from British picture studios for military duty has crippled normal production on the British Isles. Ojerholm said RKO, Columbia, 20th-Fox and Warner Bros. had films in work when he left for U. S.

The Denham studio is busiest with American quota production, he stated. Located about 20 miles outside of London, it has missed being damaged heavily so far.

Ojerholm, formerly at Par's studio in Astoria, L. I., is going to Florida on a belated honeymoon. He was married late in 1939, but had to leave shortly after the ceremony for London, leaving his bride in the U. S.

Fire Levels Theatre

Cape Town, March 21. The Lyric, Mossel Bay cinema, was completely destroyed by fire recently. New sound machinery and projectors had recently been installed.

Damages set at several thousand pounds. Cause of fire unknown.

Cuba, Mexico, Puerto Rico's Anti-Pix Ideas Belie Any 'Good Neighborliness'

Havana Grosses Off

Havana, April 15. Havana grosses were pretty much off during Holy Week. However, Latin pictures, usually in the back row, rang the bell. "Spring Parade" saved for some months, hit high grosses.

The following are estimates
Encanto, "I'll Love You Again" (M-G), \$1,500, medium.

Fausto, "I Was an Adventurer" (20th), \$1,500, fair.

Radio-Cine, "El Secreto de Monja" (Argentine), \$2,100, good for Latin field.

Payret, "El Famoso Caballero" (Argentine), \$2,000, ditto.

America, "Spring Parade" (U), \$2,000, very good.

5 PICTURES SET BY NEW CO. IN B.A.

Buenos Aires, April 22. Baifex Films, new Argentine picture company, headed by Antonio Botana, "Hearst of South America," has announced plans for five features. Details of stars, directors and technical assistants caused considerable interest here and throughout South America because company has been getting ready to open production for more than two years and the number of false starts led many to predict that it would never open at all.

Features include "La Hora de las Sorpresas" ("Hour of Surprises"), to star Rosita Moreno, U. S. Latin-American star, and Esteban Serrador. Script was written in Hollywood by Miss Moreno's husband, Mel Shauer, with Erwin Gelsky and Harry Clark and was touched up here by local writer Antonio Botana. U. S. technician Roy Davidson is also coming down for this one. Pic to be directed by Daniel Tinarey, will also feature Roberto Fugazot, Juanita Suljo, Hector Mender, Consuelo Abbad, and Marcos Caplan.

Schedule also includes: "Ultimo Refugio" ("Last Refuge"), drama directed and written by Jacques Constant, starring Esteban Serrador, U. S. Latin-American author, Pedro E. Pico, starring Mecha Ortiz, featuring Jorge Rigaud, Pedro Lopez Lagar, Irma Cordoba, Ernesto Vilches, and Juanita Suljo. Released in 1939, "Romance of the '90s", romantic comedy with Della Garces and Esteban Serrador, to be directed by Luis Slavsky on his return from the States, starring Antonio Botana. "El Suicidio se porta Bien" ("The Suicide Behaves Himself"), comedy written and directed by Jacques Constant, with Esteban Serrador, "Viviana" ("Vivian"), drama-comedy, with Mecha Ortiz, Jorge Rigaud, directed by Daniel Tinarey, with story by Jacques Constant.

Technical personnel for new studio includes Paul Ivan, one-time Hollywood cameraman, as photographic director; Roy Davidson, chief of special effects; Gregorio Lopez Nagasencia, chief of lighting; Van Wooron, wardrobe chief; Alberto Belsi, laboratory; Raul Orzabel, engineer; Luis Ortiz De Guineas, sound head, and Francisco Balaguer, musical director.

MEX GOV'T PICKS FOUR SITES FOR THEATRES

Mexico City, April 22. Sites for the construction of four theatres, each accommodating 1,000 customers, and equipped with the best modern facilities, have been selected here by the municipal government in accordance with its plans to help thespians. Work on these playhouses, each in a popular section of the city, is to start in May. Six other similar theatres are to be built this year.

These houses are to specialize in the presentation of folk and other vernacular Mexican dramas and comedies.

Neely blackbooking and other adverse picture industry measures are coming home to roost for the U. S. film business in Latin-American territory even though the original proposals were not enacted into law in U. S. Cuba already has blackbooking laws, passed this year, by law on April 15. Adjustment eliminates threat of this adverse Puerto Rican legislation for the time being.

Principal spot just now is in Cuba, where all majors are seeking relief from the blackbooking stipulations. The Mexico "Neely law" plan is not given much chance of passage.

With these three republi trying in one year to pass anti-American film business legislation, many foreign managers are commencing to wonder if the "good neighbor" policy is not a one-sided affair. Either that or the fear the goodwill ballroom has been overdone to the extent that several Latin-American nations have obtained an exaggerated idea of their own importance.

American distributor business in Cuba, under best of all foreign revenue while Mexico is approximately 1% of the total. Puerto Rico constitutes a minor fraction of 1%. Bulk of these restrictive measures the foreign field are opposed by U. S. distributors because they set precedents which are apt to be followed by other nations.

Film Production On Rise in Mex After Long Lag

Mexico City, April 22.

Picture production here has taken a definite upward swing after a long slump due mostly to jittery conditions, uncertainty about the national economic and political future, lack of coin and labor troubles. The new government has inspired national confidence by what it has done, and is doing, to improve general conditions. More money has been obtained by the picture people and labor snags in the industry have been smoothed over.

The studios are at work again, almost all on full schedule. This incipient boom has brought into action the studios here of George Stahl, among the oldest in the country, which were closed for 18 months because of the film depression. Stahl's studios have been leased by Vicente Orona, director-producer, for a series of features he is to make. Orona has started the first of these pictures and is to finish late in May. "El Rey Goza," the Pedro Rico comedy, who has made a hit here, is heading the cast, with Arturo de Cordoba, of a comedy under way at a local studio.

John Lodge's 10% Suit

John Davis Lodge, actor, has filed suit against Leo Films, Inc., in N. Y. supreme court, seeking an accounting and an inspection of the books of the film company. The plaintiff had an agreement with the Societe Lauer & Co., French film company, to receive 10% of the profits of the picture, "Mayerling to Sarajevo," French-made pic in which he's starred.

He claims that Leo is distributing the film in the U. S. and wants an accounting of its profits. Lodge, of the old New England family of that name, recently returned to the U. S. after acting in French and British films for some years. He's presented in Lillian Hellman's click Broadway drama, "Watch on the Rhine."

THE CRITICS ARE SURE REACHING FOR THE SUNNIEST ADJECTIVES TO PRAISE PARAMOUNT'S "REACHING FOR THE SUN"



"Paramount's
'REACHING FOR THE SUN'
is a fully delightful
comedy-drama which is warm
and human at the same
time." —Fila Bulletin

"Paramount's
'REACHING FOR THE SUN'
is a refreshing piece of en-
tertainment which should
receive satisfactory returns
at the box office." —Showmen's Trade Review

"Paramount's
'REACHING FOR THE SUN'
is definitely one of William
Wellman's inspired produc-
tions. Grips as no ordinary
comedy-drama of marriage —
but digs deeper and finer."
—Jimmy Starr,
Evening Herald Express

"Paramount's
'REACHING FOR THE SUN'
has a persuasive, human story,
better organized and in many re-
spects more efficient and moving
than 'The Crowd' directed by King
Vidor some years ago, which trod on
the same terrain." —Edwin Schallert, L. A. Times

"Paramount's
'REACHING FOR THE SUN'
clicks as a fine romantic comedy.
Wellman, McCrea and Drew in top
form." —Hollywood Reporter

"Paramount's
'REACHING FOR THE SUN'
reaches new heights in entertain-
ment value." —Jay Emanuel Publications

"Paramount's
'REACHING FOR THE SUN'
is an outstanding, delight-
ful romantic comedy." —E. J. Smithson,
Fawcett Publications

"Paramount's
'REACHING FOR THE SUN'
will give John Q. Public
callouses on their hands
applauding. As welcome as
pay day, as happy-go-lucky
as Saturday night. You'll
all be laughing overtime."
—Jack Moffitt,
Kansas City Star

JOEL MCCREA  ELLEN DREW

"REACHING FOR THE SUN"

EDDIE BRACKEN
Albert Dekker • Billy Gilbert

Produced and Directed by WILLIAM A. WELLMAN • Screen Play by W. L. River • A Paramount Picture

Unwritten yarn which Columbia last year bought from Louis Bromfield for \$50,000 has now been virtually completed and given a title. Story of the Mississippi, it will be labeled 'Wild Is the River'. Col bought the tale from a verbal teller by Bromfield. It will be published by Columbia.

THE NEW YORK TIMES

'HAMILTON WOMAN' SETS NEW RECORD

Establishes Nine-Year Easter
Holiday Mark by Drawing
318,986 at Music Hall

27,330 ON WEDNESDAY

"That Hamilton Woman," currently in its third week at the Radio City Music Hall, has established a nine-year Easter holiday attendance record for the theatre by playing to 318,986 persons during its first two weeks, it was announced yesterday. It was also stated that the attendance was larger for the second week than during the opening week. The film, which broke the previous Easter mark set in 1939 was attended by 27,330 persons on Wednesday, its fourteenth day. The figure represents the biggest single day's business since the opening of the picture on April 3.

**KORDA'S Triumphant Hit
HELD OVER FOURTH WEEK
RADIO CITY MUSIC HALL!**

Released thru UNITED ARTISTS

FILM BOOKING CHART

(For information of theatre and film exchange business VARIETY presents a complete chart of feature releases of all the American distributing companies for the current quarterly period. Date of release as given in VARIETY and the running time of prints are included.)

COPYRIGHT, 1940, BY VARIETY, INC. ALL RIGHTS RESERVED
Key to Type Abbreviations: M—Melodrama; C—Comedy; CD—Comedy Drama; W—Western; D—Drama; DR—Dramatic Drama; MU—Musical. Figures herewith indicate date of VARIETY's review and running time.

WEEK OF RELEASE—2/25/41			
Blondie Goes Latin (Col)	2/19	C	78 P. Singleton-A. Lake
Missing Ten Days (Col)	2/19	C	78 P. Singleton-A. Lake
Outlaws of the Plumbline (Col)	2/19	C	78 P. Singleton-A. Lake
Free and Easy (M-G)	3/19	C	78 P. Singleton-A. Lake
In Old Colorado (M-G)	3/19	C	78 P. Singleton-A. Lake
A Man Betrayed (Rep)	3/12	C	78 P. Singleton-A. Lake
Great Train Robbery (Rep)	3/12	C	78 P. Singleton-A. Lake
Wanted: A Woman (Rep)	3/12	C	78 P. Singleton-A. Lake
Dark Streets of Cairo (U)	12/4	C	78 P. Singleton-A. Lake
Shadows on the Stairs (WB)		C	78 P. Singleton-A. Lake

WEEK OF RELEASE—3/1/41			
Lone Wolf Takes a Chance (Col)	3/12	M	72 W. Williams-J. Storey
Light in Heaven (M-G)	3/12	M	72 W. Williams-J. Storey
Flamingo (M-G)	3/12	M	72 W. Williams-J. Storey
Tobacco Road (20th)	2/5	M	72 W. Williams-J. Storey
Mr. Riddle (U)	2/12	M	72 W. Williams-J. Storey
Great Dictator (U)	10/16/40	M	72 W. Williams-J. Storey
Footsteps in the Dark (WB)	3/5	M	72 W. Williams-J. Storey

WEEK OF RELEASE—3/14/41			
The Penalty (M-G)	3/12	C	72 W. Williams-J. Storey
A Girl, a Guy and a Gob (WB)	3/5	C	72 W. Williams-J. Storey
Back in the Saddle (Rep)	3/25	C	72 W. Williams-J. Storey
Sheep in Wolf's (19)		C	72 W. Williams-J. Storey
Double Date (U)	3/12	C	72 W. Williams-J. Storey
Here Comes Happiness (WB)		C	72 W. Williams-J. Storey

WEEK OF RELEASE—3/21/41			
E. Queen's Penthouse Mystery (Col)	3/12	M	72 W. Williams-J. Storey
Flight of the Wolf (M-G)	3/12	M	72 W. Williams-J. Storey
The Lady Eve (Par)	2/26	M	72 W. Williams-J. Storey
Fighting Fever (RKO)	3/26	M	72 W. Williams-J. Storey
My Hero (M-G)	3/12	M	72 W. Williams-J. Storey
Man Who Lost Himself (U)	3/26	M	72 W. Williams-J. Storey
Topper Returns (U)	3/26	M	72 W. Williams-J. Storey
The Sea Wolf (U)	3/26	M	72 W. Williams-J. Storey

WEEK OF RELEASE—3/28/41			
North from the Lone Star (Col)	3/12	M	72 W. Williams-J. Storey
My Hero (M-G)	3/12	M	72 W. Williams-J. Storey
Las Vegas Nights (Par)	3/26	M	72 W. Williams-J. Storey
Melody for Three (RKO)	3/26	M	72 W. Williams-J. Storey
Wildcat Lady (RKO)	3/26	M	72 W. Williams-J. Storey
Mr. District Attorney (Rep)	4/2	M	72 W. Williams-J. Storey
Men Tell (RKO)	3/26	M	72 W. Williams-J. Storey
Horror Island (U)	4/2	M	72 W. Williams-J. Storey
Man-Made Monster (U)	3/26	M	72 W. Williams-J. Storey
Knockout (WB)		M	72 W. Williams-J. Storey

WEEK OF RELEASE—4/4/41			
The Roundup (Par)	3/19	M	72 W. Williams-J. Storey
Upstart at Leisure (RKO)	4/16	M	72 W. Williams-J. Storey
In Old Chicago (Rep)	3/19	M	72 W. Williams-J. Storey
Scotling Yard (20th)	4/9	M	72 W. Williams-J. Storey
Wrestling in the Atlantic (U)		M	72 W. Williams-J. Storey
A Shot in the Dark (WB)		M	72 W. Williams-J. Storey

WEEK OF RELEASE—4/11/41			
The Great Swindle (Col)		M	72 W. Williams-J. Storey
Men of Boys Town (M-G)	4/9	M	72 W. Williams-J. Storey
Break the News (M-G)	1/8	M	72 W. Williams-J. Storey
Road to Zanzibar (Par)	3/12	M	72 W. Williams-J. Storey
The Devil and Miss Jones (RKO)	4/9	M	72 W. Williams-J. Storey
Six Hopes (Rep)	4/9	M	72 W. Williams-J. Storey
Two Night in Rio (20th)	3/12	M	72 W. Williams-J. Storey
Two Gun Sheriff (M-G)	4/23	M	72 W. Williams-J. Storey
The Lady from Cheyenne (U)	4/2	M	72 W. Williams-J. Storey
Pat of Gold (U)	4/9	M	72 W. Williams-J. Storey
The Great Lie (U)	4/9	M	72 W. Williams-J. Storey

WEEK OF RELEASE—4/18/41			
Penny Serenade (Col)	4/16	M	72 W. Williams-J. Storey
Mad as a Hatter (M-G)	4/23	M	72 W. Williams-J. Storey
Hoosier Schoolboy (M-G)	4/23	M	72 W. Williams-J. Storey
Tumbledown Ranch in Arizona (M-G)		M	72 W. Williams-J. Storey
Victims (Par)	4/23	M	72 W. Williams-J. Storey
Robbers of the Range (RKO)		M	72 W. Williams-J. Storey
Up on Parole (Rep)	4/23	M	72 W. Williams-J. Storey
Night on Naughts (20th)	4/2	M	72 W. Williams-J. Storey
Flame of New Orleans (U)		M	72 W. Williams-J. Storey
That Uncertain Feeling (U)	3/19	M	72 W. Williams-J. Storey
Strange Alibi (WB)		M	72 W. Williams-J. Storey

WEEK OF RELEASE—4/25/41			
Under Age (Col)		M	72 W. Williams-J. Storey
The Big Boss (Col)		M	72 W. Williams-J. Storey
Ziegfeld Girl (M-G)	4/23	M	72 W. Williams-J. Storey
The Invisible Ghost (M-G)		M	72 W. Williams-J. Storey
Roar of the Press (M-G)		M	72 W. Williams-J. Storey
Power Drive (Par)	4/9	M	72 W. Williams-J. Storey
They Met in Argentina (RKO)		M	72 W. Williams-J. Storey
Lady From Louisiana (Rep)		M	72 W. Williams-J. Storey
Bringing Home Baby (M-G)	4/23	M	72 W. Williams-J. Storey
Model Wife (U)	4/16	M	72 W. Williams-J. Storey
That Hamilton Woman (U)	3/26	M	72 W. Williams-J. Storey
Wagon Ride as Night (WB)		M	72 W. Williams-J. Storey

WEEK OF RELEASE—5/2/41			
They Dared Not Love (Col)		M	72 W. Williams-J. Storey
Love vs. Killdeer (M-G)		M	72 W. Williams-J. Storey
The Plowmen (M-G)		M	72 W. Williams-J. Storey
Reaching for the Sun (Par)	4/9	M	72 W. Williams-J. Storey
Bringing Up Baby (Rep)		M	72 W. Williams-J. Storey
Singing Bird (Rep)		M	72 W. Williams-J. Storey
Up (U)		M	72 W. Williams-J. Storey
Thieves Fall Out (WB)		M	72 W. Williams-J. Storey

WEEK OF RELEASE—5/9/41			
Her First Love (Col)		M	72 W. Williams-J. Storey
Love Crazy (M-G)		M	72 W. Williams-J. Storey
House of Mystery (M-G)		M	72 W. Williams-J. Storey
Sally's Vacation (M-G)		M	72 W. Williams-J. Storey
County Fair (Rep)		M	72 W. Williams-J. Storey
Great American Broadcast (20th)		M	72 W. Williams-J. Storey
Affectionately Yours (WB)		M	72 W. Williams-J. Storey

WEEK OF RELEASE—5/16/41			
She Knew All the Answers (Col)		M	72 W. Williams-J. Storey
Vit Walk for Tom (M-G)		M	72 W. Williams-J. Storey
Rodgers (M-G)		M	72 W. Williams-J. Storey
One Night in Lisbon (Par)		M	72 W. Williams-J. Storey
King in Back Alley (Rep)	6/23/32	M	72 W. Williams-J. Storey
Cowboy and the Blonde (20th)	6/23/32	M	72 W. Williams-J. Storey
Singapore Woman (WB)		M	72 W. Williams-J. Storey

WEEK OF RELEASE—5/23/41			
Naval Academy (Col)		M	72 W. Williams-J. Storey
A Woman's Face (M-G)		M	72 W. Williams-J. Storey
Scattered Pops (M-G)		M	72 W. Williams-J. Storey
Scattered Pops (M-G)		M	72 W. Williams-J. Storey
Great Commandment (20th)		M	72 W. Williams-J. Storey
Bringing Up Baby (Rep)		M	72 W. Williams-J. Storey
The Nurse's Secret (WB)		M	72 W. Williams-J. Storey

Spreckels Quits NLRB To Represent Disney

Hollywood, April 22. Walter Spreckels moves over to the Walt Disney plant tomorrow as labor relations counselor following receipt of word from Washington his resignation as regional director in Los Angeles for National Labor Relations Board had been accepted. He will handle Guild negotiations and represent the studio on its AFL union move.

His deal with Disney permits him outside client.

SAG After Some Additional 500G For Extras, Etc.

Hollywood, April 22. Screen Actors Guild is demanding contract revisions which would mean an additional \$500,000 annually for extras, freelancers and bit players. Producers were to take action this week on the proposal, although negotiations were concluded some time ago, with both factions preparing an estimate in meantime.

Plan, if put into effect, would eliminate \$8.25 and \$11 calls for a \$10 overall bracket. Likely \$5.50 calls would be limited to 50 extras on any one call.

Producers also have under consideration recommendation to abolish Producer-SAG standing committee which cost \$36,000 to maintain last year, exclusive of fee paid to attorney for appearing in adjustment cases.

Truce at Disney Plant. Walt Disney and the AFL agreed to a temporary truce in the drive to unionize the studio, following a conference between company and labor executives. Understood the company asked more time to consider the demands of the various unions.

Screen Cartoonists Guild, claiming to represent a majority of approximately 700 employees, had as its spokesmen, Aubrey Blair, AFL international representative, Herbert Serrell, business representative of the Motion Picture Painters Local 644, and George E. Bodie, attorney for the cartoonists. Studio was represented by Gunther Lessing, company attorney, and Len Leland, production manager. Problems will remain in status quo until the next meeting this week.

Harold Melniker, chief executive assistant at Central Casting Corp., resigns Thursday (24) to enter military service. Preliminary shake-down is at Fort MacArthur, where which Melniker is likely to be assigned to a special branch of the service, due to his knowledge and legal training. He is a graduate of the Yale Law School, took part in the Seabury investigation of graft in New York in 1939 and worked a year with Metro before joining Central Casting.

Walter Spreckels, regional director in Los Angeles for the National Labor Relations Board, turned in his resignation to go into private practice as a consultant on labor relations. Since his appointment here, Spreckels has handled several delicate situations involving crafts in the picture industry.

Opposes Anti-Labor Bills. Billy Edwards was appointed by the Screen Publicists Guild to sit in on a general committee meeting organized by studio guilds and unions to oppose contemplated anti-labor bills in Sacramento. Publicists went on record as opposing five proposed statutes, one of which would legalize company unions. The others deal with closed shops, secondary boycotts and labor bills and amendments to the Labor Code.

Screen Actors Guild continued to keep the lid down on the admittance of new extras. In the last month only 13 Class B applications were approved. Applicants are now passed upon by a committee consisting entirely of Class A members.

Controversy between the Screen Writers Guild and Artists Managers Guild over proposed franchise code for agents soon may enter phase Thursday (24) with Lester Cole as chairman of the SWG committee and Bert Allenberg, chief of the AMG delegates. Proposed licensing agreement is similar to the contract between AMG and the Screen Actors

Expect IATSE Will Ultimately Consummate All Coast Labor Deals

Believed in the trade among informed sources that the International Alliance of Theatrical Stage Employees will, in the end, make the deals with studios for Coast locals which have been enjoying local autonomy, but doubted that the troublous situation will be straightened out for some time. Among reports is one that a half dozen locals have already accepted the IATSE to take up the negotiating cudgels.

Meantime, the basic agreement of the IA and brother internationalists, such as the Musicians and Carpenters, is in existence with the studios but under each year there has been negotiations for annual wage scales and working conditions. Huddles on another year's scale and conditions may come up shortly in New York with Pat Casey, labor representative for the film producers, who

CARTOONISTS' STRIKE VOTE AGAINST GEO. PAL

Hollywood, April 22. Screen Cartoonists Guild has voted to call a strike at the George Pal studios unless a new wage scale is put into effect. Pal's counter-wage proposal, calling for half of increase the inkers demand, has been flatly rejected.

Pal releases through Paramount.

ANOTHER H'WOOD HOUSE

More Theatre Building in Other Parts of U. S.

Los Angeles, April 22. Bob Whitson bought a site and ordered construction of a 750-seat picture house in Hollywood.

Fox West Coast theatre under operation of the Althea theatre from South side, Ken Bushy remaining as manager.

Charles K. Long, manager of the Strand, Pasadena, shifted to the Studio, San Bernardino.

Los Angeles' New House

Akron, O., April 22. Louis Israel, Cleveland exhibitor, opened the new Ellet theatre in suburban Akron, Ohio, by rembrandt night-aging house. This is the first theatre in Ellet, the entire district heretofore being served by east Akron houses.

Manos Into Newton Falls, O.

Newton Falls, O., April 22. Manos Amus Co., Toronto, O., plans 800-seater in Newton Falls, O.

Farb's New 1,000-Seater

Houston, April 22. Albert Farb, Houston operator, purchased a square block at Mc Gowan and Cheney for \$36,000 cash as site for new neighborhood theatre. Razing of a two-story brick residence on the site started immediately. It will seat 1,000.

Radio Man's Irish Travel

Film May Gross \$100,000.

Here is Ireland, traveled made by Pat Stanton, general manager of WDAF, Philly, during a vacation abroad two years ago, is foreseen as one of the largest non-theatrical grossers in film history. After initial success in halls, schools and churches, 16 mm. Kodachrome film is now playing theatres and appears set to gross around \$100,000.

Only non-theatrical pic that will exceed its gross was Nunkok of the North, made by Robert Flaherty for the Hudson's Bay Co. in 1922. It grossed around \$500,000.

arrived in the east last week and will remain a month or so.

Understood, however, there is nothing definite concerning conferences between Casey and George E. Browne, president of the IA, who at present is in Chicago and of late has been reported in poor health. He may come on while Casey is in New York but there is no assurance that he will. The producers' labor contract similarly was east last fall, waiting for Browne, but got tired and scrambled back to the coast.

Blind Trial June 4

There is a presumption in the trade that new negotiations with the studios will be deferred, partly due to the involved state of affairs among the unions and partly to the determination as to policy. Willie Bioff, who negotiated the last agreement for the IA with the studios, goes to trial June 4 on a U. S. income tax evasion indictment, pending this he is reported taking no part whatever in the present situation.

In the interim, negotiations are going on between the Screen Writers Guild and the producers on the one hand and between the SWG and the Artists Managers Guild on the other. The latest reports were that the SWG and the studios are at great odds on a contract but that the writers and the studios may reach an agreement on franchise.

The difficulties concerning the Cartoonists Guild and the Walt Disney studio is before the National Labor Relations Board in Washington from which the studios are understood that Casey will not go into this situation though going to Washington. He is planning to visit the Capital in connection with the wage-and-hour bill and its application to the picture industry, a decision which is momentarily expected.

Front-Office Union

While east Casey is looking into the status of the American Federation of Office Employees, the front-office employees in Albany and New York-New Jersey exchanges. No grievous trouble is expected since the workers involved are all in lower brackets and there appears to be no particular disposition on the part of distributors, from accounts, to put up any stiff resistance.

Drive to organize office workers in Albany, N. Y., under way for several years. The negotiations about a year, following the negotiation of a contract covering Universal's employees at the N. Y. home office and in the N. Y. exchange. After having a conference with Edward K. Long, manager of the exchange, the past week, Casey is planning to go to Albany to look into the situation. The claim of the union is that it has the Albany exchanges organized.

Backroom employees of all of the company's exchanges, taking in shipper, inspectors, rewinders, etc., are all in the Exchange Workers Union, which is part of the IATSE. The AFEO is affiliated with the American Federation of Labor.

Albany's Move

Members of the American Federation of Office Employees, who are in six local exchanges where majorities of workers are said to have signed up, anxiously await the outcome of conferences between Edward K. Flaherty, business representative of the New York local, and Pat Casey, in charge of labor relations for the producers distributors. Several months ago Flaherty was authorized to take a bargaining agency, deemed necessary to force Warner Bros. Universal, RKO, Columbia, 20th Century-Fox and Republic to sign contracts recognizing the union as collective bargaining agency. Flaherty, office workers in the Albany branches and establishing houses as well as salaries. Casey entered the picture, requesting that action be delayed until he returned from the West. When he did come east, Casey went into a conference with Flaherty.

Six ex-holding office workers in the exchanges mentioned above—Metro and Paramount have not been organized to date—have been trying for more than a year to obtain a bargaining agency. They are prepared to strike unless they get one. The backroom employees—shippers and inspectors—have been organized in all local exchanges for several years.

THREE MEN HAVE MADE A MASTERPIECE!



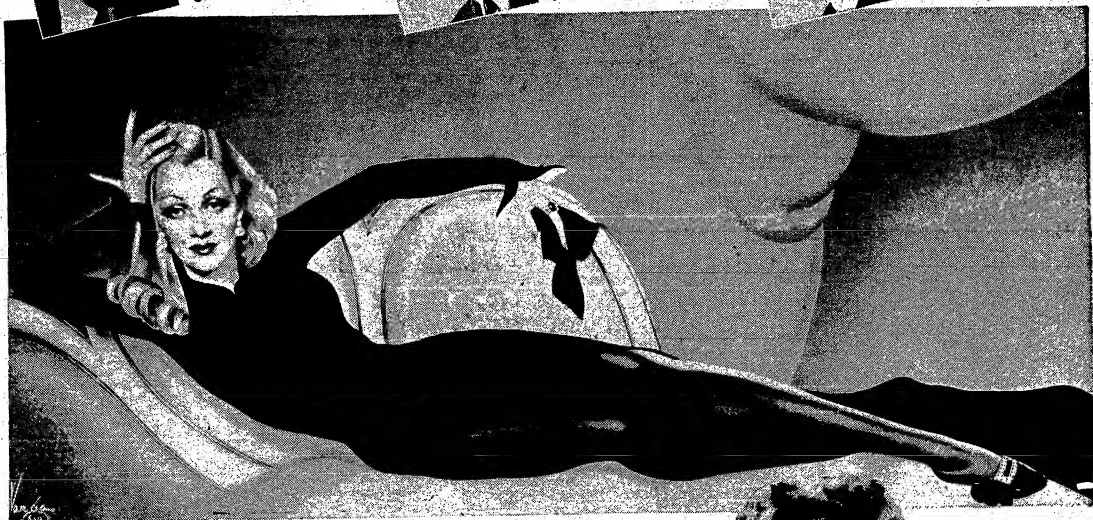
Rene Clair
directing...with the insight into drama and humor values that characterized his "The Ghost Goes West" and other masterpieces.



Joe Pasternak
producing...with the unparalleled touch for successful entertainment that has made his pictures an unbroken series of hits!



Norman Krasna
writing...with the knowledge of the world and its humans that have made him the most desired writer in the industry today.



RENE CLAIR'S FIRST AMERICAN PRODUCTION!

MARLENE DIETRICH

The **IFLAMIE OF NEW ORLEANS**

A RENE CLAIR PRODUCTION with

**BRUCE CABOT • ROLAND YOUNG
MISCHA AUER ANDY DEVINE**

Melville Cooper • Eddie Quillan • Laura Hope Crews • Frank Jenks

Written by Norman Krasna

Directed by

Produced by

RENE CLAIR JOE PASTERNAK

A UNIVERSAL PICTURE



WORLD PREMIERE! NEW ORLEANS APRIL 24th NATIONAL RELEASE APRIL 25th

Minn. Anti-Consent Decree Bill Now Virtually a Law; Michigan's Proposal Also Likely to Be Enacted

Minneapolis, April 22. Northwest Allied's anti-consent decree bill, having previously received the lower house's approval, virtually became a state law yesterday (Monday) with its passage in the Minnesota state senate, 60 to 8. It now requires only the governor's signature, which seems certain of forthcoming, to become law.

Film companies opposing the measure will fight its constitutionality in the courts and seek a restraining order. Some distributors may refuse to service Minnesota accounts if enforcement of the law is not restrained.

The Minnesota bill contravenes the consent decree's group-of-five selling plan, requiring companies to offer an entire season's product for sale the same as at present. It also forces distributors to grant a minimum of 20% cancellation and to refrain from direct selling of any motion pictures.

It has been announced that the film companies opposing it would fight its constitutionality in the courts, carrying the battle, if necessary, to the U. S. Supreme Court. An effort also is being made to obtain a temporary injunction, restraining its enforcement pending the settlement of the constitutionality question. Northwest Allied leaders are confident that the bill, if it should be granted the consent decree provisions would obtain until the law's validity is finally determined.

Moe Levy, 20th-Fox district manager, insists that if the law goes into effect his company positively will not service any accounts in Minnesota, other than that of the Minnesota Amus. Co. (Paramount). He predicts other companies also will follow suit. It is important and would prove too costly for the distributors to set up a separate and different selling system just for this one state, he points out. The other companies which opposed the bill at the legislature's public hearings were United Artists, Metro and Warners. There also was the last-minute opposition from PTA and women's club leaders.

Mich. Set to Go Through

Detroit, April 22. Seemingly at first just a snow-starter proposal, Michigan's new bill, which would wipe out the block-of-five provisions of the consent decree, has started to gather plenty of momentum and retain of passage within another two weeks. Weighty endorsements have poured in on the House Committee in Lansing and the report is strong the committee will urge it to the legislature with strong recommendation, paramount to passage.

Co-Operative Theatres of Michigan has thrown its full weight behind the bill which is receiving the endorsement of numerous civic and church groups as well as out-state exhibitors.

In passing a resolution calling for the bill's enactment, Co-ops directors urged that its provisions would give the state's exhibitors more assurance of a steady flow of product than the consent decree permits.

Belief has grown strong here that the bill, started innocently with plenty of secret backing which now is coming to the front to push it over. Amount of its support and varied places from which it comes seems indicative of a united effort to see its passage. True, there is strong opposition has appeared because of the casualness with which it was introduced.

M-G's 357 Prints of 'Gill' As Blue-Orange Tinted

Hollywood, April 22. Metro laboratory has been ordered to turn out 357 septa prints of "Ziegfeld Girl", the largest number of tints in the past two years at Culver City.

Order calls for a special "blue-orange" combination developed by J. M. Nickolaus, Metro lab chief.

MORE SETTLEMENTS

Indies in Rochester, Minneapolis and Detroit Make Peace

During the past week two cases against major companies readied by independent exhibitors for presentation to arbitration tribunals have been settled between the concerned. While the American Arbitration Assn. has been notified of the settlements, in neither case do the complaining exhibitors give details of the terms of surrender.

In the case of the Sun, Rochester, which befeet about unfair clearance against Warner Bros. 20th-Fox, Paramount and Metro, the operator of the theatre stated that there had been a settlement and that a trial would be attempted under the compromise made.

The other settlement was reached by the Galexy, Minneapolis, and 20th-Fox, on a compact which demanded some run from the distrib. In both cases there was withdrawal before hearing.

Major Settlement With Indie

Detroit, April 22. Reported that all of the distributors involved in the case brought by the Uptown against United Detroit Theatres (Paramount subsidiary) have agreed to give films to this independent theatre day-and-date with the Royal, suburban, house owned by Paramount shortly after the first of the year.

Settlement was reached during the past week while Judge Henry G. Nicol of the U. S. District court was studying the final briefs submitted by the case. He understood that the terms of the settlement were not indicated to the court but that the Montclair Theatres Corp., operator of the Uptown, was satisfied with the stipulations asked that the case be withdrawn.

The operators of the Uptown brought suit to compel five distributors whose product it had licensed to deliver the picture ahead of the Royal. They were Warner Bros., Universal, United Artists, Columbia and Paramount.

When the Par took over the Royal, considering which was started by independents, the distributors concerned gave the Royal a preferential run. Contention of the Uptown was that it had a right to get the films ahead of the newly-opened house.

Reward?

Buffalo, April 22. Two weeks after the hearing of his claim and demand for \$100,000 which his Genesee theatre at Mt. Morris be allowed "some run" of pictures (first case before the Buffalo Arbitration Board), Richard DeTota, a proprietor, was indicted into the U. S. Army.

Some of the independent neighborhood exhibitors here have Universal contracts providing that the maximum cost of pictures playing the Aster should be \$10. Now "Buck Privates" has moved from the Gopher to the Aster, ordinarily a double feature house scaled at 15c to 5 p.m. and 28c thereafter, for an extra 10c first-run. Although the Aster is playing it singly with its admission scale boosted to 28c all day, the same as the Gopher, some of these independents are declaring they'll insist on getting the film for \$10. They point out that there is nothing in their contracts specifying that the \$10 pictures be parts of dual bills at 15c and 28c and that the theatre itself being the only factor mentioned in the agreements.

The holdover epidemic has been in evidence for the past several months, particularly with two to three every week and currently four as against only three new first-runs. By limiting the number of new first-runs in this manner, the epidemic threatens to cause a shortage product for the independent neighborhood situations later in the year, the exhibitors say. What irks them especially is the fact that in a number of instances lately according to their claims, grosses haven't justified the holdovers which, however, probably were necessitated by the terms of the contract.

St. Louis First Hearing

St. Louis, April 22. The beef of Shirley Theatre Corp., owner-operator of the Rialto, Cope Girardeau, Mo., against RKO because of "unfair" clearance to the Broadway and Orpheum, houses of the Fox-Midwest Agency Corp., will be heard by the local Arbitration May 1. The hearing was scheduled for Thursday (17) but was set back when Fox-Cody Theatre Corp. intervened as the real operators of the Broadway and Orpheum which the complainant alleges is owned by the Fox-Midwest Agency. This is the only case pending before the local tribunal.

Major's Upheld

Philadelphia, April 22. First decision handed down by the Philly arbitration office today on clearance claims of the Florence theatre in Florence, N. J., completely upheld the Major's. The Fox Burlington was the complained of house.

Growth of Great Neck, L. I., Creates Need for More Cinemas—That's One Indie's Argument on Clearance Gripe

Autos, Not Amus., Benefit

Seattle, April 22. All of the extra dough being paid to labor in defense industries here seems to be going for automobiles, according to theatre men, operators of niteries and dance halls. There has been no corresponding increase in the amusement business in any line although payrolls have risen tremendously.

Automobile dealers report best sales ever, topping peak years of 1928 and '29.

What may become a new approach on clearance cases under the consent decree, furnishing a new kind of argument for independent exhibitors who have been unable to get territories or towns, is the local community angle and community needs so far as film theatres are concerned. This unique point is being raised by the Great Neck, L. I., where the argument is that the town has grown in size and has need for and additional theatre but that if the present unfair clearance continues he will have closed down thereby depriving the community of its film requirements.

The Squire, operated by Herbert Scheftel, was opened only this past Jan. 15 but has been unable to get pictures until 30 days after they have played the Playhouse, Great Neck, which is owned by the eastern Stouras chain. Scheftel's contention is that Great Neck, a suburb of the community, now has expanded to the point where more than the Playhouse is needed to service it properly, but that the 30-day clearance cannot be maintained because that service because the clearance status makes it impossible for him to operate his movie house profitably.

Can Consent Solve Milking Films Habit?

Minneapolis, April 22.

Northwest Allied leaders here are studying the consent decree to determine if any relief is obtainable under arbitration for alleged "milking" of pictures in the loop first-runs to the detriment of independent neighborhood exhibitors.

A test case before the arbitration board is now being planned, but its filing awaits advice from several lawyers now engaged in analyzing various consent decree provisions.

An orgy of holdovers in the local loop during the past several months has the independent neighborhood exhibitors up in arms. They're particularly infuriated with Universal because "Buck Privates" is in its sixth week downtown. However, in this instance, they concede that business has warranted the run. Just the same, they point out, it "milks" the picture and makes it much less valuable for them, defers its availability for them far beyond a normal period and helps to make for a neighborhood product shortage by jamming the first-run schedule.

Some of the independent neighborhood exhibitors here have Universal contracts providing that the maximum cost of pictures playing the Aster should be \$10. Now "Buck Privates" has moved from the Gopher to the Aster, ordinarily a double feature house scaled at 15c to 5 p.m. and 28c thereafter, for an extra 10c first-run. Although the Aster is playing it singly with its admission scale boosted to 28c all day, the same as the Gopher, some of these independents are declaring they'll insist on getting the film for \$10. They point out that there is nothing in their contracts specifying that the \$10 pictures be parts of dual bills at 15c and 28c and that the theatre itself being the only factor mentioned in the agreements.

The holdover epidemic has been in evidence for the past several months, particularly with two to three every week and currently four as against only three new first-runs. By limiting the number of new first-runs in this manner, the epidemic threatens to cause a shortage product for the independent neighborhood situations later in the year, the exhibitors say. What irks them especially is the fact that in a number of instances lately according to their claims, grosses haven't justified the holdovers which, however, probably were necessitated by the terms of the contract.

Voteur Loses Vs. Col.

Ferdinand Voteur, author, lost a \$250,000 N.Y. supreme court action against Columbia Pictures when Justice Aaron J. Levy dismissed the suit. Voteur claimed plagiarism of his play, "Resurrection Morning," in Columbia's "The Man Who Lived Twice." Justice Levy dismissed the case after trial, finding no evidence of plagiarism.

On Tuesday (23) there will be hearing on the matter have been held and another was scheduled yesterday (Tues.) with probability that additional sessions will be required because of the community arguments raised together with what is understood to be a complete resume of the whole clearance situation in films. George A. Spiegelberg, attorney and associate professor of law at New York University, is sitting on the case as arbitrator.

Three other hearings are set for New York. An unusual clearance dispute figure in the hearing is Wednesday (30) involving the Cameo, Jersey City, an independent, and two other indie theatres in that city, Apollo and Orient. Cameo, bringing 1,400,000, and the other two houses have earlier availability although each seat only 500 persons. Complaint recites that this is obviously unfair because of the difference in capacities.

On Tuesday (29) there will be hearing on the complaint filed by the Forum, Metuchen, N. J., an indie, which claims that unfair clearance is being granted to the Oxford and Strand at Plainfield, N. J., operated by Walter Reed. Clearance is not stated.

Hearing today (Wed.) has been set for the Central, Ford River, N. Y., which seeks seven days clearance or day-and-date with the Rockland, Nyack, which now has clearance over it.

Only new case brought in New York during the past two weeks involves the Majestic, Paterson, N. J., and the State in that town, a Brandt Bros. house. Majestic accuses Paramount of a 14-day clearance, 20th and RKO of granting unfair clearance of seven days against it. Wanted is a day-and-date arrangement.

TO EXAMINE HAYSITES IN ANTI-TRUST SUIT

Officers and directors of the Motion Picture Producers & Distributors of America, Inc., will be examined before trial in connection with a triple damage anti-trust suit filed by the Fox-Midwest Agency, Inc., against the major film companies and the Hays office. Federal Judge John C. Knox approved the examination to be held in New York, charges its theatre was relegated to an inferior position by acts of the defendants, and seeks triple damages of \$900,000.

The reason for the examination, according to plaintiff's attorney, Norman H. Samuelson, is that he possesses personal knowledge of at least one of the officers of the MPDPA, to whom he claims "legislation" that would have removed the various restraints imposed on independents by the majors. These attempts were made in Congress and in state legislatures, plaintiff claims.

37,000,000 READERS OF 104 NEWSPAPERS IN 45 KEY CITIES WILL SEE THESE ENDORSEMENTS . . .

IRENE DUNNE · CARY GRANT

Pay A Tribute To

GEORGE STEVENS

In making public acknowledgment of George Stevens' superb direction of "Penny Serenade," we wish to express the supreme pleasure we feel in having had a part in bringing it to the screen. If you like pictures we've appeared in before, you should enjoy "Penny Serenade" enormously. We both feel it's a very, very great picture.

Irene Dunne
Cary Grant

From
LORETTA YOUNG

to

IRENE DUNNE · CARY GRANT

"PENNY SERENADE" is a great motion picture. I was fascinated by its story and by your performances. My congratulations to two fine artists.

Loretta Young

From

CLAUDETTE COLBERT

to

IRENE DUNNE · CARY GRANT

"PENNY SERENADE" is a fine picture. You were both superb in it. This is a picture everyone must see

Claudette Colbert

From

ROSALIND RUSSELL

to

IRENE DUNNE · CARY GRANT

"PENNY SERENADE" is a once-in-a-lifetime picture and your performances in it will long be remembered... Rarely does a picture afford me the opportunity for the hearty laughter and the tears that I experienced while seeing it.

Rosalind Russell



Newsreels in the Middle Today Of Peculiar Army-Navy Rules

Spread of military censorship on American newsreels has increased so much in the last two months that newsreels now are envisioning the censoring of newsreel content that extends even beyond strictly military secrets. Even though the U. S. is not at war, several newsreels have noted expansion of control by Navy authorities that has gone almost into the realm of propaganda, in that nothing unfavorable to that branch of the service may be used.

Along with the expansion of this censoring scope, newsreel executives have been confronted with conflicting rules and regulations from many different authorities, some of which are regarded as silly, others useless and still others as expensive to the producer. Batch of regulations is constantly growing with newsreel boys annoyed because unable to secure any official clarification of rules. Some will admit, sotto voce, that it amounts to strict censorship while others regard it as mild, "voluntary" censoring of the reels. Whichever it is, most of them claim it is badly muddled and does not help the newsreels much in putting across the nation's defense preparations message to the public. Recent estimates revealed that one-sixth of all newsreel subjects recently were related to national defense.

Too Many Bodies
Difficultly today is too many agencies, each vying for a share of the glory in the defense program, according to one story current. Army, Navy, Council for National Defense, the Shipping Board and the Newsreel Committee Cooperating on National Defense all have their ideas, and most of them have grabbed off civilian advisors to help. This leaves Francis E. Harmon, Chairman for the Motion Picture Committee, Co-operating for National Defense, in a precarious position since he must keep everybody happy. Problem of the Shipping Board and the Newsreel Committee Cooperating on National Defense is left to him to coordinate and squelch some of the foolish ideas submitted. Aside from the uncertainties of censorship, held by different Govern-

ment establishments, facilities of both the Army and Navy for censoring are not rated particularly good. All Navy stories must be shipped to New York, whether taken in the South or on the Coast. Then after going through Naval inspection, they must be shipped back again even though regarded strictly as a local story, and not intended for national release. The Army is reported similarly inadequately prepared, requiring the newsreels to ship clips to Washington for a once-over. This is done despite the fact that it is well known "that no military story is photographed without a service man on hand."

Army Vs. Navy Again
The Army censor's things from one viewpoint; the Navy from another, the newsreelers aver. The newsreels admit they have been handed reams of regulations but no clear-cut clarification of many of them has been made. Thus, a particularly slipshod bit of drilling might be rated as "offensive" to the military service. The newsreels are told that it is "patriotic" to eliminate the sequence. They also are informed they have a right to use it but it would be better and more patriotic if it were eliminated. This vague sort of censoring is particularly irksome.

Most newsreels will admit that the Army leans over backwards to co-operate, even inviting honest criticism. The Army officials seldom squawk, and generally stick to strictly the military angle when asking deletions.

With the Navy, it is a different story, the newsreel boys claim. Permission must be obtained to photograph any part of the naval personnel, even down to the gum-chewing gum. Navy also says that the newsreels can't release pictures of wreckage of any sort, this extending now to any airplane mishap involving the Navy, claiming the right to censor such crashes. Where the military secret angle comes in the newsreels do not comprehend. The "mustn't touch" attitude of naval authorities apparently is developed on the angle, the newsreels believe, that it is unpropitious today to criticize Navy mistakes.

Crime and Punishment

Several kids from the Hell's Kitchen area climbed up to the roof of a Broadway picture house recently via the fire-escapes. Apprehended by the cops and hustled to the front of the house, the frate house manager growled:

"What shall we do with these young punks, look 'em over?"

Make 'em sit through the turkey we've got this week," suggested his assistant. "I can't think of a worse sentence."

Now Segall Makes Similar Charges Vs. His Pard, Pizor

Philadelphia, April 22. Lewen Pizor, president of the United Motion Picture Theatre Owners of Eastern Pennsylvania, and locally prominent exhibitor, who charged his partner, Charles Segall, with fraud two weeks ago in a suit, last Wednesday (16) found himself the defendant in a similar action.

The suit was filed by Segall in Common Pleas Court. Segall, who is chairman of the board of UPMTO, asked the Courts to force Pizor to make an accounting of "damage and unjust enrichment" to him (Segall's) expense, and also asked the Court to appoint a receiver to liquidate the business.

Segall and Pizor, known as the "Damon and Pythias" of Philly film biz, went into partnership in 1937. The firm names were Eastern Theatres, Inc. and Boro Theatres, Inc. Each partner invested \$54,448. The partnership operated the Ace and Apollo, which were purchased, the Chelton, which was built, and the Apollo, which was leased from Segall, who owned the property.

Among the allegations made by Segall against Pizor were:

1. He embarked upon a course of activity detrimental and harmful to the interests of the partnership;
2. He committed "fraudulent acts" which benefited himself and damaged the partnership;
3. He attempted to fire Segall's son, Louis, "without cause," as a supervisor of the theatres;
4. He refused to sign checks for the rental of the Apollo. (Segall entered judgment against Pizor for \$50,000 for back rents);
5. On two occasions, Pizor told managers of the theatres not to deposit their money but to hold it themselves;
6. That in spring, 1939, Pizor removed equipment valued at \$1,500 from partnership property and used it in theatres he owns by himself;
7. Took merchandise from a premium house for his own use and charged it to the partnership;
8. Charged the rental of film to the partnership and exhibited it in theatres owned entirely by himself.

The charges made against Pizor by Segall are almost duplicates of those the UPMTO preyed made against Segall.

EARLIER MATINEES FOR LATE DEFENSE WORKERS

Philadelphia, April 22. The Stanley-Warner Lindis, in southwest Philly, has instituted a new wrinkle to boom biz—a "defense workers' matinee." The house is located in an area studied with plants engaged in defense production. To snare factory hands who go to work on the 4 p.m. shift, the Lindis has pushed its opening show forward to 12:30 p.m., instead of 2. This gives the worker a chance to see a picture and grab a sandwich before checking into the factory.

The innovation is proving a success and the S-W circuit is contemplating spreading the idea to other houses in industrial areas. Indies in these districts are also reported getting set to shutter earlier to get the night workers.

Back to His Old Brand

Hollywood, April 22. Tom Keene returns to Monogram after an absence of three years to star in a new group of westerns, replacing the Tex Ritter series, on the 1941-42 season.

"Wanderers of the West," first of the new series, rolls April 28, with Robert Tansey producing.

Inside Stuff—Pictures

RKO office in Pittsburgh last week got a request from Retail Merchants Association in that city for a special screening of "Devil and Miss Jones," and request was forwarded to home office but no action was taken on it. In meantime, picture opened at Penn theatres there Friday (28). Film was sneak-previewed in Pitt few weeks ago and when word reached RMA, powerful department store group in Smoky City, that plot revolved around union organization in dept. store and how it's done, mercantile biggies are said to have gotten plenty upset and sent their head, Wilmer Jacoby, to RKO to see if something couldn't be done. Jacoby is former publisher of Hearst's Pittsburgh Sun-Telegraph.

Heavy production schedules at RKO have resulted in a nationwide appeal to the branch managers to put the soft pedal on letters of introduction to the studio. It is all right in slack times, according to Ned Depinet, v.p. in charge of distribution, in a letter to boys in the field, but it costs a lot of dough when the townies from back home crowd into the studio as onlookers on busy days.

Branch managers have been asked to lay off casual tourists and confine their recommendations to important exhibitors or newspaper writers.

Orson Welles has indulged himself in a sly bit of whimsy in "Native Son," Broadway legit which he produced and directed, to tie up with his firm, "Citizen Kane." It won't mean much, however, except to the initiated.

In "Son's" opening scene, a Negro slum resident, a sled stands against the wall and on it is painted the word "Rosebud." It is this same word, also, which is the name of the sled which is used to tie together the episodes and becomes the motivating force of "Citizen Kane."

Jukeboxes continue to appeal to studios as potential film material. Paramount made the latest to register a title based on the coin-in-the-slotters and lines up behind Universal and 20th Century Fox. Fox's entry is "Juke Box Johnny," U. owns "Juke Box Calypso," "Juke Box Hits of 1941" and "Juke Box Parade of 1941." Fox's dark horse is "Juke Box War."

Newsreels were barred from the hall when Charles A. Lindbergh spoke last week in Chicago for the America First Committee. Press relations division for the committee tipped the newsreels, claiming that Lindbergh said on return to the picture circuit, around, with the order that no reels would be admitted going out subsequently.

The U. S. Government has been granted leave to wait until June 18 to file an answer in N. Y. Federal court to a suit against it for the return of paid income taxes by Paramount Pictures, Inc. Paramount seeks \$69,600 of paid income taxes by Paramount Pictures, Inc. by the Paramount International Corp., Paramount Pictures Distributing Corp. and Paragon Corp. In 1937.

Donald Flamm, ex-owner of WMCA, New York, who has been variously reported going into legit production and into the show biz, has been in contact with Burt Moros. Latter, an idle film producer, wants him as bankroll for an indie pic.

JOELSON'S \$600,000

To Close Con. Deal—Harold Klein His Film Buyer

Reported Julius Joelson, former New England exhibitor, who recently took over the Consolidated Amusement circuit in Greater New York, made a down payment of \$600,000 in closing the deal involving around 20 houses. Lawrence Bolognino, who headed the Consolidated string, is retiring from the business, it is also understood.

Setting up offices in N. Y. after taking over the Consolidated houses, Joelson has brought in Harold Klein as film buyer. Latter was for many years with the Cocalis circuit, operating in lower N. Y. state and northern New Jersey. Following the death of Sam Cocalis the circuit is being liquidated. RKO took over most of the Cocalis theatres in the Bronx, while others are being disposed of to independents.

Dozen Pounding at U

Hollywood, April 22. Typewriters are being on the heaviest barrage in months at Universal, with 12 new writers assigned to forthcoming stories.

Scriptors who checked in were Stanley Roberts on a new Abbott and Costello yarn, J. Ainsworth Morgan on "Captive Woman," Harold Shumate on "Bad Lands of Dakota," Eric Taylor on "The Ghost of Frankenstein," and on "Oh, Charlie," Arthur Jones and Dorcas Cochrane on "Juke Box Benny," Roy Chanslor and Stanley Rubin on "Bombay Clipper" and Oliver Drake, Walter Doniger and Robert Dillon on separate stories for the Dick Foran-Lee Carillo-Andy Devine action series.

Cry 'Uncle' at RKO

Hollywood, April 22. "Unexpected" by the Erich Pommer production at RKO, goes into work May 1, with Tay Garnett directing.

Second Pommer production, "Weekend 'Round the World," follows "Uncle" on the same lot, with Ginger Rogers starring.

TONE'S NEW ALIAS

Hollywood, April 22. Franchot Tone gets the title role in "I, James Lewis," to be produced by Frank Lloyd at Universal, starting May 5.

Only other player signed thus far is Walter Brennan, Producer.

clucking with Warners for the loan of Priscilla Lane for the femme lead.

PAR PAYS \$25,000 FOR 'CUGAT' RIGHTS

Hollywood, April 22. Paramount today (Tuesday) purchased "Mr. and Mrs. Cugat," novel by Isabel Scott Rorick which was published last November. Studio paid \$25,000 for it. It's the tale of an average young middle class couple who live in a vaguely-identified mid-western town.

Novel, which has sold well, curiously enough, attracted an interest from the book publishers and retained it right along, but no company was ever in a hurry to buy it until this week when Paramount and Universal both jumped into the bidding. Metro had previously made an offer which was nixed.

Paramount purchased "Channel Port," a sea yarn by Leonard Lee. Lee's novel, sold by "Palace," of 1,000 Little, Brown.

Republic bought "Strange Bedfellows," by Roger Williams.

Murray Boltinoff and Martin Rackin sold their second story within three months to films on Monday (21) and are being on the compact by Columbia to become lot writers. Boltinoff was for seven years prior to the folding of the New York American several years ago the sheet's second string dramatic critic and is now in the editorial department of Superman, Inc. Rackin is a New York press agent.

Yarn they sold on Monday was "Most Likely to Succeed," a 56-page action yarn by Columbia, paid \$2,500. Pair's earlier film was "Buy Me That Town," which Paramount bought and now has in the can awaiting release. Factory to go to work for Col. hasn't been set yet, but is understood near to closing.

With virtually all of the current crop of Broadway plays already owned by the big companies and Fox this week stretched back for one of last season's. It is "Margin for Error," Clare Boothe's mystery melodrama, which ran 282 performances on Broadway, closing last June 15. Fox paid around \$25,000 for screen rights.

Another Fox purchase was "Heardes Don't Hurry," book by Stephen Banstone for which studio paid \$25,000.

WB HOLDS BACON

Hollywood, April 22. Lloyd Bacon's option as director was lifted for another term by Warner Bros. Producer.

Pilot's current chore is "Navy Blues."

New York Theatres

Capitol
Starts Thursday
The Trail, You've
Seen Waiting For
James STEWART in
"CIEZELF GIRL"
A Metro-Goldwyn-Mayer Picture

State
Starts Thurs., Apr. 24
Linda L. Bickley
in "ANDY HARDY'S
SECRETARY"
In Person
GEO. MURPHY
and
SHEILA BAILEY
and
DICK DUFFY

RKO PALACE
EDWARD G.
ROBINSON
IDA LUPINO
JOHN GARFIELD
"THE SEA WOLF"
JOAN BLONDELL
DICK POWELL
"MODEL WIFE"

FANTASIA
WALT DISNEY'S
MUSICAL
"FANTASIA"
with STOKOVSKI conducting
the world's most RCA Victor
Broadway Cast
ALL SEATS \$1.00
Reservations from \$1.50
Seating for all performances now available at Box Office

WANTED WINGS
ASTOR THEATRE
ALL SEATS \$1.00
Reservations from \$1.50
Seating for all performances now available at Box Office

PARAMOUNT
Starts Wednesday
"ROAD TO
ZANZIBAR"
In Person
Benny
GOODMAN
and
GIL LAMB
Aldrich Screen Shows

MUSIC HALL
Starts Wednesday
"THAT HAMILTON
WOMAN"
Spectacular Stage Productions.

LAST 3 DAYS
THE FRANK CAPRA Prod.
Starring GARY COOPER
BARBARA STANWYCK
in "MEET JOHN DOE"

3RD WEEK
BETTE DAVIS in
"THE GREAT LIE"
A New Warner Bros. Hit with
George BRENT & Mary ASTOR
—In Person— Extra!
JIMMY DORSEY
Tip-Top & Too
and His Orchestra
BROADWAY
AND 4TH STREET

BELLINGER'S 'HARD TIMES'
Hollywood, April 22.
Mark Hellinger draws the producing
reins on "My Life and Hard
Times" at the James Thurber book at
20th-Fox.

Herman Mankiewicz has been assigned to the script.

KAYE REPS PRESS-STATIONS

WHAT THE PUBLIC PAYS TO GET—

—MAGAZINES —FARM PAPERS
—NEWSPAPERS —RADIO

The table below, compiled by the VARIETY Research and Information Service, shows what the citizens of the U. S. paid out to read newspapers, magazines, and farm papers. It also shows what they shelled out in order to keep their radios humming.

It should immediately be observed that, although radio is 'free,' listeners actually pay more to hear the 'free' programs than they pay for all the magazines and newspapers combined. It costs the U. S. public \$740,000,000 for the mere physical facilities of tuning in Jack Benny, Kate Smith, etc. On the other hand, all the newspaper and magazine readers in the land only paid \$735,000,000 to buy their favorite printed media at the newsstand or through the mails.

Farm papers had a bad year in 1940. Their circulation dollar volume dipped 12%. The year before it had dipped 1%.

Magazines and newspapers did all right, both showing gains.

Magazines

Total money spent by readers in the purchase of magazine subscriptions and single-copy sales.....	\$188,430,859	
Percent change over 1939.....	+8%	
243 Monthlies.....	\$97,432,767	(+ 1%)
39 Weeklies.....	\$2,027,716	(+ 9%)
29 Group Publications.....	\$6,728,081	(+ 16%)
10 Semi-Monthlies.....	\$8,802,168	(+ 7%)
18 Bi-Monthlies.....	\$2,181,347	(+154%)
4 Miscellaneous.....	\$46,274	(— 25%)
4 Quaterlies.....	\$65,227	(+ 82%)
1 Daily.....	\$13,040	(— 70%)
3 Annuals.....	\$1,239	(— 7%)
19 Free Publications.....		
106 Publications, Data Missing.....		

Newspapers

Total money spent by readers in the purchase of morning, evening, and Sunday newspapers.....	\$546,601,853	
Percent change over 1939.....	+8%	
16,114,018 daily morning circulation at \$9.24.....	\$148,893,528	(+4%)
24,895,240 daily evening circulation at \$9.24.....	\$229,052,018	(+3%)
32,245,444 Sunday circulation at \$5.20.....	\$167,659,309	(+2%)

Farm Papers

Total money spent by readers in the purchase of farm papers.....	\$9,632,526	
Percent change over 1939.....	-12%	
92 Monthlies.....	\$5,505,678	(— 14%)
24 Bi-Weeklies.....	1,839,936	(— 7%)
15 Weeklies.....	1,416,830	(+ 1%)
12 Semi-Monthlies.....	411,056	(+ 27%)
5 Dailies.....	242,716	(+ 1%)
1 Bi-Monthly.....	41,775	(— 1%)
1 Group Publication.....	40,489	(+100%)
2 Semi-Weeklies.....	16,305	(— 85%)
2 Quaterlies.....	15,224	(— 13%)
2 Annuals.....	2,537	(— 20%)
10 Free Publications.....		
34 Publications, Data Missing.....		

Radio

Total money spent by listeners in the purchase, operation, repair and upkeep of radio sets.....	\$740,000,000	
Percent change over 1939.....	+22%	
New set sales.....	\$385,000,000	(+33%)
Repair services.....	65,000,000	(+ 8%)
Use of electricity and cost of batteries.....	65,000,000	(+ 21%)
Parts and supplies used in repairs.....	37,000,000	(+14%)
Tubes.....	33,000,000	(— 27%)

* Circulation data in the January, 1941, Magazine and Farm Paper Section of Standard Rate & Data used as the basis for the compilation.
† Circulation data supplied through the courtesy of Editor & Publisher.
‡ Compiled by Dr. Orestes H. Caldwell, editor of Radio Today.

BENNY ASKED: 'HOW ABOUT '42?'

Even though he only recently signed a renewal with Jell-O (General Foods) which takes him up to June 1942, Jack Benny has been approached by the Ward Wheelock agency, through his agents, A. S. Lyons, about making a deal with the 1942 season. The client would be Campbell Soup.

Under Benny's latest contract with General Foods the latter is obligated the Sunday 7-7:30 p.m. period to the comic's next sponsor.

I. Q. to Fox, Detroit

Chicago, April 22. Grant agency here, handling the Dr. I. Q. program for M-rs candy, has just set a deal for the show to originate in the Fox, Detroit starting June 2 and running for six weeks. I. Q. quiz program is currently originating on the stage of the Capitol, Washington.

MORE P.&G. SHUFFLES

Compton and Pedlar & Ryan Swap Shows and Brands

Procter & Gamble this week decided on shifts for two more of its serials. Moves will be in addition to the general realignment itemized in last week's VARIETY. New moves will transpose the products, agencies and times for 'Pepper Young' and 'Guiding Light.'

'Pepper' now plugging Camay soap, handled by Pedlar & Ryan and scheduled at 3:30 p.m. Monday through Friday on NBC red (WBAF), gets white naphtha at its product, goes to the Compton agency and moves to 11:15 a.m. on the same network. 'Light' makes just the reverse changes. 'Pepper' is authored by the Stern Carrington and 'Light' by Irna Phillips.

'Rise of the Goldbergs,' reported last week to be going from Blackett-Sample-Hummert to Compton and changing from Oxydol to Dux, effective July 1, is now slated to make the switch next Monday (28) also. 'Mary Martin,' currently handled by Compton, shifts July 1 to Benton & Bowles exclusively.

BMI LAWYER TO FIGHT FCC ISSUE

The Man Who Licked ASCAP Is Retained by Station-Owners Newspaper—But Another Attorney of National Stature May Be Added for Actual Showdown

COMMITTEE MEETS

Sidney M. Kaye, v.p. and operating head of Broadcast Music, Inc., and before that a Columbia Broadcasting System lawyer, has been retained as counsel by the group of newspaper-owned stations which will direct the defense strategy in the forthcoming investigation of newspaper stations by the Federal Communications Commission. Because of Kaye's previous tussle with CBS some quarters in the trade are inclined to the opinion that his appointment presages an alliance between CBS and NBC, on one hand, and the newspaper-owned stations, on the other, in opposing FCC trends on the monopoly issue. This interpretation was yesterday (Tuesday) termed baseless in both newspaper and network camps. Kaye's appointment, it was said, was on the crest of his prestige 'the man who licked ASCAP.'

While Kaye will have charge of collecting defense data for the FCC's investigation and also direct the legalistic strategy as well as the preparation of counter-evidence, the newspaper committee will likely engage a lawyer with a national reputation to head its legal front. Because of the time required to gather the necessary data, the initial move by the committee's counsel will probably be to ask for a postponement of the inquiry from any date that the FCC may be inclined to set just now.

This committee of newspaper-owned outlets includes Mark Ehrlich, of WHAS, Louisville; Gardner Howies, of the Iowa Network; Harold Hough, of WBAF, Fort Worth, and James W. Cox, Jr., of WHIO, Dayton, and WIOD, Miami.

In taking over the newspaper-stations assignment Kaye will give up active participation in the operations of BMI, though he will retain the titles of v.p. and counsel.

CBS NET UP ON 1ST QUARTER

Columbia Broadcasting System net profit totalled \$1,487,685 in the first three months of the present financial year ended last March 29 or more than \$200,000 more than the \$1,284,231 shown in the first quarter last year. Corporation's net amounted to 87c per share as against 75c in 1939. Net profit before providing for federal income and excess profits taxes was \$2,358,947 as compared with \$1,921,886 in the first three months last year.

The CBS' statement, which was issued April 18, revealed \$14,685,786 gross income, which was nearly \$2,000,000 increase over the \$12,770,065 shown in the first quarter last year.

Corporation noted that provisions for federal income and excess profits taxes for this year and in 1940 were calculated under the Second Revenue Act of 1940 as amended on March 7, this year. Federal income taxes for the quarter were figured at \$585,461 compared with \$473,754 in corresponding quarter last year, while excess profits taxes were listed as \$285,800 as compared with \$163,800 in like period of 1940.

Carey Jennings, formerly manager of KGW-KXZ, Portland, Ore., has assumed managerial duties at station KJWW.

Scripps-Howard Station Gets Boost

WNOX, Knoxville, Wins Despite Supposed Frowns of Administration Stalwarts

Euclid Up to Date

Mac Benoit, gag-writer, tossed this leasae put into a recent script conference for 'Duffy's Tavern' program: 'The shortest distance to a joke is a straight line.'

FCC MONOPOLY ACTION STILL PENDS

Washington, April 22. With another deadline come and gone, speculation continues when the Federal Communications Commission will let go with its final report on the chain-monopoly investigation, but deliberations are in the last stages. Previously the regulators expected to have concluded the nasty chore by mid-April; now it is doubtful if anything will see daylight before May 1 at the soonest.

Pick and shovel work on the 100-odd pages of the report was finished in a burst of speed last week. No formal votes have been taken, however, on any of the various issues, although the division is pretty well crystallized with exponents of the strict regulation philosophy in the majority. No proposed rules embodying the views and theories of the majority have been brought up, however, and it is still problematical whether the Commission will promulgate specific shut-outs or merely set forth its general policy. Nor is there assurance that—in the event concrete regulations are a product of the long deliberation—there will be hearing prior to their application, at which possible victims could register objections.

WINCHELL REJECTS A SECOND AIR SHOW

An offer to Walter Winchell for a second weekly program for Woodbury's, which control Jergens, in addition to his Sunday broadcast for the latter, was rejected by the columnist-commentator. Proposal was for him to take over in June when Tony Martin withdraws.

Woodbury's advertising manager, Robert Beaucous, came from Cincinnati with the offer, which calls for the same terms per week as paid Winchell for the Jergens program. But Winchell said he did not care to assume the added burden; besides, which income taxes with the second program would leave him very little net.

'PAINTED DREAMS' MOVES

Serial on WGN for 11 Years Goes To WBBM

Chicago, April 22. After some 11 years on WGN and Mutual, the 'Painted Dreams' show moved to WBBM next week for American Family Soap, a Procter & Gamble product. Set through the Kastor agency here.

Will ride at 5 p.m. five days a week. While restricted to Chicago since the soap has its distribution concentrated in this town.

'What's Your Idea' Goes

Chicago, April 22. Grant agency here, last week picked up option for another 13-week stretch of NBC-Red network time for the Mars Co. Forever, Yours program 'What's Your Idea?' Second 13-week stretch, starts as of June 15.

Washington, April 22. Bias against press-owned stations was weakened again, for a few moments, anyhow, when the Federal Communications Commission last week upped Scripps-Howard's outlet, WNOX, Knoxville, to 10 kw day and night, with directional antenna required. Grant was made by the full Commission, after rumors the newspaper chain was in the New Deal doghouse because of its attitude during the 1940 Presidential campaign and anti-war crusading.

The permit occasioned surprise among members of the radio fraternity who knew about recent desires of S-H to get more wattage at Memphis. Ventures in this direction encountered chinkiness at the regulatory body, with negotiators for the chain getting a startling ultimatum that one of the two Memphis plants must be unloaded before fostering any hopes of increased coverage. This decree was given by one of the supposedly inside element and apparently was indicative of the Administration's attitude since some regulators were uninformed about this hint of undeclared policy.

There appear to be no strings on the WNOX grant, with S-H people vehemently denying that the increased juice is conditioned on sale of either Memphis plant. No overlapping or duplication, it was noted by Paul M. Segal, the newspaper's radio attorney, and the additional power does not impinge directly on the broad issue whether newspaper proprietorship is in or against public interest.

STOP BREAKS BETWEEN JWT PROGRAMS

NBC's station relations department has prevailed upon the majority of the red network affiliates involved to cut out the chainbreak announcements they have been running between the Charlie McCarthy and 'One Man's Family' shows. Network made the request after it had received a letter of complaint from John U. Reber, radio head of the J. Walter Thompson agency, which handles the two shows during night programs for Standard Brands.

In his letter Reber declared that his office had discovered that a number of stations carrying the programs were shifting in spot announcements during the station identity break and that he was of the opinion that this wasn't fair, since the two shows being in the same account and were contracted for under an hour basis. Copies of Reber's protest were forwarded to NBC-Red affiliates, with the suggested suggestion that the elimination of the chainbreak announcements. Matter was also taken up with officers of the Independent Radio Network affiliates.

From several stations the network got a kidding reply. These wrote they had a counter proposition. They would be glad to remove the chainbreak plugs. On the latter score, if the network would agree to stop other accounts from appending hitchhike announcements to their programs.

Chainbreak and hitchhike announcement practices have been the cause for much bickering between the networks and their affiliates for some time. Network accounts have complained about the intrusion of spot announcements, while the affiliates have agitated against the use of hitchhike plugs. On the latter score, affiliates have suggested that if network accounts must append hitchhike announcements they use a mutual acknowledgment. The latter instance was associated this announcement with the preceding program.

Ptg. Trades Head Clarifies Anti-Radio Proposal as 'An Amusement Tax'

Washington, April 22.

In seeking recruits for their efforts to limit the amount of radio advertising, the printing trades unions are shifting the principal emphasis so that the theme now is unfair competition between radio and other forms of entertainment. Denial that the tradesmen want to levy on advertising as such was made Monday (21) by President John B. Haggerty of the International Allied Printing Trades Association in a letter to M. H. White, managing editor of the *Winona (Minn.) Republican-Herald*.

Using the familiar argument about huge profits made by broadcasters, Haggerty told White (whose paper operates KWNW, Winona) that the unions do advocate a tax on the dissemination of sponsored entertainment comparable to that now collected, in nickels and dimes, from the public who have a choice of the form of entertainment they desire when they patronize a theatre or other forms of amusement. "There never has been any idea of imposing a levy on advertising as such," Haggerty maintained, observing that radio advertising is achieved by presenting entertainment which diverts advertising from printed media.

The tax we have suggested is wholly in line with the tax which we have every reason to believe will continue to be levied on other disseminators of entertainment, such as motion picture theatres, etc., the union chieftain said. "It is not our contention that radio broadcasters, who pay no franchise tax to the government, who pay little, if any, taxes to the communities wherein their radio stations are located, and in most instances pay only a meagre tax, in some remote locality wherein is located the transmitter, should be alone privileged to retain exorbitant profits untaxed."

Haggerty's letter laid weight on the figures covering clear channel stations. Commenting the average net income of the 50 kw plants in the class was 132% of the average value of the properties, he noted the average monthly cost of salaries and executives for both employees and executives is \$20,382 and the average clear channel operator had more than \$31,000 monthly for profits, etc.

This income is secured through the willingness of owners of radio sets to listen to commercially sponsored entertainment disseminated by the purveyors of radio advertising, and is in direct competition with the motion picture theatres and other disseminators of entertainment, or amusements," Haggerty replied.

BURN-SMITH ADDS TWO

Chicago, April 22.

Burn-Smith station rep outfit last week snatched up two rep contracts for two new southern outlets. The stations are WABR, Knoxville (Tenn.) and WALB, Albany (Ga.). Both will be Mutual tentacles.

'Same Old Names'—Publicity Headache

Radio Columns Reported Padding With Local Non-Broadcast Material

N. Y. press agents who service radio columnists throughout the midwest are becoming cognizant of a tendency in several such quarters toward devoting a great deal of space to gossip of a non-radio flavor. The columnists are apparently finding that there isn't enough fresh and bright material from radio to fill in for a constant high reader interest and some of them have already started to branch out into general chatter about local personalities.

One of the main reasons for this trend has been the limited number of personalities in radio that the columnists have available for comment. There is hardly any overturn from year to year.

No new comer-uppers seem to be on the horizon; the quiz thing has long ceased to be a source of material and as for the commentators, their few eccentricities have been tracked over so much that they, too, have become desiccated from the columnar viewpoint.

F. W. FITCH SPLIT WEB

Harry Turner on 10 Stations Saturday Mornings on NBC

Chicago, April 22.

F. W. Fitch has signed for a short NBC radio program starting May 2 for a weekly Saturday morning shot. Will use 10 stations on the web for 22 weeks, running 9:45-10 a.m. CST.

Set through the Ramsey Agency, the program will be Harry Jack Turner playing the piano and exercising his tonalities from the Chicago NBC studios.

FCC OPPOSES CLASSIFICATION FINALITY

Washington, April 22.

Broadcasters who think their hold on their facilities may be stronger if licenses carry the station designation were turned down roughly by the Federal Communications Commission last week. Regulators do not propose to write into the permits any mention of the classification given under the Havana Treaty.

Four requests for modification of licenses were dismissed with the explanation that station classification is I, II, III-A and so forth is merely for administrative convenience and is not a part of any license nor a source of any right in the license. Operators of KLLX, Oakland; WSAK, Fall River; KFAC, Los Angeles; and KVOB, Colorado Springs, wanted their papers to show they ran III-A transmitters.

The gradings, established under rules promulgated to carry out principles of the North American Regional Broadcasting Agreement, are generally the same as those formerly in effect. Such as clear-channel, high-power, regional, local, etc. Those tags never were noted on the certificates.

Demand for inclusion of the station rating follows the FCC breakdown of the 400 frequency which was catalogued as clear under the pack. In giving WDDH, Boston, permission to operate on this ribbon at night, the Commission appended the official papers would be a delicate job of shifting the ribbon from the I-A group, drawing numerous protests that any reshuffling should be prefaced by a general hearing at which all persons interested in the allocation scheme should have an opportunity to present their views. Idea of the four III-A stations was that mentioning the classification on the official papers would be a deterrent to any new alignment that might affect their status.

Thompson Reading WBYN, B'klyn, Merger

Washington, April 22.

Long and painful headache of the famous "Brooklyn" case finally dispersed last Wednesday (18) by the Federal Communications Commission when time-sharers WLTH, WVFV, WARD and WBBC were teleported into a single station to be operated by the United Broadcasting Corp. of Brooklyn.

Terminating years of bickering, the authorization permits assignment of WBYN's license to the United States Broadcasting Corp. to the new concern. Company will gobble facilities of WLTH, licensed to WLTH-New York, Inc., WVFV, Patonout Broadco. Corp. and WBBC, Brooklyn Broadcasting Corp., operating with equipment of WARD on 1430 kw with 250 watts as before. Studios will be moved to 354 Atlantic Ave., Brooklyn.

Move was first suggested by the Commission in a decision last October. After much hatching by the kilocycle cops. At that time, licenses of WLTH and WARD were renewed and the request of WBBC for their facilities was turned down. According to the FCC, it would "enter into no feasible deal for the consolidation of the four present licensee corporations into a new organization to operate one station under a single management and control for the purpose of supplying the four existing stations. In this connection, however, such new corporation or other organization must be prepared to demonstrate to the satisfaction of the Commission that the management selected will consist of persons who are highly responsible and fully qualified to operate the new station."

Merger Deal Soon

With the confirmed FCC approval of their application, stations WLTH, WBBC, WVFV and WARD, New York, all of which now share the same wave-length, will combine as WBYN, under the ownership of the United Broadcasting Corp. Deal probably be completed within a month.

New station will operate full time, with both English and foreign language programs. Offices will be maintained in both Manhattan and Brooklyn. Sales, program, production and sales promotion staffs will be augmented. Griffith B. Thompson is vice-president and general manager of WBYN. Board of directors of the new station (and their present titles) are Aaron Kronenberg, president and general manager of WARD; Samuel Gellman, president and general manager of WLTH; Salvatore Di Angelo, managing director of WVFV, and Peter Testan, managing director of WBBC.

Clear Channels Complete Defensive Organization

Washington, April 22.

Threatened break-down of the entire clear channel theory, of independent and semi-independent occupants of the crowded ribbon, will encounter solid opposition from 15 of the 10 independently-owned transmitters having exclusive night use of their frequencies. The formally organized Clear Channel group now includes every one of the Class I stations not owned by networks except for KSL, Salt Lake City.

With several recruits during the last fortnight, Vic Sholis, front man for the crowd mobilizing against Federal Communications Commission attacks on the principle dating back to the inception of U. S. radio, said any new moves to change the classifications under the Havana treaty will be fought by the following:

WMAS, Nashville; KFI, Los Angeles; WLW, Cincinnati; WGN, Chicago; WBS, Atlanta; WJR, Detroit; WFAA, Dallas; WRAP, Fort Worth; WHAS, Louisville; WWL, New Orleans; WLS, Chicago; KDKA, Pittsburgh; WHO, Des Moines; WHAM, Rochester; WSA, San Antonio, and WCAU, Philadelphia.

Garland Elected Mayor

Chicago, April 22.

Charles Garland, assistant commercial manager of WBMM, has been elected Mayor of Chicago (Ill.). Garland served as alderman in the town from 1937 to 1939. In winning this election he swept his entire ticket into office.

Garland has been in radio since 1925 as a performer and later joined the sales organization of WBMM.

Radio Builds Up Actor Poise

Hollywood, April 22.

Regular rotation of stock players on the Lux programs is to be broken up. Show will use young film players in minor roles. Cecil B. DeMille also points out that radio's "one take" before the mike will make the youngsters more thoughtful of their lines and actions while cameras are turning on picture sets. "While acting technique is taught, the younger stock players also become more self-assured. Many a film player has shied away from radio work because of mike fright."

First of the film youngsters to work in a DeMille Lux show were Eleanor Stewart and Suzanne Kaaren, spotted in last Monday night's broadcast of *The Letter*.

RADIO NOT SCHEDULED

Only Casual Mention of Medium at Four A's Gathering

If the subject of radio comes up at the convention of the American Association of Advertising Agencies at the Homestead, Hot Springs, Va., May 1-3, it will be strictly as something brought into a general discussion on the present defense emergency. This discussion will be held Friday (2) and will be treated from the viewpoints of advertiser, consumer and government.

The opening day's session will be restricted to members, but on the following day the doors will be open to guests.

FIX UP 'HILLTOP' FOR ANOTHER SPONSOR

With Bess Johnson having left Ed Wally's "Hilltop House" for Palmolive (Ward Wheelock) on a CBS afternoon script contract, the latter serial show may wind up under sponsorship of General Foods or United Drug. Both are interested in Wally's show.

"Hilltop," when it goes back under new sponsorship, will have Anne Seymour ("Mary Martin") as the new star (dead) in place of Miss Johnson. Also, scripters Lynn Stone and Addy Richton will be augmented collaboratively on the daily takes by David Victor and Herbert Little, Jr.

Ralph Edwards' Tour

Ralph Edwards' quiz show, "Truth or Consequences," is booked as follows:

Earle, Washington, May 2; Earle, Philadelphia, May 23; Steel Pier, Atlantic City, July 4; Hippodrome, Baltimore, Aug. 21 and the State, Hartford, Conn., on tour in October. Gilbert Ralston, survivor of the show for the Compton agency, goes from New York for each broadcast, which he's doing from each stage.

Dick Gilbert is now night manager at WOV, New York, as well as radio announcer of two disk sessions.

The Rem and Rel Boys on Schedule

Walter Hollander and Stanley Probst in N.Y.—Like the Circus, a Sure Sign of Spring

JOSEPHINE TUMINIA ON KRAFT SHOW MAY 1

Josephine Tuminia, coloratura soprano of the Met, will guest star on the Kraft program May 1. The singer will receive \$650 for two songs.

Selections: "The Wren" and an aria from opera, as yet undetermined.

Van Der Linde's Corp.

Albany, April 22.

Victor van der Linde, Inc., has been chartered to conduct a general advertising business in New York. Victor and Charlotte van der Linde are named as two of the directors.

Sigmund Eisenstein, of New York, was the filing attorney. Formerly research director for NBC, van der Linde was last with the sales department of WNEV, N.Y.

CONSUMER INFO BROADCASTS MULTIPLE

Washington, April 22.

Local market news broadcasts—now linked to the national defense effort—have been started in a number of cities, according to Miss Harriet Elliott, national defense summer commissioner. Providing information to the consumer as to which food products are good buys and plentiful, the programs now are being carried as a public service by WIP, Philadelphia; WFBR, Baltimore; WSAI, Cincinnati; WHK, Cleveland; WHB, Kansas City; KOOC, Oklahoma City; and WJJD, Chicago.

These stations include two-minute "dash of consumer information from a national viewpoint" and three minutes of local market news from local representatives of the U. S. Department of Agriculture's Agricultural Marketing Service. The State Department, the Agriculture and Bureau of Home Economics and Consumers' Counsel Division of the Agriculture are cooperating with the Consumer Division of the Defense Commissioner and the Agricultural Marketing Service in boosting the series.

Other sections are carrying the programs on a "modified basis," it was explained, with WABE, Boston, and eight stations of the Colonial Network participating through the New England Radio News Service. WBZ, Boston, and WEBA, Springfield, Mass., also are promoting the programs which were started by the Bureau of Consumers' Service of the New York City Department of Markets.

According to defense spokesmen, plans are under way to include an additional 20 cities during the next three months. Consumer forums are being broadcast from a number of stations, with WJVS, Washington, one of the pioneers.

ADE HOLT IN CHIEF FOR MBS

Ade Holt has been appointed midwestern sales head of Mutual with headquarters in Chicago.

He has been a member of the midwestern sales staff.

CRISIS-MADE RADIO DEBTS.

NBC'S Public Relations Front Every Station Has an Educational-Cultural Liaison—114 Are Managers, or Higher Officers

The following list has recently been compiled by the Public Service Program division of NBC under Walter Preston, Jr. It illustrates the integration by the network and its affiliated stations of an organization of personnel around the U.S.A. charged with contacting civic, cultural, religious, educational and similar groups. The fact that 114 stations are designating either the manager, general manager, managing director or president as the liaison with the public is significant. (See last week's VARIETY article on "Senior Officer Responsibility")

STATION	TOWN	CONTACT	TITLE
KADA	Ada, Okla.	James Griffith	Manager
KANS	Wichita, Kan.	Jack Todd	Manager
KARK	Little Rock	Jack Lewis	Program Director
KBIK	Muskogee, Okla.	O. C. Benjamin	Manager
KBCB	Enid, Okla.	Milton Garber	Manager
KCB	Pittsburg	Don Black	Educational Director
KDYL	Salt Lake City	Myron Fox	Program Director
KERN	Bakersfield, Cal.	Prof. Allen B. Parker	Educ'l Advisor
KFAM	St. Cloud, Minn.	Fred Schlipf	Program Manager
KFCB	Cheyenne, Wyo.	William Grove	Manager
KFCB	Sacramento	Howard Warren	Manager
KFDM	Beaumont, Tex.	Ruth Guinn	Manager
KFI-KECA	Los Angeles	Jose Rodriguez	Educ'l Director
KFRU	Columbia, Mo.	C. L. Thomas	Manager
KFSB	San Diego	Thomas E. Sharp	President
KFRB	Bismark, N.D.	E. F. Schindler	Manager
KGBX	Springfield, Mo.	Ralph D. Foster	General Manager
KGFT	Shawnee, Okla.	Frank Jackson	Manager
KGHF	Pueblo, Colo.	J. H. McGill	Manager
KGHI	Billings, Mont.	Dorothy Morris	Manager
KGIB	Butte, Mont.	Cecil Hale	Dir. Public Relations
KGLU	Safford, Ariz.	Paul Merrill	Manager
KGNC	Amariillo, Tex.	John Ballard	Manager
KGO	Honolulu	M. A. Miller	Manager
KGW-KEX	Portland, Ore.	Arden Pangborn	Managing Dir.
KHQ-KGA	Spokane	Robert Phillips	Manager
KLO	Ogden, Utah	Paul Heitmeier	Manager
KIDO	Boise, Idaho	C. G. Phillips	Manager
KMA	Shenandoah, Ia.	Owen Sadlier	Production Manager
KMD	Medford, Ore.	L. P. Bishop	Commercial Manager
KMJ	Fresno, Cal.	Frank Wilbur	Program Director
KOA	Denver	Clarence C. Moore	Educ'l Director
KOAM	Pittsburgh, Kans.	Bruce Robertson	Program Manager
KOB	Albuquerque, N. Mex.	J. C. MacGregor	Prod. Manager
KOF	Reno, Nev.	W. D. Warren	Manager
KOME	Tulsa	John Whitney	Manager
KOMO-KJR	Seattle	W. W. Warren	Program Director
KOWH	Omaha	H. Vernon Smith	Manager
KPL	Helena, Mont.	K. McPherson	Manager
KPO-KGO	San Francisco	Jennings Pierce	Public Service Dir.
KPRC	Houston	Jack McGrew	Program Director
KRIS	Weslaco, Tex.	Dick Watkins	Studio Manager
KRGV	Corpus Christi, Tex.	T. Frank Smith	Manager
KRO	Rocheater, Minn.	Laverne Warren	Program Director
KSCJ	Sioux City	Miss Elizabeth Sammons	Manager
KSD	St. Louis	Edward W. Hamlin	Comm'l Director
KSEL	Pocatello, Idaho	Henry H. Fletcher	General Manager
KSO	Des Moines	Edward Linehan	Manager
KSP	KELSO-Sioux Falls, S. D.	Morton Hearn	Program Manager
KTAR	Phoenix, Ariz.	J. Howard Pyle	Program Director
KTBS	Shreveport	B. G. Robertson	Manager
KTFL	Twin Falls, Ark.	Charles Crabtree	Prod. Manager
KTHS	Hot Springs, Ark.	John Prosser	General Manager
KTVB	Santa Barbara, Calif.	Frank Williams	Manager
KTOK	Oklahoma City	Harold Shreve	Manager
KTSM	El Paso	Karl O. Wyler	Manager
KUFA	Salt Lake City	Frank C. Carman	Manager
KVUA	Tucson, Ariz.	R. B. Williams	Manager
KVOA	Denver	William Pyle	Manager
KVOO	Tulsa	Ray Heiler	Program Director
KVSO	Armored, Okla.	Albert Riesen	Manager
KWG	Stockton, Cal.	Dr. Rully Knoles	Educ'l Advisor
KXOK	St. Louis	Clarence Crosby	Manager
KXVZ	Houston	Charles Nethery	Program Director
KYVM	Mankato, Minn.	Ray Schwartz	Manager
KYUM	Yuma, Ariz.	V. G. Ackers	Manager
KYW	Philadelphia	Leslie Joy	Manager
WAGA	Atlanta	Earle Pudney	Program Director
WAB	Akron	S. Bernard Bennett	Manager
WALA	Mobile	Jack Bridges	Studio Director
WAML	Laurel, Miss.	Hugh Smith	Manager
WAO	Chattanooga	H. G. Patterson	Manager
WAVE	Louisville	Harry Lukins	Educational Director
WBAL	Baltimore	H. C. Burke	Manager
WBAP	Fl. Worth	C. S. Southard	Manager
WBOM	Bay City, Mich.	Fred Kilian	Program Manager
WBEN-WEBR	Buffalo	Edgar Twamley	Program Manager
WBK	Clarksburg, W. Va.	Harold Warner	Manager
WBW	Terre Haute, Ind.	Clarence Morgan	Educ'l Advisor
WBRC	Birmingham	J. C. Bell	General Manager
WBRE	Wilkes-Barre	Louis Baltimore	President
WBZ-WBZA	Boston	John McNamara	Program Manager
WCAE	Pittsburgh	Clifton Daniels	Program Director
WCBS	Springfield	Jack Heintz	Manager
WCBS	Roseton, Falls, N. C.	Thomas Williams	Manager
WCPL	Chicago	Maynard Marquardt	Manager
WCOA	Pensacola, Fla.	Irving Welch	Manager
WCOL	Columbus	Edward Bronson	Program Director
WCOR	Columbus, S. C.	Ray Powell	Manager
WCSH	Portland, Me.	Albert W. Smith	Program Director
WDAF	Kansas City	Harry J. Kaufmann	Program Dir.
WDAY	Fargo, N. D.	Howard Nelson	Program Manager
WDEL	Wilmington	Henry Smith	Manager
WDEW	New Orleans	William Elliot	Production Manager
WEAN	Providence	Malcolm S. Parker	Supervisor
WEAU	Eau Claire, Wis.	Loren Bridges	Manager
WEBC	Superior, Wis.	Walter Bridges	General Manager
WEED	Rocky Mount, N.C.	Thomas Snowden	Manager
WEBC-WRAW	Reading, Pa.	Paul Bredy	Program Director

(Continued on page 33)

SAILORS READY RADIO PUBLICITY

Many Washington Government Agencies Organizing for Contacting Broadcasting Industry and Arranging Programs

INFLUX OF P. A.'S

Washington, April 22. Radio activities of the Navy are becoming more important, with the Office of Naval Intelligence turning publicly over to a new branch of Secretary Knox's office. With Hal O'Flaherty, managing editor of Knox's Chicago Daily News as actual boss of all public relations efforts, the radio division is expected to grow to major proportions. Lieut. Norville Sharp heads the small staff so far assembled from service personnel.

The Federal payroll is getting well-populated with people from various wings of the radio industry as the national defense effort drags dollar-a-year men, advisors, public relations experts, and assorted executives to government service. With the confusion to be expected from such mushrooming, no complete check is possible, but it is already certain that dozens of announcers, script writers, and program people have been summoned together by appeals to patriotism or issuance of orders to members of the reserve forces of the Army or Navy. Meanwhile, more and more plans for broad use of radio to whip up lagging public enthusiasm about preparedness are being formulated.

Probably the most active and biggest-staffed radio division at present is in the War Department's reorganized Bureau of Public Relations. Almost every branch of the military establishment, though, contains one or more officers called from private life, but not all are holding down desks concerned with radio activities. Latest recruits are Maj. John Holman, formerly with KDKA and WBZ-WBZA, who is giving orders in the Signal Corps, and John Hayes of WOR, who has gone with the Quartermaster Corps.

The National Defense Advisory Commission, which has been sponsoring weekly programs of late, has a youth radio division as part of its publicity set-up. Headed by Bernice Schoenfeld, who was called over from the Interior Department's radio division this Johnny Appleseed show was done for the third time recently by Kate Smith. His aides include Dorothea Lewis, free-lance script writer, and John Finerty, former agency ideologist, now with the National Resources Planning Board.

Draft Board, Too

The Selective Service organization, which at its peak had 22 national programs, is decentralizing its radio operations. But Major Ernest Culligan, who has been bossing public relations, indicates there may be some expansion in the future, since radio will be called on this summer to repeat its very effective work in explaining details of the second draft (for youths who have become 21 since registration last October).

Monetary limitations have kept the Treasury Department from going as far as it would like toward building up a radio division to promote the sale of war savings stamps and defense bonds. Vincent Callahan, most recently with WBZ and WVL, has as assistants Charles J. Gilchrist, formerly with private press agent Earle Ferris and former special events director of WBZ, and Irvin Suids, borrowed from Alien Registration of the Justice Department in acting for the foreign language stations.

Treasury's Position

Until Congress loosens the purse-strings, radio will be expected to

Dept. of Justice Incubated The Free Company Series Which Hearst Smears to Hurt Welles

Bill Moore's Ghost

Hollywood, April 22. The myth of "L. T. Crossley at the William Eddy office blew up last week when a too-often-stalled agent tracked him to his void. Bill Moore, coast head of the Eddy radio forces, gave up the ghost when asked to produce him. He finally admitted it was just an invention of his to plant a buffer between his office and callers.

The T. T. in the Crossley C.A.B. report indicates "less than one," which is the exact count on Eddy's George Selwyn.

James Boyd (author) in N. Y. press interviews Tuesday (22) termed Hearst's campaign as "phony and disgraceful" and said Legion had previously endorsed series as "soundly patriotic."

Washington, April 22. Except for moral support, Columbia is getting no help in extricating itself from an embarrassing in-the-middle spot resulting from William Randolph Hearst's grudge at Orson Welles and RKO over the still-unreleased flicker, "Citizen Kane," reputed to be patterned largely on the publisher's own but warring against CBS has been started by the Hearst papers as result of Welles' one-time script in the web's "Free Company" series.

No appeal for assistance has been made by the chain, but execs probably wouldn't mind a little backing-in the form of public statements—for their efforts to end the Hearst-inspired charges that Welles' piece contained subversive matter. The Series is actually designed as counter-propaganda to protect U. S. A. against fifth-column agitation. So far, nobody in government position has come out with a comment, although the web has received no squawk except those which obviously can be attributed to the Hearstpaper inspiration. Informally and by indication, the Justice Department approves the script, inasmuch as officials have read Welles' contribution to the series.

Free Company programs were incubated at the Justice Department, but the Federal agency has no actual part in preparation of the material. James Boyd, originally hired by the D.J. to supervise the series and now on the CBS payroll, has been hiding periodically with Federal people and the entire idea was gone over at the department before the series began. Chief advocate of this new form of U. S. propaganda was Solicitor General Francis Biddle, who has charge of the alien registration program and is sort of ex-officio boss of the recently-acquired Immigration Service. Whether Biddle read the Welles script, "Free before after microphone, is not known at the department, and his illness prevented any inquiries about his view of the material.

No Detroit Complaints

Detroit, April 22. No complaints on the broadcast of Orson Welles or the other Free Company programs have been received at WJR here, local outlet of CBS. The Times, Detroit Hearst paper, is joining in the general hue and cry in the effort to hit Welles to a Free Company.

Leo Fitzpatrick, manager of WJR, said that he had requested a copy of last Sunday's broadcast from Columbia and "can't see how it can be anything subversive in it."

Reaction locally seemed to be that folks who hadn't known about the Free Company programs were going quoted as saying "the very nature of the intent of the Hearst attack. It's said here it's like telling a small boy, who wouldn't have thought of it himself, not to push beans up his nose."

'Sponsored' by Welles

Albany, N. Y., April 22. Hearst's Times Union carried local story referring to opposition to radio plays "sponsored" by Orson Welles and "his Free Company of Actors." (Welles and his group have broadcast on the Sunday book only once. The Free Company and its stars change weekly.)

Hearst newspaper crack that has caused the most consternation in connection with this campaign to smear Orson Welles because of his film "Citizen Kane" appeared in the N. Y. Journal-American. Somebody was quoted as saying "the very nature of the series. The F. C. Company smears Communists."

News Writers At CBS Under Guild Contract

Contract covering news writers was signed yesterday (Tuesday) by Columbia and the Radio Writers Guild. It is the first such deal completed. The Guild previous network contracts have been for staff, dramatic and continuity writers. Organization has no news writer deal with NBC.

Although Guild officials refused to reveal the terms of the CBS news contract, it is understood to be for a year, to call for a \$60-a-week minimum for senior writers and \$35-a-week for juniors, with raises up to about 25% for all present members of the staff.

VOICE-PLACER IN ARMY; ENDS HIS AIR SERIES

Dr. Henry Lee Smith, Jr., of Brown University, whose "Where Are You From?" program on WOR-Mutual is sponsored by Rex Cole, has been called for active army service, forcing the series off the air after tonight's (Wednesday) stanza. Smith, a First Lieutenant in the Field Artillery, reports Friday (25) at Ft. Bragg, N. C.

Because of Smith's unique talent he cannot be replaced on program.

Arizona Party in N. Y.

A group from KTAR, Phoenix, Ariz., is coming to New York next Wednesday (30) to treat to a luncheon for agency time buyers at the Biltmore hotel.

For favors there will be six-gallon hats and colored kerchiefs, a cowboy quartet will entertain and the feed will be followed by the showing of a film traveling on Arizona.

make time available gratis for the Treasury department defense bond promotion drive starting April 26, but if any money is spent for advertising the broadcasters will get their share. Recommendation for purchase of time is before the budget officials, who probably will seek a supplemental fund to get citizens to loan money with which to meet costs of defense efforts.

The first program plugging the new investments goes on the air Saturday (26) via Columbia's "Report to the Nation," while 16 different web programs have been booked during the 10 days of the drive. "Probable" President Roosevelt will start the ball rolling, though arrangements are still incomplete.

Fort Worth, April 22. Justin Boot Co. has signed for 26 Sunday afternoon quarter-hour programs through KGKO, beginning April 27. Boyce House, whose "I Give You Texas" column appears in over 200 Texas newspapers, will be on the series which will bear the same title as his newspaper column. Material will consist of news and gossip by the widely-traveled House. Evans & LeMay is the local agency.

DOUBLE % ON SHOW SALES

HOW WGRC PLAYS DOWN THE BLURBS

Over-Loading of Stations With Quickie Announcements Recognized as a General Problem—Station in Louisville Area Works Out Practical Counter-Offensive to Attract Program Sponsorship

SHORTEN THE GAP

By S. A. CISLER

General Manager, WGRC

Louisville, April 22.

Reading VARIETY's comments of April 16 on whether or not radio is overloaded with announcements, WGRC, speaking as a local station with a network affiliation, agrees wholeheartedly with your viewpoint. We have conducted several experiments locally that have worked out quite satisfactorily in increasing our total billings from programs instead of announcements. Perhaps these may be of interest to others:

1. We pay salesmen 20% commission on programs and 10% commission on announcements. Enough said.
2. We raised announcement rates to where they are practically one-third or more of the time charge for 15 minutes.
3. We reduced the time charge on 15-minute programs to a point that would permit a client to buy talent, special transcriptions, or other material for making raw time productive.

These things have resulted in approximately two-thirds of our billing being on programs and one-third on announcements.

To my way of thinking, the greater reason why more programs aren't sold is, first, that the time is entirely too expensive on the average station. This expensive time forces an advertiser either into running too short a contract for radio to work out, or leads him to demand a tremendous amount of results in a short time.

However, getting back to the too many announcements curse, the chief fault lies with stations having too low announcement rates and too high program charges to salesmen who take the easiest way out and sell nothing but announcements, or to stations with program departments that are unable to whip up an inexpensive show with personality.

Recently, we have gone on another tack in selling local accounts against a newspaper monopoly locally. We are selling accounts on buying a large bulk of time to back up a big sales promotion for one or two days. Our best example of this is getting a used car dealer who planned to spend considerable money in newspaper ads to use seven 15-minute programs and 10 announcements all in one day. It was successful enough to lead him to sign a similar promotion once monthly for a year. This theory has now been extended into other lines of business with gratifying results as is best evidenced by renewal contracts.

The average station has thought that if they could sell a client one announcement per day for six months that they were into radio with both feet. The station however overlooked the tendency of the sponsor to plot the results from that single announcement a day against what a single ad would have brought in a newspaper—even though the radio cost is spread over three months and the newspaper ad ran in a period of 12 hours.

It is our feeling that consistency pays in programs, but for down to earth selling, a local account should use a large number of programs per day backed up by announcements.

DEPT. STORE ON WMAL

S. Kann & Sons' 8-Week Contract—Men's Shop to WRC

Washington, April 22.

New business for WRC-WMAL, NBC twins in the nation's capital, as follows for the week of April 10:

WRC: 975 Optical Co., Timekeeper, three times weekly, for 50 times, through Kal; Hudson Dealers, baseball scores, six times a week, 25 times, through Kaufman; Griffith Consumers (coal and fuel), Timekeeper, 100 spots, over a one-year period, through Lewis; Old Colony Laundry, Timekeeper, three times weekly, for 100 times, through Ferguson (renewal); Stanley Horner, Inc. (Buick motors), seven spots weekly for four weeks, through Fer-

guson (renewal); University Shop (men's clothing), Timekeeper, three times a week, 25 times, through Kal; Capitol Fur Co., seven spots a week, 18 weeks, through Kal (renewal); E. P. Hinkle & Co. (rug cleaning), Timekeeper, seven times weekly, 70 times, through Ferguson.

WMAL: S. Kann & Sons (department store), five times weekly, eight weeks, through Kaufman; E. P. Hinkle & Co. (rug cleaning), seven times a week, 10 weeks, through Ferguson.

Theodore Corday, whose previous connections have been strictly legit, is now with the NBC production department. He directed such Broadway plays as 'Suzannah and the Elders,' 'Tanyard Street' and 'Tortilla Flat.'

FRISCO RIDES ANCHOR

Little Change in Units—Nat's Spot Still Tops

San Francisco, April 22.

Not much action hereabouts the past week. Units stuck pretty close to the previous week's count, with national spot showing the best total.

Comparative Unit Count		% of	
		April 19, 1941	April 12, 1941
Network	10,912	10,947	-0.3
Local	3,361	3,333	+0.8
Nat'l Spot	2,007	1,895	+5.9
Total	16,280	16,175	+0.6

(Included: KPBC, KGO, KJBS, KPO, KSFO)

R. C. Foster of Boston, is sales rep of new WMUR, Manchester, N. H.

SENSATION MAY EXIT FOR HEAT

Sensation cigarettes (Lorillard) will likely suspend its spot broadcasting for the summer, but the final word will come from the account Friday (25). Decision will affect the Liberty Short Short Story series running on 25 stations, the Army Camp News on WFLB, Syracuse, the 'Don't Be Personal' quiz on the CBS-Pacific network and another quiz on the Yankee Network.

The Friends and Union Leader tobacco spot campaigns are already set to continue through the summer.

WE'RE NEIGHBORS TO 1,305,180 MIDWEST RURAL FAMILIES*

Our rural programs reflect our genuine interest in the lives of these families and show that we make every effort we know how to understand the needs and wishes of our rural, as well as our urban, audience.

48.21% OF WLW's AUDIENCE IS RURAL*

WLW DEVOTES 24 HOURS PER WEEK SPECIFICALLY TO ITS RURAL LISTENERS—91.7% OF THIS TIME IS PRODUCED FROM THE STUDIOS OF THE NATION'S STATION

Designed to meet the vital, specific needs of the midwest.
Planned to appeal to midwest tastes and preferences.
Produced by men and women who know the rural midwest.
Featuring favorite midwest entertainers and agricultural specialists.
Kept ALIVE by constant contact with rural listeners of the midwest.

*Based on number of radio homes in WLW Nighttime merchandiseable area.

REPRESENTATIVES: New York — Transamerica Broadcasting & Television Corp. Chicago — WLW, 230 N. Michigan Avenue. San Francisco — International Radio Sales.

WLW THE NATION'S

most Merchandise-able

STATION

Gains in Des Moines Maintained As April Betters Jan. and Feb.

Des Moines, April 22. March shows nice gain over February and April is expected to do even better. January and February were a little slow on local business in Des Moines, compared with last year, but it was evidently only temporary.

WHO: Studebaker Corp., through Roche, Williams & Cunningham, through periods of 15 minutes each, three a week; Waltham Fountain Pen Co., through United Adv., two periods of 15 minutes each ('Prairie Melodies'), one period of 15 minutes (Boys' Barn Dance Frolics'), one period of five minutes and one announcement of 100 words; General Foods Corp. (Grape Nuts), through Young & Rubicam, 115 periods of 15 minutes each, five a week ('As the Twig is Bent'), by et; Hulman & Co. (Clabber Girl), through Polya Adv. Co., 39 announcements of 30 words each, three a week; Stanley G. Boyer (Barn Dance Frolics'), three periods of five minutes each, three a week ('Low Cost Homes') by et; Wesley Radio Agency (Rev. John Zoller), through Stanley G. Boyer, 32 periods of 30 minutes each ('America Back to God') by et; Peters Hatcher, through Coles, Inc., three periods of 15 minutes each ('How to Buy a Car'), through Pioneer Hybrid Corn Co., through Wallace Adv., 156 periods of 10 and 15 minutes each, news three days a week (renewal); Penn Tobacco Co., through H. M. Kiese-wetter, 156 periods of 10 and 15 minutes, news three days a week (renewal); Chrysler Corp. (Dodge division), through Ruthrauff & Ryan, seven announcements, one minute each; Luther Ford & Co. (Mrs. Stewart's Bluing), through Campbell-Mithun, two announcements of one minute each; Interstate Bakeries Corp. (Buttermilk bread), through R. J. Potts & Co., 585 or more announcements, 30 seconds, six a week, floating time; Pfaff Baking Co., through Wallace Adv., 39 periods (for more) of 10 minutes; H. M. Kiese-wetter, 156 periods of 10 and 15 minutes, news; General Cigar, through Federal Adv., 26 periods of 15 minutes each, two a week ('Answer Man') by et; Lincoln Airplane & Flying School, through Buchanan Thomas, 24 announcements of 200 words each, six a week.

Bunt Bros., through Presba, Fellers & Presba, 16 periods of 100 words each; Sargent & Co. (Sargent feeds), through Fairall & Co., 100 announcements of 65 words each, six a week; Clarence Erickson of Chicago Gospel Tabernacle, Chicago, sold direct for six quarter-hour programs per week, 14; Iowa Tractor & Implement Co. (Ford tractors), through Weston-Barnett, 78 periods of 15 minutes each, three a week (farm news); Iowa Packing Co., through Coolidge Advertising, 76 announcements; Superior Oil Co., direct, 13

announcements; Blue Barrel Soap, through Sidney Garfinkel, participation on Helen Watts Schreiber program; Lowe Paint, direct, daily announcements; R. J. Reynolds Tobacco Co., through Wm. Esty & Co., daily announcements; Coca-Cola, direct, 15 minutes (Kingsing Sam); H. E. Sorenson Co., through Walter Battenfeld, daily five-minute news; Iowa Ford Dealers, through McCann-Erickson, chain break announcements; Spark Soap Powder, through Sidney Garfinkel, daily participation, Helen Watts Schreiber program; Waltham Pens, through United Advertising, five minutes daily (Melody Hour); Fruit Growers' Exchange, through Paulsen-Gerlach & Associates, three-per-week participation, Helen Watts Schreiber program.

Comparative Unit Count			
	April 19	April 12	% of Change
Network	7,540	7,635	-1.1
Local	3,476	3,418	-1.7
Nat'l Spot.	2,412	2,847	+5.9
Total	14,930	13,900	+6.9
(Included: KRNT, KSO, WHO)			

WDAF UP 20% OVER '40

K. C. Blues on KCKN, WREN—Soft Drinks Prominent

Kansas City, April 22. Spring radio market is more than holding its own. Dean Filzer, manager of WDAF, red net affiliate and air outlet of the Kansas City Star, stated commercial status of his station is 20% ahead of same period last year. Station is set solid until mid-summer, and is commercial 67% of its 127 hours on the air per week. Other stations are also on the solid side, with little indicated break until the advent of daylight saving time. Baseball entered the picture this week with the broadcast of games of the Kansas City Blues in the American Association by Walt Lochman. These go out over KCKN, Kansas City, Kan., and WREN, Lawrence, Kans., and will have their effect on the national spot rating of KCKN. KCMO: Canada Dry Ginger Ale, two announcements daily, five days per week, 10 weeks; Sparkling Water, 10 announcements weekly, 13 weeks, placed by J. M. Mathes Co.; Euclid Candy Co., three announcements weekly, 26 weeks, direct; Manhattan Soap renewed its five times weekly, quarter-hour with Miss Q for another 13 weeks.

Comparative Unit Count			
	April 19	April 12	% of Change
Network	6,665	6,805	-2.1
Local	6,100	5,123	+19.1
Nat'l Spot.	6,682	6,452	3.7
Total	19,447	18,380	+6.9
(Included: KCKN, KCMO, KITE, KMBC, WDAF, WJIB)			

Dunlop (Seeds) for Radio

Young & Rubicam is working on a spot announcement campaign for a Dunlop Milling Co. (Challenger Seeds). The account just came into the house.

Chrysler Motors' Announcements to 2 Denver Stations

Denver, April 23. Sale of the week went to KFEL for three half-hour periods, six months, by the Casa Manana restaurant.

KFEL: Casa Manana, three half-hours weekly, six months; Cramer's Foot Comfort Shop, through Ted Levy, three five-minute weekly, one year; Firestone Tire & Rubber Co., five announcements; Sportland Golf and Driving Range, seven spots; Treasure Chest, 100 announcements; Vacuum Cleaner Supply Co., 13 announcements; Anderson-Harrington Coal Co., Tremont Dr., Ralph L. Sittes Coal Co., Owens Coal Co., National Savol Co., McFarland-Plumbing Co., Anderson-McCormick Max Goldberg Harness Shop, Berkeley Cocktail Lounge, Anderson Photograph Studio, Carerone Oil Co., D. C. Burns Realty Co., Everlast Cleaners, Argonaut Garage, Archendole Typewriter Co., and Evettes Beauty Shop.

KOA: Campbell-Sells Baking Co., through Woolley-Hunter, five quarter-hours weekly, 13 weeks; Johnson & Johnson, through Ferry-Hanly agency, 177 announcements; Perflection Store Co., through McCann-Erickson, 39 announcements; Cottrell's Clothing Co., through Robertson agency, 156 quarter-hour newcasts; White Laboratory, through Wm. Esty, eight announcements; Chrysler Corp., through J. Stirling Getchell, six station breaks and announcements.

KLZ: Doran Coffee Co., through Bette-Korber, 39 quarter-hours; Kellogg Co., through Kenyon & Eckhardt, 30 announcements; The Shaler Co., through Kirkgasser-Drew, seven spots; Dodge Motors, through Ruthrauff & Ryan, seven announcements; Chrysler Corp., through J. Stirling Getchell, nine spots; Bekins Moving & Storage Co., 104 announcements; Ex-Lax, through Joseph Katz agency, 26 announcements; Union Pacific, through the Caples agency, four announcements weekly, one year.

Comparative Unit Count			
	April 19	April 12	% of Change
Network	8,255	8,220	+0.4
Local	4,659	4,778	-2.5
Nat'l Spot.	1,582	1,494	+6.6
Total	14,496	14,492	-1.3
(Included: KFEL, KLZ, KOA, KVOD)			

Barbasol Places 52

Los Angeles, April 22. Pretty much of the same last week, with differentials slender as a gossamer thread. Network and local showed slight gains. No alarm felt, however, as seasonal stagnancy has set in.

KHJ: Barbasol, 52 quarter-hour periods, through Erwin, Wasey, Globe, Bottling, 10 quarter-hour periods, through Edward McElroy; Dr. Floyd Johnson, 52 half-hour periods, through Richard Connor; Seiberling Rubber, 24 quarter-hour periods, through Meltdrum & Fawcett; Maurice Ball (furs), 180 spots, through Nellie Walsh; Safeway stores, 60 announcements, through J. Walter Thompson; Judge P. E. Gatch, 28 half-hour periods, through Allied.

KNX: Consolidated Drug (Yeast Foam), 78 quarter-hour broadcasts of 'Nightcap Yarns' through Benson & Dahl; Sunol, six participations in Fletcher Wiley combination.

Comparative Unit Count			
	April 19	April 12	% of Change
Network	12,814	12,774	+0.3
Local	5,589	5,571	+0.2
Nat'l Spot.	1,402	1,412	-0.7
Total	22,805	22,757	+0.2
(Included: KECA, KFJ, KFWB, KHJ, KNZ)			

NEW PHILLY ACCOUNTS

Burbs Highlight Buying—Sweet-heart Soap on Two

Philadelphia, April 22. Philly market spotty this week, with activity concentrated in the spot announcement field.

KYW: Manhattan Soap Co., 61 announcements, through Franklin Bruck; Hulman Co. (baking powder), 39 announcements, through Polya Adv.; Arrow Stores (baberbers), 13 announcements, through H. Feigenbaum; Beech-Nut Packing Co., 15 minutes daily on 'Musical Clock', 13 weeks, through Newell-Emmett; Creston California Wines, five-minute news broadcast, 13 weeks, through J. M. Korn.

WFIL: Robinson Chevrolet Co., six 15-minute programs, 13 weeks, through Philip Klein; Fox Wets Co. (furs), 260 spots, through H. Feigenbaum; Manhattan Soap Co., four participations weekly on Anice Ives program, 13 weeks, through Franklin Bruck; Yellow Cab Co., 52 spots, through Aaron & Brown; Wilbur Suchard (chocolate), 65 spots, through G. & Rogers; R. J. Reynolds (tobacco), 65 spots, through Wm. Esty Co.; Lydia E. Pinkham Co. (medicine), 260 spots, through Erwin Wasey; Popular Science Magazine, 65 spots, through Joseph Katz; Pepsi-Cola Co., 273 announcements, through Joseph Newell-Emmett; Philadelphia Transportation Co., 65 spots, through Aaron & Brown; Manhattan Soap Co., 39 spots, through Franklin Bruck; Land Title Trust Co., 65 spots, through Stewart Jordan; Harry C. Kahn Co. (furniture), 155 spots, through Harry Dittman; Hurst's Soups, 39 spots, through Falkner Arndt; Frank H. Fleer Corp. (Muttie Bubble Gum), 65 spots, through N. W. Ayer; Barbasol Co. (shaving cream), 78 e.i. announcements, through Erwin Wasey.

WBIG: Adams Clothes, 15-minute record show, 52 weeks, through J. M. Korn.

O'Haire's Pace Changes

During 45 Mins. on WGY

Schenectady, N. Y., April 22. Gene O'Haire has new 15-minute sports and e.i. music program six mornings a week for Bond Clothes over WGY. This assignment, running 44 weeks, through Neff-Rogow, will keep O'Haire on the air 45 consecutive minutes, with exception of a five-minute Eno Soap spot, each day—longest straight stint at WGY. O'Haire handles a 10-minute spot for Griffin-shoes, followed by a quarter hour for Peter Paul Candies. On both these programs he voice doubles with a comedy Negro character, Syracuse.

Red Book Mag's Spots

Red Book is the latest magazine to for a spot campaign. It's buying a package of 12 of them to be run off over a period of two weeks, starting April 30. Joseph Katz is the agency.

LOCAL AND SPOT UNITS SOCKO IN BALTO

Baltimore, April 22.

Healthy jump in local and national spot counts here last week. Airing of International League baseball games by WCBM helped latter classification, and push for retail biz, by local stores interested in attracting new defense workers recently added to population here, upped local count. Telephone Co., bought all around for its new directory set to come out soon and Gardner Nurseries continued to renew its widespread coverage via five-minute airings.

WBAL: Gardner Nurseries, through Northwest Radio, renewed three five-minute shows a week; Pierce's Medicine, Inc., through H. W. Kaster, tended spot usage; Chesapeake & Potomac Telephone Co., daily spots, Ball Bros. Co., through Applegate Adv., 39 100-word spots.

WCAO: Chesapeake & Potomac Telephone Co., daily spots; Unifarm Drug Co. (Rexall stores), through Spot Broadcasting, afternoon and evening quarter-hour recorded programs.

WCBM: Bennett Foods, through Theodore Newhoff, two five-minute shows a week; General Mills and Atlantic Refining, International League ballgames by remote at home and over wire when away.

WFBZ: Gardner Nurseries, through Northwest Radio, renewed five-minute shows; Medical-Dental Exchange, through Henry Kaufman, participations on Ralph Powers, a.m. show; Chesapeake & Potomac Telephone Co., participations; Chrysler Motors, through J. Stirling Getchell, announcements for one year; National Brewery, through D. Stuart Webb, renewed half-hour 'Money Bee' International, Salt, through J. M. Mathes, participations on 'Every Woman's Hour'; Simon & Schuster, through Northwest Radio, six spots a week.

Comparative Unit Count

	April 19	April 12	% of Change
Network	8,771	8,602	-2.1
Local	4,861	4,128	+17.8
Nat'l Spot.	2,222	1,898	+15.1
Total	15,850	14,628	+8.3
(Included: WBAL, WCAO, WCBM, WFBZ)			

PABST'S TEXAS SPORTS NEWS

Fort Worth, April 22. The Pabst Blue Ribbon Sports Review narrated by Zack Hurt started over Texas State Network and is being heard for a quarter hour Monday through Saturday over 13 TSN stations.

Airings consist of nightly baseball scores from the American, National and Texas leagues, as well as news from other sport fronts.

How to GO ON 400,000 VACATIONS in Colorado THIS SUMMER!

During June, July and August, 400,000 vacationists from the top layer of Midwestern and Southwestern buying power will spend an average of \$150,000 a day in the Pikes Peak region of Southern Colorado.

They're the class of buyers you're always trying hardest to find. Go along with these liberal spenders to Southern Colorado. Sell them over the station this region depends on the year 'round, for its favorite radio entertainment, information and news.

WOP COLORADO SPRINGS
CBS Affiliate 1000 WATTS — DAY AND NIGHT

REPRESENTED BY THE KATZ AGENCY, INC.

BUYING POWER
is Soaring in Detroit

WWO more thoroughly than any other radio station, reaches the buying power homes of the Detroit market.

WWO
National representatives
George F. Hellingberg Company
New York • Chicago • Atlanta
San Francisco • Los Angeles

[FOOD FOR THOUGHT FOR ANY RADIO ADVERTISER]

Why pay à la carte prices for your national radio coverage?



These exclusive NBC BLUE PLATE specials can save you up to 20%...the more you order, the less you pay!

How often have you looked at a menu and noticed that although roast beef costs 80¢ à la carte, it's yours with five other courses for only \$1.00 on the Blue Plate Dinner? This same modern merchandising technique is available to radio advertisers on the Blue Network of NBC through a system of "Blue Plate" discounts.

Glance at the panel below for just an instant. It shows you how much these "Blue Plate" discounts save an advertiser who buys one half hour in the evening. Naturally the discount operates in a like manner for any other time unit you may select.

Notice that when you add the first of your regional groups to the Basic Blue, you receive a discount of 5%—not merely on the cost of the regional alone but on the \$5,050.20 combined cost of Basic Blue plus regional group. Likewise as you add new groups, your increased discount is always applied to your entire Blue Network instead of merely

to the added groups. The accumulated discounts can save you up to 20%.

The Blue also provides the normal volume discounts and annual rebates given by other leading networks, but this system of Blue Plate discounts is exclusive with the Blue. It is offered to help our fast growing clients to expand their networks with a minimum strain on their budgets.

These NBC "Blue Plate" discounts, plus the fact that Blue stations are located in the Money Markets where the nation's buying income is centered, explain why the Blue enables advertisers to do a national advertising job at the lowest cost of any medium entering the home.

NATIONAL BROADCASTING COMPANY
A Radio Corporation of America Service

BLUE PLATE

DISCOUNTS FOR ½ HOUR EVENINGS A TYPICAL TASTY DISH FOR ADVERTISERS!

YOU BUY	TOTAL STATIONS	À LA CARTE COST	BLUE PLATE DISCOUNT	BLUE PLATE TOTAL
BASIC BLUE	30	\$4,560.00		
PLUS SOUTHERN	38	\$5,050.20	5% (\$252.51)	\$4,797.69
PLUS SOUTHWESTERN	48	\$5,620.20	10% (\$562.02)	\$5,058.18
PLUS MOUNTAIN	53	\$5,848.20	15% (\$877.23)	\$4,970.97
PLUS PACIFIC	64	\$6,669.00	20% (\$1,333.80)	\$5,335.20
PLUS BASIC BLUE SUPPS	98	\$8,082.60	20% (\$1,616.52)	\$6,466.08

Note: Volume Discounts have already been deducted from these prices. However, they are subject to an additional 12½% rebate on 52-week contracts.

THE Blue NETWORK OF NBC

Sales thru the air with the greatest of ease

Program of the Month! "SONG OF YOUR LIFE"—Tuneful with Harry Salter's famous brand of music... Dramatic with interesting stories about interesting people and the songs that have changed their lives... M.C'd by popular Ted Steele... A sure-fire commercial bet as evidenced by its last Hooper rating... On the BLUE NETWORK—9-9:30, N.Y.T., Saturday nights.

Belgrano Strike In Third Month

Musicians Union Raise Cry That Station Helps Nite Clubs Import Foreign Orchestras

Buenos Aires, April 22. Federal intervention—long sought but still not forthcoming—is seen as more likely as a result of importation of foreign bands by Radio Belgrano (LR3), one of Argentina's two largest stations. Members of the Asociación General de Músicos de la Argentina have been on strike against the station for almost three months.

Because station, owned by Jaime Yankelevich, is one of the leading users of talent, union claims it has used its power to get leading B.A.

nite spots to share in hiring bands from Chile, Brazil and Cuba. This hurts musicians who walked out of Belgrano following alleged violation of contracts.

Embassy, top society niter, has Carlos Gardel, formerly at the Casino Urca in Rio, in joint deal not strictly jazz, plays U.S. dance stuff as well as sambas.

Alvarez Palace, local Waldorf, has booked a Chilean band in conjunction with the station and the Ta-Ba-Ris has signed the Lucciona Cuban Boys, Havana outfit, who dispense swing as well as congas in a tie-up with Belgrano.

Armani, formerly at the Embassy, is moving to Ciro's and Melle Weerman, who left Ciro's for a summer spot at the Hotel Nostromo in Mar del Plata is still undecided and may open his own place. Both are union and without radio tie-ups as a result, it's claimed.

Several other deals of this character are under way, according to union sources. Belgrano's attitude is that it has the right to hire anyone it chooses, there being no local regulations against hiring of outside bands. Brazil and Chile have recently banned outside units.

Walkout originally hinged on claim that Belgrano broadcast of dance programs after midnight Saturday deprived them of many dance jobs but has since been extended to include demands that station reorganize eight orchestras it fired and give recognition of union as bargaining agent.

CANADA EASES CENSORSHIP RULES

Toronto, April 22.

Sequel to recent Parliamentary charges by house members that the Federal Government was muzzleing political discussion via ether outlets, Prime Minister Mackenzie King has now authorized the board of governors of the Canadian Broadcasting Corp. to grant "a reasonable amount of free time to any Premier and any leader of the Opposition in any province in Canada, or their accredited representatives, to discuss provincial issues."

This modifies the earlier stand taken by the Federal-appointed CBC whereby, on Jan. 22, 1940, it was decreed that paid political or controversial broadcasting over any Canadian station be suspended for the duration of the war, with the exception of pre-election appeals, and these to cease three days before election day. Under that arrangement, the time was paid for; henceforth "on request," station time on the CBC network will be donated.

KTSA's Spanish Participation

San Antonio, April 22. Daily series of Latin-American commercial programs, Spanish known as *Revista Latino Americana*, will be aired over station KTSA.

A half hour in length broadcasts will be by Henry Garcia.

Bureaucrat's Brainstorm Blacked Out

Canadian Questionnaire Form Would Have Offset Whole 'It's Easy' Propaganda

St. Erie, Ont., April 22.

With provinces buying air time to boom tourist biz and bring American dollars across the border, Canada did a quick about-face recently in a matter of questionnaires. Plan to make each tourist fill out exhaustive list of questions and leave his license at port of entry was abandoned after four days when it was pointed out how this would cut down on visitors into the domain.

Questionnaires listed number of persons in the party, length of stay,

ROCKEFELLER SNUBS HIM

But Meandering Baritone Will Wow Latin Americans

Washington, April 22.

One-man ambassador of good will passed through Washington Monday (21) allegedly en route to South America—via Los Angeles. William Wolf, a self-described baritone whose wanderlust has carried him 300,000 miles in the past 15 years, stopped briefly in the nation's capital to announce his plans for wooing the Latin Americas with song. He tried to see Nelson Rockefeller, coordinator of the Office for Coordination of Commercial and Cultural Relations Between the American Republic, but failed, and was ignored by the South Americans. He will return to Los Angeles before setting forth on the trip.

Axis Jamming Theme of Paper By Ashbridge

Sir Noel Ashbridge, Controller of Engineering for the British Broadcasting Corp., has issued a special report on Britain's war-time short-wave transmissions, putting special emphasis on jamming tactics of the Axis powers. Report incidentally offers suggestions for circumventing Nazi-Fascist radio saboteurs.

Sir Noel expresses the view that BBC transmissions must be more effective than Axis propagandists have been willing to admit since they go to the trouble of jamming them, especially the French and Italian talks. German jamming is for the most part operated with reasonable efficiency, being switched on to cover transmission of particular bulletins and switched off at the conclusion of such announcements. Italian jamming, on the other hand, is indiscriminate, with jamming transmitter switched on and left on even when programs of a purely entertainment type are being broadcast.

The BBC engineering controller admits that in certain areas, especially those near the jamming station, interference has considerable nuisance value. But he points out that if the European listener is keen enough to switch from one wave-length to another, or use a frame aerial in case of medium-wave reception, it is unlikely that he could be prevented from receiving and understanding a bulletin in his own language at least once in every 24 hours.

In distant parts of the world listeners may frequently hear the jamming, but it is not powerful enough to make talks unintelligible.

BBC is now sending out as many as four simultaneous programs via short wave, and a number of transmitters is used for each of the four programs. Listeners in any part of the world are able to receive the World Service in English during most of their waking hours.

Promote W. E. Jackson

Philadelphia, April 22.

William E. Jackson, sales manager of KDKA, Pittsburgh, has been promoted to general sales manager for the Westinghouse stations. He takes the place of Griffin Thompson, who quit some time ago to run the new amalgamation of Brooklyn, N. Y., stations.

Jackson will make his headquarters here. He's been with KDKA since 1930.

London Calling

London, April 1.

"Hi Gang" option taken up for another six weeks, giving the Bebe Daniels-Ben Lyon show something like a record for straight run. Has been airing without a break for 41 weeks. Show is waxed at its Sunday night outing for re-broadcast in afternoon of following week; this covers for those times session has been blighted from Sabbath air. Jey Wilbur continues with his musical outfit, plus Greene Sisters.

Evelyn Lay booked into "Music Hall"—her second bow with the pop Saturday night session.

Margaret Lockwood tees off new weekly series for BBC, "Once Upon a Time," musical using voices of Hollywoodites from sound tracks of 'best liked' films. Harry Alan Towers produces.

Jack Buchanan and Elsie Randolph teamed again for radio bookings.

Phyllis Neilson-Terry will air in role made famous by her mother when "Scarlet Pimpernel" goes out. Frank Cellier as the adventurous menace.

Gordon Barker playing his first radio date in excerpts from "Once a Crook." Play is current West End whodunit.

Beatrice Little furthering recent radio spurge with a guest shot on "Hi Gang." Comedienne travels now on lighter material for the air, less melodrama, more laughs, steers clear of playing to studio audiences.

Jack Jackson fills the spot vacated by Ken Johnson, in BBC's "Dear Old Southland," swap necessitated by Johnson's demise in recent air-raid. Batoner's passing drew a special obit from BBC at time of airing "Southland" this week, with a special play-off of his theme melody.

Magda Kum getting a call back on "Merry Go Round," afternoon variety session. Has been off the air since folding of Naumton Wayne's radio cabaret, but understood a steady spot is being lined up for the Continental warbler.

Joyce Barbour from legit set for lead in "Exploits of Belinda Lou," whodunit serial. Marks her first prominent radio bow.

J. B. Priestley taking time out from political effort comment to air his views of drama with "Curtain Up." Author has indicated he may again withdraw from his weekly editorial niche due to controversy over nature of material he airs, and a previous run-in with BBC biggies, but was brought back at listeners request.

Laurence Olivier and Vivien Leigh teamed in radioplay to mark actor's farewell to show biz at joining the navy fliers.

Carroll Gibbons set for a Sunday afternoon dance session. Is using Jack and Daphne Barker on the vocal and in addition to his own warblers. First show featured songs written by himself.

Eleanor Smith bowed on "Close Up" to go over her own scribbling career.

Cavan O'Connor drew bid for "In Town Tonight," rising out of baritone's experiences in Spain. Brought his accompanist along to make sure atmosphere was right.

Officers Sunday Club, services group, guested Gabrielle Brune at its anniversary show. Warbler was cut-in by BBC.

Rudolf Friml getting a special BBC hour biography of his tunes. Show features top songsters Derek Oldham, Joan Hammond, Billie Baker.

Flanagan and Allen will head a variety show replacing "Saturday Night Music Hall." Geraldo Orchestra is set for the melody end; session will be bolstered with guest shots from star performers in vogue.

Jessie Matthews resuming "Monday Night At Eight."

Yvonne Arnaud did a one-time appearance with "Quiet, Please."

LATIN HISTORY TAUGHT U.S. BY NBC

NBC will do reverse on the 'selling' issue Sam to South America' when, starting May 22, it broadcasts a series of half hour dramatizations designed to sell Latins to the Yankees. What North Americans don't know about their good neighbors is a fund of ignorance greater than the other way around, is general informed opinion.

Each of the 20 Latin republics will be the theme of one broadcast. A preliminary introductory program and a final bow-off at the end will make the Thursday night at 10:30 series span 22 weeks in all.

Brice Dague is scheduled to do the scripts and Charles Schenck to direct.

ATLANTA

A First Industry Market

1. Biggest NBC Blue Shows
2. Wide Awake Local Programming
3. Experienced Personnel

These Make

WAGA — The Blue Ribbon Station of the South, the station that is "Setting the pace"

ASK A JOHN BLAIR MAN



WAGA

WJSV
50,000 WATTS
WASHINGTON, D.C.

CBS

First in sponsored hours and dollar volume in the nation's capital

Ask any Radio Sales office for more information about WJSV, one of the sixteen CBS 50,000 watt stations.

South America a Columbus Theme

Ohio State Radio Institute Also Adds Talk By Helen Hiatt on Europe

Columbus, April 22. Continuing a policy of stressing timeliness, the committee in charge for The Twelfth Institute for Education by Radio, sponsored May 4-7 by the Ohio State university, has arranged for a general session on Tuesday (6) morning on 'Radio and Cultural Relations with the Americas.' Dr. W. S. Hendrix, professor of romance, O.S.U., will preside. Speakers and their topics include:

'How Radio Can Improve Cultural Relations,' John M. Begg, division of cultural relations, U. S. Department of State; 'Needs in Inter-American Broadcasting,' Mauricio Magdaleno, head, department of fine arts, Republic of Mexico; 'Developments in Short-Wave Broadcasts to the Americas,' Philip L. Barbour, office for coordination of commercial and cultural relations between the American republics; 'Short-Wave Broadcasts Today,' Antonio Gonzalez, Columbia Broadcasting System; 'Activities of NBC,' Edward Tomlinson, National Broadcasting Co. representative for Latin-America.

Dr. I. Keith Tyler, Institute secretary, has announced an additional speaker for the session 'Radio in War Time.' Helen Hiatt, NBC European observer, will present a personalized version of activities of broadcasters working the war zones.

Sidelight: 1941

St. Louis, April 22. When Frank McVey, 58, glass worker, objected to the bartender in an East St. Louis tavern tuning off a radio news broadcast Friday (19), Ethel Jones, 30, escorted to the place by John Keiflein, 40, an worker, made a caustic remark about people who listen to radio news broadcasts instead of spending 3c for a newspaper. McVey retorted that if he could collect the \$2 that Keiflein owed him he would not have to listen to the radio.

This led to a quarrel between the men and resulted in Keiflein being shot in the chest and seriously wounded. McVey was jailed pending the outcome of Keiflein's injury.

Lutherans Into Latin Republics On Transcriptions

St. Louis, April 22. The Lutheran Hour, Sunday religious program, now aired by 300 stations in the U. S., mostly on the Mutual web, will spread to South and Central American stations. Transcriptions of the programs are already re-broadcast in Canada, Alaska, Hawaii, the Philippines.

A Lutheran missionary now is on the way to China where he will ask the approval of Gen. Chiang Kai-shek for the program to be broadcast in Chinese and plans are under way for broadcasts in French and Dutch to Africa and in Portuguese to Brazil. The program regularly includes sermons by the Rev. Walter S. Maier, professor of Semitic languages at Concordia Seminary here.

BYINGTON BRAZILIANS 'RENEW' WITH ROYAL

Before returning to Rio de Janeiro, Albert Byington Jr., renewed his six Brazilian stations with John Royal as NBC outlets South America.

Byington, an American, owns two links in Rio, two in Sao Paulo, one in Campos and one in Curitiba. They were linked to NBC the past five years and the new pact calls for a similar term.

CHAB Up to 1,000 W; On XEB, Mexico Wave

Regina, Sask., April 22. CHAB, Moose Jaw, has been upped from 100 to 1,000 watts and station's signals now cover an area of 200 miles in diameter as compared to 75 miles previously. Station shifted on March 29 to 1,220 from 1,200 k.c.'s and now shares its frequency with XEB, Mexico City.

Eric Loyd Joins Forces

Montreal, April 22. Eric Loyd, commentator on the Theatre Review over Canadian Marconi station CFCF, has been appointed a lieutenant in the Royal Canadian Naval Volunteer Reserve. He will be attached to headquarters at Ottawa.

Loyd was a captain with the Royal Sussex Regiment in the last war. He was wounded in action, captured by the Germans, escaped, and joined the Royal Air Force.

Philip Nielsen succeeds Loyd as theatrical commentator on CFCF.

Clarence Barnes, WOWO-WGL, Ft. Wayne sportscaster, has changed his monicker to Pat Barnes. Says it's easier for the public to remember.

NASHVILLE BASEBALL SOLD

Socony and Holsum Shares Games—Intermissions Sold Locally

Nashville, April 22. Socony and Holsum and Holsum Bakers are sponsoring the 1941 broadcasts of the Nashville baseball club. WSIX will air. The signing of the contract was held up this year by the death of club owner Fay Murray and demands of the club for a larger broadcast fee. Contract was closed however with club getting the same as last year (believed to be approximately \$100 per home game.)

Contract for 15-minute intermissions between doubleheaders was sold to Harold L. Shyer, Jeweler.

Musicians Union Kills NBC Idea To Shortwave Dance Bands on the Cuff

New York local 802 of the American Federation of Musicians has blocked NBC's idea of shortwaving sponsored dance band remotes from New York hotels to South America. Net first claimed that it had 802's sanction to go ahead with its plans, but now it develops that the network wanted to use commercial announcements on each program without payment to the bands used.

Figuring, probably, that the beam- ing of their live rhythms to distant record markets was sufficient payoff. Hotels were in favor, of course, for each would get prominent mentions. Union killed the idea, explaining that if the programs were commercial the bands had to be paid. NBC expected to DX six half hours a week, picking up bands from that many different hotels.



CHURCH RADIO PANEL UNDER SCULL

James H. Scull of the National Conference of Christians and Jews will preside over a religious broadcast panel discussion at the Institute for Education by Radio in Columbus May 5-7. Protestant, Catholic and Jewish experience will be reported by Frank Goodman, Edward J. Heffron and Jonah Wise, respectively. H. B. Summers of NBC, Sterling Fisher of CBS, and four clergymen—Frank Nelson, Gilbert Harrison, William Applebaum and Roy Burkhardt—will participate. Nelson ran the religious panel discussion last year.

These questions will be put: Should religious programs be more dramatic and less sermonic? Should religious radio time be paid for?

How can additional audiences be created for religious programs? What opportunities has the transcription field for religious radio?

What are the possibilities and problems in the greater use of religious radio forums? What type of religious programs are harmful to religious broadcasting?

What problems are being raised by the commercial sponsorship of religious radio programs? How should production of religious radio be financed?

How far can religious programs go in discussing social, economic or political questions?

WBRC

CONNECTICUT'S PIONEER BROADCASTER

Radio Recipe

Placing spot business? Choose the radio station which gives you complete coverage, and offers in addition the most attractive combination of programs and rates. In Connecticut, Major Market, WBRC fits this description perfectly.

RADIO CBS FOR CONNECTICUT

WNEW DELIVERS!

6 powerful reasons why:

1. TWICE THE AUDIENCE of any other New York independent station. (Hooper-Holmes and other impartial surveys.)
2. THE NATION'S BIGGEST MARKET. (The 50-mile metropolitan trading area.)
3. ONE-THIRD THE COST of any New York network station.
4. RADIO'S OUTSTANDING PROGRAMS. ("Make Believe Ballroom" with Martin Block, "Milkman's Matinee" with Stan Shaw. And many others.)
5. LOCAL ADVERTISERS know WNEW moves most goods—fastest.
6. MORE COMMERCIAL TIME is bought on WNEW than on any other station in New York.

WNEW

NEW YORK

SERVING NEW YORK AND NEW JERSEY 24 HOURS A DAY

1280 KILOCYCLES — 5000 WATTS

Nationally Represented by John Blair & Company



NED SPARKS
With Sair Lee, Dave Davies, Alex
McKee, Helen McArthur, Joe Carr,
Forrest City Choir, Luigi Romaneli
Orchestra, Songs, Band
30 Mins.
ONTARIO TRAVEL BUREAU
Sunday, 5:30 p.m.
WABC-CBS, New York

(From the radio)
From the angle of showmanship
and selling this undertaking of the
Travel and Publicity Bureau of the
Ontario Provincial Government is a
decided advance over a similar ef-
fort at vacation-site boosting
which the Canadian Railway System
financed on the NBC in 1937.
The Ontario entry not only
has a listener-pulling asset in Ned
Sparks, but its general structure
as closely modeled after the
American variety shows as anything
that has come out of Canada in re-
cent years. And that is as it should
be, since the program is directed en-
tirely at American patronage.

The only failing about the whole
thing is the tone of its comedy ma-
terial. (The dagger eating the bot-
tom out of a canoe, etc.). These in-
stances are, however, the exception
around Toronto, but on this side of
the border such references can't be
made, and the tone is more in line
with the characters and gags are any-
thing but indigenously American.

Despite this handicap the program
otherwise has very little to quarrel
with American audiences. In the
matter of modern dance music the
program has no real foot to
ward. The fellow with the baton is
Luigi Romaneli. He's been around
for many years and he is thoroughly
familiar with the tastes and tastes
on both sides of the border. His
contribution to the show was a sure-
thing blend, always smooth and
delightful. Sair Lee and Dave
Davies give worthy support to the
moments when the program is
expert with a torch ballad, while
Davies does his crooning with a
mixture of pitch and tone.

Skillfully phrased and pleasantly
delivered is the long commercial
which splits the program. It de-
rived the various commercial op-
portunities to be found in Ontario,
explained the absolute absence of
traveling restrictions, and in ex-
plained just what would be
gained for re-entry into the United
States. The copy also pointed out
that the American government has
more in Canada and that there was
no such thing as taxes on amuse-
ment, music, etc. For these and
other reasons Ontario offered a travel
book gratis.

The program's hookup consists of
52 CBS stations. Because of the
limited time, 13 weeks, in which the
series has to carry out its objective,
the Ontario government must pre-
vail upon Columbia affiliates to
get behind the program and push it
locally. As part of this personal ap-
peal the Province brought in
as guests from the States a group of
broadcasters and put them through
an intensive round of entertainment
and sight-seeing.

FRANCIS HARBLEY

20th Century-Fox exec in England
(managing director)
7 Mins.
Sunday, 4:45 p.m.
BBC, London

20th Century-Fox exec in England
(managing director)
7 Mins.
Sunday, 4:45 p.m.
BBC, London
A likeable session of views, news and
comment into "Close Up" few min-
utes. Covered his recent Hollywood
trip and U. S. interest in the British
stand in current upheaval. Also
spoke of 20th Century-Fox plans for
continuing film production in Eng-
land. Script showed more prepara-
tion than usual, with Harbley
taking the mike and holding it for a
few interruptions. Straight speak-
ing was better suited to his style than
the ordinary interview format. He
wasn't wrong, and listeners could
take the change with liking.

Item of cinch interest to the pleo-
ne "latency" in Harbley's ac-
nouncement over the air he would
put "Spitfire" into immediate pro-
duction here. Film and the Airforce
super-flying plane has been de-
cancelled. A nice certain to a
well-planned radio show.

"COLGATE SPOTLIGHT"
With Sair Lee, Jeff Sparks, Charles
Hathaway, Ork. Guests
30 Mins.
COLGATE-PALMOLIVE-PEET
Thursday, 8 P.M.
WABC-CBS, New York

(Bates)
Replacing its "Ass-kick-in-Basket" quiz
series, Colgate-Palmolive-Peet last
Thursday (17) night launched this
professional version of the amateur
quiz. Two amateur contestants, Colgate
Spotlight. Until shortly before air
time the program was to have been
an amateur proposition, but then the
professionist twist was substituted.
However, the listener mail vote
angle has been retained, with the
winning contestant cleared for the
following week for a \$200 fee. Each
act gets \$50 for the initial appear-
ance. Initial stanza revealed first-
night roughness, but seems fair bet
to gather an audience, against Max-
well House and "Pot-of-Gold" pro-
gram.

Using pro contestants instead of
amateurs probably limits the "sentimen-
tal" appeal to naive listeners, but
as long as obscure performers are
selected as contestants the profes-
sionalism of the show, should mean
much better entertainment. It cer-
tainly did on the debut program,
when every act was up to the
standards. At the same time, by
not pretending to be an extemporane-
ous presentation of amateur, "tal-
ent" represented by the amateur
winners and the ever-present at-
tention of phoniness of the amate-
ur show.

Ed East, as m.c., carries the lead
much of the time and is a distinct
help to the series. He has the brie-
fness and warmth necessary for the
assignment, plus an air of interest in
the amateur contestants. Five entries
on the premiere edition included the
Royals, harmony vocal group of
four boys and three girls; Jean Or-
k. former A.U. boxing champ and
now aspiring to be a concert violin-
ist; Genevieve Duroix, coloratura
soprano; Bill Grant, baritone croo-
ner on various small N. Y. sta-
tions and janitor in the Bronx; Ro-
dolpho Barmine, a vocal soloist.

Besides providing accompaniments,
Charles Hathaway and the orchestra
played numbers at the opening.
The finale and close. There were
main commercials, all stressing that
Colgate toothpaste "cleans the breath
while it cleans the teeth." Second
half featured a pop hit by announcer
Jeff Sparks. Last was in the form
of a letter from a satisfied user of
the product, read by Ed East. There
a repeat broadcast for the Coast at
11:30 p.m.

"HENRY HALL'S GUEST NIGHT"

Orchestra, Songs, Variety
35 Mins.
Tuesday, 6:30 p.m.
BBC, London

One-time leader of band at Broad-
casting House, Henry Hall quit the
post couple of years back to take his
music back on the road. Dressed with
standard acts it made a comfy vaude
booking—while either leader had
been his name in strong box with
provincial listeners. This show is no
more than his road-show passed
through a mike, played weekly from
Chateau House he may be playing.
Listeners get it, though, as some-
thing special for them and continu-
ing to be in H.A. is phrased to fur-
ther that impression.

Show has been running weekly for
something like a year and a half,
turning in sound entertainment.
Hall works in a "wistful willy" man-
ner for m.c'ing, a click with every-
one, it must be for he's been playing
it up consistently. When caught
supporting acts were nicely timed—
K. Barmine, a vocal soloist with a
strong set of pipe and very much
vaude-wise; Albert Whelan does
some chatter, a whistling bit and im-
pressions. Hall too knows what it's
all about.

Hall's musical comic is a standard
joke, but his witty arrangements
but weak on the "local end" and
a guy, "Miff Smith, who does some
comic moving and will be expanded
into a variety program, with several
acts and variety acts. Phil Cohan
produces the series.

"These Traits Are Not Self Evi-
dent," by Shirley Stanwood, was last
Thursday (17) night's presentation on
"Listener's Playhouse" over NBC
radio (WBAF). It was a somewhat
grim drama, with an implausible
romantic tag, about a young novel-
ist's "inacuity" of his "talent" and
his hometown neighbors. By misrep-
resenting all the principal characters,
he straightened out most of their
lives and won back the girl he'd lost
behind. All of which seemed hardly
credible fiction, but moderately in-
teresting listening. Piece was writ-
ten in the form of the characters
reading about themselves, then hav-
ing the action fade into dramatiza-
tion. Most serious flaw of the script
was that the hero-novelist emerged
as a bit of a heel. Sidney Smith,
Katherine Emery and a female Ler-
more stood out in the large cast.

"Columbia Workshop" presented a
combination bit but with only
mild effect. None of the pieces was
particularly good, and the result
seemed diffuse and inconclusive.
Opener was a fantasy, "The Glory

Follow-Up Comment

"No Politics" is the rather bright
title for one of the radio network
quizzes. This is of congressmen be-
coming an audience in Hotel Willard,
Washington, via WJWS and
WABC. The quiz is a Democratic
members of House of Representa-
tives participate, personnel changing
with each quiz. The quizmaster is
The Padman of programs is Ernest K.
Lindley, newspaper columnist. He is
addressed as "Mr. Speaker" and
introduces a formal quiz followed in
other respects. Lindley addresses
quizzes with familiar preface, The
gentlemen from whom they may miss
a question, he has a bill introduced
to appropriate five dollars to the
sunder name address given. Such
bills are "adopted" in one group,
prior to sign-off. Program shows evi-
dence of careful planning. Influence
of "Information Please" is noticeable,
although "No Politics" fails to reach
same level of entertainment. Colum-
bia's summer quiz, well as a quiz-
educational. The congressmen
heard seem quite well informed, and
the quizmaster is a good question-
poser and fluent. They and Lindley
try for some laughs. On one broad-
cast caught, they joshed a California
representative on the question of
state's w.k. penchant for superlatives.

"Speaking of Liberty" is one of the
innumerable broadcasts that com-
mittees produce in collaboration with
networks. The Council of Democracy
is the sponsor of the quiz. The quiz
the day's outlet. Rex Stout, who has
developed into quite a firebrand on
radio, introduced political programs,
and Carl Van Doren, who has a
reputation for similarity and other-
wise between now and then—then being
the quizmaster. It was in-
teresting gap.

Walter Freedom (not to be con-
fused with NBC's public service pro-
gram director, or WBBM's wholen-
ess of same name) was pitch-
ing Sunday for Frank Munn on
the "American Album of Familiar
Music." Alone and with Vivienne
Reilly, the quiz was a good, steady
pleasant. This standard program has
suffered from the absence of ASCAP
music, but the management has
every other selection thanks to the
Europeans who composed light music
profusely in the 18th century, which
music has fortunately passed into the
public domain.

Ex-Lax spot announcement heard
Thursday (17) night on WOV, New
York, must have been some kind of
a new device. The quiz was a trans-
cribed spiel opened with a dramatic
introduction, a mopey weepingly begging
off from that nasty old laxative his
mother was formerly a champion
went into a vivid description of
Ex-Lax and its physical action, all
hammered across in nauseating de-
tail.

Josef Cherniavsky provides thor-
oughly listenable music twice nightly
with the house orchestra of WOV,
New York. It's far above standard
for a small independent station and
a pleasant relief from the outlet's
normal round of recorded programs.
The music was formerly a night, the
conductor and his versatile string
played seven soothing numbers in a
half-hour. All revealed full,
richly colored tones, and interesting
arrangements. While the group
consists of more than strings alone,
it must be the effect of a full-sized or-
chestra.

Lyn Murray played his own com-
position, "How Green Was My Val-
ley," on his "Meet the Music" pro-
gram, Sunday (20) night over CBS.
It's a soothing melodic ballad with
lyrics by Richard Penny. Another
pleasing tune heard on the same
show was "Talking to the Wind," with
music by Robert Schumann (a de-
scendant of the famous composer),
and words by Sydney Smith. "Meet the
Music" moved to a late-evening slot
next week and will be expanded
into a variety program, with several
acts and variety acts. Phil Cohan
produces the series.

"These Traits Are Not Self Evi-
dent," by Shirley Stanwood, was last
Thursday (17) night's presentation on
"Listener's Playhouse" over NBC
radio (WBAF). It was a somewhat
grim drama, with an implausible
romantic tag, about a young novel-
ist's "inacuity" of his "talent" and
his hometown neighbors. By misrep-
resenting all the principal characters,
he straightened out most of their
lives and won back the girl he'd lost
behind. All of which seemed hardly
credible fiction, but moderately in-
teresting listening. Piece was writ-
ten in the form of the characters
reading about themselves, then hav-
ing the action fade into dramatiza-
tion. Most serious flaw of the script
was that the hero-novelist emerged
as a bit of a heel. Sidney Smith,
Katherine Emery and a female Ler-
more stood out in the large cast.

"Columbia Workshop" presented a
combination bit but with only
mild effect. None of the pieces was
particularly good, and the result
seemed diffuse and inconclusive.
Opener was a fantasy, "The Glory

"BULLDOG DRUMMOND"
With George Costello, Everett
Sloane, John Brown, Eric Raff,
Agnes Moorehead, Henry Morgan,
Lew White
30 Mins.
HOWARD CLOTHES
Sunday, 6:30 p.m.
WOR-Mutual, New York

(Redfield-Johnstone)
Whodunit series about the dashing
sleuth of fiction and pictures, Capt.
Hugh Drummond, replaces "Show of
the Week" for Howard Clothes over
WOR, New York, and eight-station
Mutual hookup. It's also available to
the rest of the network as a sus-
tainer or for local sponsorship.
Norman Livingston produces and
directs it for the Redfield-Johnstone
agency, with scripts brought from a
handful of writers submitting synopses.
George Costello plays the title
part, with Everett Sloane his stooge-
assistant. Lew White does the organ
bridging and Henry Morgan is an-
nouncer.

As heard Sunday (20) night, the
show is rather good commercial
hoke. It's inclined to be on the gory
side, with a lot of murder, blood
and corpses littering the studio.
Through it all, good old Bulldog
Drummond is a fine, snappy, and
Carter or Philo Vance, keeps several
jumps over the duplicitis and in
distress the story to resolve a damsel
in need of rescue. In his novel or
film character, he never succumbs to
their blandishments, however, so
the femme lead on the show is an
alternating assignment among several
AFRA. stalwarts. Costello, usually
a good actor, is excellent in the
suave hero, while Sloane admirably
catches the flavor of Drum-
mond's aide, Dennis John Brown.
Agnes Moorehead, who has been
supporting parts on the edition
catches.

Norman Livingston's direction is
careful, and commercials are windy and
are tossed in regardless of the mood
of the drama. There's a studio audi-
ence, but the show is unusual for a
program of this kind.

THE TEXAS RANGERS

Transcription
15 Mins.-Local
KELLOGG
Daily, 4:45 p.m.
WOAI, San Antonio

Those Texas Rangers from Kansas
City (KMBC) are now making trans-
criptions in Hollywood, which are
being sent on station KRLD,
Dallas; KTRH, Houston; KGNC,
Amarillo; KRIS, Corpus Christi and
KRLD, San Antonio. The group
known in the east as "I've
Been Working on the Railroad" is
headed by the "Kays of the West"
Are You You," war song of the
University of Texas, which according
to BMI, if no words are used and
being sent on station KRLD,
Dallas; KTRH, Houston; KGNC,
Amarillo; KRIS, Corpus Christi and
KRLD, San Antonio. The group
known in the east as "I've
Been Working on the Railroad" is
headed by the "Kays of the West"
Are You You," war song of the
University of Texas, which according
to BMI, if no words are used and
being sent on station KRLD,
Dallas; KTRH, Houston; KGNC,
Amarillo; KRIS, Corpus Christi and
KRLD, San Antonio. The group
known in the east as "I've
Been Working on the Railroad" is
headed by the "Kays of the West"
Are You You," war song of the
University of Texas, which according
to BMI, if no words are used and
being sent on station KRLD,
Dallas; KTRH, Houston; KGNC,
Amarillo; KRIS, Corpus Christi and
KRLD, San Antonio. The group
known in the east as "I've
Been Working on the Railroad" is
headed by the "Kays of the West"
Are You You," war song of the
University of Texas, which according
to BMI, if no words are used and
being sent on station KRLD,
Dallas; KTRH, Houston; KGNC,
Amarillo; KRIS, Corpus Christi and
KRLD, San Antonio. The group
known in the east as "I've
Been Working on the Railroad" is
headed by the "Kays of the West"
Are You You," war song of the
University of Texas, which according
to BMI, if no words are used and
being sent on station KRLD,
Dallas; KTRH, Houston; KGNC,
Amarillo; KRIS, Corpus Christi and
KRLD, San Antonio. The group
known in the east as "I've
Been Working on the Railroad" is
headed by the "Kays of the West"
Are You You," war song of the
University of Texas, which according
to BMI, if no words are used and
being sent on station KRLD,
Dallas; KTRH, Houston; KGNC,
Amarillo; KRIS, Corpus Christi and
KRLD, San Antonio. The group
known in the east as "I've
Been Working on the Railroad" is
headed by the "Kays of the West"
Are You You," war song of the
University of Texas, which according
to BMI, if no words are used and
being sent on station KRLD,
Dallas; KTRH, Houston; KGNC,
Amarillo; KRIS, Corpus Christi and
KRLD, San Antonio. The group
known in the east as "I've
Been Working on the Railroad" is
headed by the "Kays of the West"
Are You You," war song of the
University of Texas, which according
to BMI, if no words are used and
being sent on station KRLD,
Dallas; KTRH, Houston; KGNC,
Amarillo; KRIS, Corpus Christi and
KRLD, San Antonio. The group
known in the east as "I've
Been Working on the Railroad" is
headed by the "Kays of the West"
Are You You," war song of the
University of Texas, which according
to BMI, if no words are used and
being sent on station KRLD,
Dallas; KTRH, Houston; KGNC,
Amarillo; KRIS, Corpus Christi and
KRLD, San Antonio. The group
known in the east as "I've
Been Working on the Railroad" is
headed by the "Kays of the West"
Are You You," war song of the
University of Texas, which according
to BMI, if no words are used and
being sent on station KRLD,
Dallas; KTRH, Houston; KGNC,
Amarillo; KRIS, Corpus Christi and
KRLD, San Antonio. The group
known in the east as "I've
Been Working on the Railroad" is
headed by the "Kays of the West"
Are You You," war song of the
University of Texas, which according
to BMI, if no words are used and
being sent on station KRLD,
Dallas; KTRH, Houston; KGNC,
Amarillo; KRIS, Corpus Christi and
KRLD, San Antonio. The group
known in the east as "I've
Been Working on the Railroad" is
headed by the "Kays of the West"
Are You You," war song of the
University of Texas, which according
to BMI, if no words are used and
being sent on station KRLD,
Dallas; KTRH, Houston; KGNC,
Amarillo; KRIS, Corpus Christi and
KRLD, San Antonio. The group
known in the east as "I've
Been Working on the Railroad" is
headed by the "Kays of the West"
Are You You," war song of the
University of Texas, which according
to BMI, if no words are used and
being sent on station KRLD,
Dallas; KTRH, Houston; KGNC,
Amarillo; KRIS, Corpus Christi and
KRLD, San Antonio. The group
known in the east as "I've
Been Working on the Railroad" is
headed by the "Kays of the West"
Are You You," war song of the
University of Texas, which according
to BMI, if no words are used and
being sent on station KRLD,
Dallas; KTRH, Houston; KGNC,
Amarillo; KRIS, Corpus Christi and
KRLD, San Antonio. The group
known in the east as "I've
Been Working on the Railroad" is
headed by the "Kays of the West"
Are You You," war song of the
University of Texas, which according
to BMI, if no words are used and
being sent on station KRLD,
Dallas; KTRH, Houston; KGNC,
Amarillo; KRIS, Corpus Christi and
KRLD, San Antonio. The group
known in the east as "I've
Been Working on the Railroad" is
headed by the "Kays of the West"
Are You You," war song of the
University of Texas, which according
to BMI, if no words are used and
being sent on station KRLD,
Dallas; KTRH, Houston; KGNC,
Amarillo; KRIS, Corpus Christi and
KRLD, San Antonio. The group
known in the east as "I've
Been Working on the Railroad" is
headed by the "Kays of the West"
Are You You," war song of the
University of Texas, which according
to BMI, if no words are used and
being sent on station KRLD,
Dallas; KTRH, Houston; KGNC,
Amarillo; KRIS, Corpus Christi and
KRLD, San Antonio. The group
known in the east as "I've
Been Working on the Railroad" is
headed by the "Kays of the West"
Are You You," war song of the
University of Texas, which according
to BMI, if no words are used and
being sent on station KRLD,
Dallas; KTRH, Houston; KGNC,
Amarillo; KRIS, Corpus Christi and
KRLD, San Antonio. The group
known in the east as "I've
Been Working on the Railroad" is
headed by the "Kays of the West"
Are You You," war song of the
University of Texas, which according
to BMI, if no words are used and
being sent on station KRLD,
Dallas; KTRH, Houston; KGNC,
Amarillo; KRIS, Corpus Christi and
KRLD, San Antonio. The group
known in the east as "I've
Been Working on the Railroad" is
headed by the "Kays of the West"
Are You You," war song of the
University of Texas, which according
to BMI, if no words are used and
being sent on station KRLD,
Dallas; KTRH, Houston; KGNC,
Amarillo; KRIS, Corpus Christi and
KRLD, San Antonio. The group
known in the east as "I've
Been Working on the Railroad" is
headed by the "Kays of the West"
Are You You," war song of the
University of Texas, which according
to BMI, if no words are used and
being sent on station KRLD,
Dallas; KTRH, Houston; KGNC,
Amarillo; KRIS, Corpus Christi and
KRLD, San Antonio. The group
known in the east as "I've
Been Working on the Railroad" is
headed by the "Kays of the West"
Are You You," war song of the
University of Texas, which according
to BMI, if no words are used and
being sent on station KRLD,
Dallas; KTRH, Houston; KGNC,
Amarillo; KRIS, Corpus Christi and
KRLD, San Antonio. The group
known in the east as "I've
Been Working on the Railroad" is
headed by the "Kays of the West"
Are You You," war song of the
University of Texas, which according
to BMI, if no words are used and
being sent on station KRLD,
Dallas; KTRH, Houston; KGNC,
Amarillo; KRIS, Corpus Christi and
KRLD, San Antonio. The group
known in the east as "I've
Been Working on the Railroad" is
headed by the "Kays of the West"
Are You You," war song of the
University of Texas, which according
to BMI, if no words are used and
being sent on station KRLD,
Dallas; KTRH, Houston; KGNC,
Amarillo; KRIS, Corpus Christi and
KRLD, San Antonio. The group
known in the east as "I've
Been Working on the Railroad" is
headed by the "Kays of the West"
Are You You," war song of the
University of Texas, which according
to BMI, if no words are used and
being sent on station KRLD,
Dallas; KTRH, Houston; KGNC,
Amarillo; KRIS, Corpus Christi and
KRLD, San Antonio. The group
known in the east as "I've
Been Working on the Railroad" is
headed by the "Kays of the West"
Are You You," war song of the
University of Texas, which according
to BMI, if no words are used and
being sent on station KRLD,
Dallas; KTRH, Houston; KGNC,
Amarillo; KRIS, Corpus Christi and
KRLD, San Antonio. The group
known in the east as "I've
Been Working on the Railroad" is
headed by the "Kays of the West"
Are You You," war song of the
University of Texas, which according
to BMI, if no words are used and
being sent on station KRLD,
Dallas; KTRH, Houston; KGNC,
Amarillo; KRIS, Corpus Christi and
KRLD, San Antonio. The group
known in the east as "I've
Been Working on the Railroad" is
headed by the "Kays of the West"
Are You You," war song of the
University of Texas, which according
to BMI, if no words are used and
being sent on station KRLD,
Dallas; KTRH, Houston; KGNC,
Amarillo; KRIS, Corpus Christi and
KRLD, San Antonio. The group
known in the east as "I've
Been Working on the Railroad" is
headed by the "Kays of the West"
Are You You," war song of the
University of Texas, which according
to BMI, if no words are used and
being sent on station KRLD,
Dallas; KTRH, Houston; KGNC,
Amarillo; KRIS, Corpus Christi and
KRLD, San Antonio. The group
known in the east as "I've
Been Working on the Railroad" is
headed by the "Kays of the West"
Are You You," war song of the
University of Texas, which according
to BMI, if no words are used and
being sent on station KRLD,
Dallas; KTRH, Houston; KGNC,
Amarillo; KRIS, Corpus Christi and
KRLD, San Antonio. The group
known in the east as "I've
Been Working on the Railroad" is
headed by the "Kays of the West"
Are You You," war song of the
University of Texas, which according
to BMI, if no words are used and
being sent on station KRLD,
Dallas; KTRH, Houston; KGNC,
Amarillo; KRIS, Corpus Christi and
KRLD, San Antonio. The group
known in the east as "I've
Been Working on the Railroad" is
headed by the "Kays of the West"
Are You You," war song of the
University of Texas, which according
to BMI, if no words are used and
being sent on station KRLD,
Dallas; KTRH, Houston; KGNC,
Amarillo; KRIS, Corpus Christi and
KRLD, San Antonio. The group
known in the east as "I've
Been Working on the Railroad" is
headed by the "Kays of the West"
Are You You," war song of the
University of Texas, which according
to BMI, if no words are used and
being sent on station KRLD,
Dallas; KTRH, Houston; KGNC,
Amarillo; KRIS, Corpus Christi and
KRLD, San Antonio. The group
known in the east as "I've
Been Working on the Railroad" is
headed by the "Kays of the West"
Are You You," war song of the
University of Texas, which according
to BMI, if no words are used and
being sent on station KRLD,
Dallas; KTRH, Houston; KGNC,
Amarillo; KRIS, Corpus Christi and
KRLD, San Antonio. The group
known in the east as "I've
Been Working on the Railroad" is
headed by the "Kays of the West"
Are You You," war song of the
University of Texas, which according
to BMI, if no words are used and
being sent on station KRLD,
Dallas; KTRH, Houston; KGNC,
Amarillo; KRIS, Corpus Christi and
KRLD, San Antonio. The group
known in the east as "I've
Been Working on the Railroad" is
headed by the "Kays of the West"
Are You You," war song of the
University of Texas, which according
to BMI, if no words are used and
being sent on station KRLD,
Dallas; KTRH, Houston; KGNC,
Amarillo; KRIS, Corpus Christi and
KRLD, San Antonio. The group
known in the east as "I've
Been Working on the Railroad" is
headed by the "Kays of the West"
Are You You," war song of the
University of Texas, which according
to BMI, if no words are used and
being sent on station KRLD,
Dallas; KTRH, Houston; KGNC,
Amarillo; KRIS, Corpus Christi and
KRLD, San Antonio. The group
known in the east as "I've
Been Working on the Railroad" is
headed by the "Kays of the West"
Are You You," war song of the
University of Texas, which according
to BMI, if no words are used and
being sent on station KRLD,
Dallas; KTRH, Houston; KGNC,
Amarillo; KRIS, Corpus Christi and
KRLD, San Antonio. The group
known in the east as "I've
Been Working on the Railroad" is
headed by the "Kays of the West"
Are You You," war song of the
University of Texas, which according
to BMI, if no words are used and
being sent on station KRLD,
Dallas; KTRH, Houston; KGNC,
Amarillo; KRIS, Corpus Christi and
KRLD, San Antonio. The group
known in the east as "I've
Been Working on the Railroad" is
headed by the "Kays of the West"
Are You You," war song of the
University of Texas, which according
to BMI, if no words are used and
being sent on station KRLD,
Dallas; KTRH, Houston; KGNC,
Amarillo; KRIS, Corpus Christi and
KRLD, San Antonio. The group
known in the east as "I've
Been Working on the Railroad" is
headed by the "Kays of the West"
Are You You," war song of the
University of Texas, which according
to BMI, if no words are used and
being sent on station KRLD,
Dallas; KTRH, Houston; KGNC,
Amarillo; KRIS, Corpus Christi and
KRLD, San Antonio. The group
known in the east as "I've
Been Working on the Railroad" is
headed by the "Kays of the West"
Are You You," war song of the
University of Texas, which according
to BMI, if no words are used and
being sent on station KRLD,
Dallas; KTRH, Houston; KGNC,
Amarillo; KRIS, Corpus Christi and
KRLD, San Antonio. The group
known in the east as "I've
Been Working on the Railroad" is
headed by the "Kays of the West"
Are You You," war song of the
University of Texas, which according
to BMI, if no words are used and
being sent on station KRLD,
Dallas; KTRH, Houston; KGNC,
Amarillo; KRIS, Corpus Christi and
KRLD, San Antonio. The group
known in the east as "I've
Been Working on the Railroad" is
headed by the "Kays of the West"
Are You You," war song of the
University of Texas, which according
to BMI, if no words are used and
being sent on station KRLD,
Dallas; KTRH, Houston; KGNC,
Amarillo; KRIS, Corpus Christi and
KRLD, San Antonio. The group
known in the east as "I've
Been Working on the Railroad" is
headed by the "Kays of the West"
Are You You," war song of the
University of Texas, which according
to BMI, if no words are used and
being sent on station KRLD,
Dallas; KTRH, Houston; KGNC,
Amarillo; KRIS, Corpus Christi and
KRLD, San Antonio. The group
known in the east as "I've
Been Working on the Railroad" is
headed by the "Kays of the West"
Are You You," war song of the
University of Texas, which according
to BMI, if no words are used and
being sent on station KRLD,
Dallas; KTRH, Houston; KGNC,
Amarillo; KRIS, Corpus Christi and
KRLD, San Antonio. The group
known in the east as "I've
Been Working on the Railroad" is
headed by the "Kays of the West"
Are You You," war song of the
University of Texas, which according
to BMI, if no words are used and
being sent on station KRLD,
Dallas; KTRH, Houston; KGNC,
Amarillo; KRIS, Corpus Christi and
KRLD, San Antonio. The group
known in the east as "I've
Been Working on the Railroad" is
headed by the "Kays of the West"
Are You You," war song of the
University of Texas, which according
to BMI, if no words are used and
being sent on station KRLD,
Dallas; KTRH, Houston; KGNC,
Amarillo; KRIS, Corpus Christi and
KRLD, San Antonio. The group
known in the east as "I've
Been Working on the Railroad" is
headed by the "Kays of the West"
Are You You," war song of the
University of Texas, which according
to BMI, if no words are used and
being sent on station KRLD,
Dallas; KTRH, Houston; KGNC,
Amarillo; KRIS, Corpus Christi and
KRLD, San Antonio. The group
known in the east as "I've
Been Working on the Railroad" is
headed by the "Kays of the West"
Are You You," war song of the
University of Texas, which according
to BMI, if no words are used and
being sent on station KRLD,
Dallas; KTRH, Houston; KGNC,
Amarillo; KRIS, Corpus Christi and
KRLD, San Antonio. The group
known in the east as "I've
Been Working on the Railroad" is
headed by the "Kays of the West"
Are You You," war song of the
University of Texas, which according
to BMI, if no words are used and
being sent on station KRLD,
Dallas; KTRH, Houston; KGNC,
Amarillo; KRIS, Corpus Christi and
KRLD, San Antonio. The group
known in the east as "I've
Been Working on the Railroad" is
headed by the "Kays of the West"
Are You You," war song of the
University of Texas, which according
to BMI, if no words are used and
being sent on station KRLD,
Dallas; KTRH, Houston; KGNC,
Amarillo; KRIS, Corpus Christi and
KRLD, San Antonio. The group
known in the east as "I've
Been Working on the Railroad" is
headed by the "Kays of the West"
Are You You," war song of the
University of Texas, which according
to BMI, if no words are used and
being sent on station KRLD,
Dallas; KTRH, Houston; KGNC,
Amarillo; KRIS, Corpus Christi and
KRLD, San Antonio. The group
known in the east as "I've
Been Working on the Railroad" is
headed by the "Kays of the West"
Are You You," war song of the
University of Texas, which according
to BMI, if no words are used and
being sent on station KRLD,
Dallas; KTRH, Houston; KGNC,
Amarillo; KRIS, Corpus Christi and
KRLD, San Antonio. The group
known in the east as "I've
Been Working on the Railroad" is
headed by the "Kays of the West"
Are You You," war song of the
University of Texas, which according
to BMI, if no words are used and
being sent on station KRLD,
Dallas; KTRH, Houston; KGNC,
Amarillo; KRIS, Corpus Christi and
KRLD, San Antonio. The group
known in the east as "I've
Been Working on the Railroad" is
headed by the "Kays of the West"
Are You You," war song of the
University of Texas, which according
to BMI, if no words are used and
being sent on station KRLD,
Dallas; KTRH, Houston; KGNC,
Amarillo; KRIS, Corpus Christi and
KRLD, San Antonio. The group
known in the east as "I've
Been Working on the Railroad" is
headed by the "Kays of the West"
Are You You," war song of the
University of Texas, which according
to BMI, if no words are used and
being sent on station KRLD,
Dallas; KTRH, Houston; KGNC,
Amarillo; KRIS, Corpus Christi and
KRLD, San Antonio. The group
known in the east as "I've
Been Working on the Railroad" is
headed by the "Kays of the West"
Are You You," war song of the
University of Texas, which according
to BMI, if no words are used and
being sent on station KRLD,
Dallas; KTRH, Houston; KGNC,
Amarillo; KRIS, Corpus Christi and
KRLD, San Antonio. The group
known in the east as "I've
Been Working on the Railroad" is
headed by the "Kays of the West"
Are You You," war song of the
University of Texas, which according
to BMI, if no words are used and
being sent on station KRLD,
Dallas; KTRH, Houston; KGNC,
Amarillo; KRIS, Corpus Christi and
KRLD, San Antonio. The group
known in the east as "I've
Been Working on the Railroad" is
headed by the "Kays of the West"
Are You You," war song of the
University of Texas, which according
to BMI, if no words are used and
being sent on station KRLD,
Dallas; KTRH, Houston; KGNC,
Amarillo; KRIS, Corpus Christi and
KRLD, San Antonio. The group
known in the east as

NBC's Public Relations Front

Continued from page 23

STATION	TOWN	CONTACT	TITLE
WELL	Battle Creek, Mich.	D. F. Jayne	Manager
WEMP	Milwaukee, Wis.	Charles Smith	Manager
WFLA	Dallas	Charles Campbell	General Manager
WFCB	Greenville, S. C.	Charles Batson	Program Director
WFBG	Altoona, Pa.	Roy Thompson	Managing Director
WFRB	Baltimore	Bert Hanauer	Program Director
WFDF	Flint, Mich.	R. Cooper	Program Director
WFEA	Manchester, N. H.	Charles Evans	Manager
WFIL	Philadelphia	James Allen	Program Director
WFLA	Tampa	W. Walter Tison	Manager
WFMJ	Youngstown	Lee Bland	Manager
WFOR	Hattiesburg, Miss.	J. C. Wright	Manager
WGAC	Augusta	J. B. Plue	Manager
WGCE	Lancaster	Ernest Standa	Manager
WGBF	Evansville, Ind.	Clairence Leich	Manager
WGVV	Charleston, W. Va.	W. A. Carroll	President
WGVL	Fl. Wayne	Gretchen Smith	Edue'l Director
WHAZ	Gastonia, N. C.	Pat McWhorter	Program Manager
WGRM	Greensboro, Miss.	John Bartlett	Manager
WGVS	Schenectady	Kolin Hanger	Manager
WHAM	Rochester	Homer Bliss	Program Manager
WHDL	Olean, N. Y.	Thomas Brown	Program Manager
WHK	Cleveland	Stan Kerner	Manager
WHO	Des Moines	R. W. Richmond	Program Director
WIBA	Madison, Wis.	Woody Woods	Publicity Director
WIBM	Jackson, Mich.	K. F. Schmitt	Program Director
WICG	Bridgeport	William Clerk	Music Director
WING	Dayton	Fl. Florence Ballou	Program Director
WINN	Louisville	Ronald Woodyard	General Mgr.
WIOD	Miami	D. E. Kendrick	Manager
WIRE	Indianapolis	Martin Wales	Manager
WISC	Columbia, Mo.	Eugene Pulliam	President
WISB	Asheville, N. C.	Gayd Rogers, Jr.	Program Dir.
WIZE	Springfield, O.	Harold Thomas	Program President
WJAC	Johnstown, Pa.	George Losey	Manager
WJAR	Providence	J. C. Tully	Manager
WJAZ	Jacksonville, Fla.	John J. Boyle	Managing Dir.
WJBO	Baton Rouge	Boss Evans	Manager
WJDX	Jackson, Miss.	William H. Bland, Jr.	Prod. Supt.
WJMP	Jacksonville, Fla.	Maurice Thompson	Program Dir.
WJIM	Lansing, Mich.	H. G. Wells, Jr.	Manager
WJMC	Jamesport, N. Y.	W. J. Sexton	Edue'l Advisor
WKAT	Miami Beach	George L. Walker	Program Director
WKBB	Dubuque	John McCloy	Manager
WKBO	Harrisburg, Pa.	Vaughn Gayman	Manager
WKIP	Poughkeepsie, N. Y.	David Bennett	Program Manager
WKRP	Kingsport, Tenn.	William Cope	Program Manager
WKY	Oklahoma City	Jay Caldwell	Manager
WLAK	Lakeland, Fla.	Daryl McAllister	Traffic Manager
WLBB	Bangor, Me.	Bert Arnold	Manager
WLSU	Erle, Pa.	Thomas Guernsey	President
WLSC	Orlando, Fla.	George Haslam	Manager
WLOK	Lima, O.	George Haslam	Manager
WLSC	Chicago	Ralph Elvin	Manager
WLW	Cincinnati	Mrs. Harriet Hester	Edue'l Director
WLW	WENR	Joseph Ries	Edue'l Director
WMBG	Richmond, Va.	Paul Walker	Public Serv. Dir.
WMC	Memphis	Thomas Meyers	Program Director
WMFD	Wilmington, N. C.	John Cleghorn	Program Manager
WMFF	Dayton, N. C.	R. H. Dunlea	Manager
WMFJ	Daytona Beach, Fla.	George F. Bissell	General Manager
WMG	High Point, N. C.	W. Wright Esch	Manager
WMPS	Memphis	J. C. Whitlow	Manager
WNAC	Boston	R. C. Hanrahan	General Manager
WNBC	Hartford	E. L. Harlow	V.-P. Yankee Network
WOAI	San Antonio	Jack Lacy	Educational Director
WOGL	Davenport	Mack Leona Bender	Manager
WOLS	Florence, S. C.	Burly Lottridge	General Manager
WOOD	Grand Rapids	Lee Stone	Manager
WOPI	Bristol, Tenn.	Stanley Barnett	Manager
WORD	Sparksburg, S. C.	Fey Rodgers	Program Manager
WORL	York, Pa.	William Waldrop	Program Manager
WOW	Omaha	Harold Miller	Program Director
WOWO	Fl. Wayne	Harry Burke	Program Manager
WPTF	Raleigh, N. C.	Franklin Tooker	Program Director
WPTM	Washington, D. C.	Graham Poyner	Program Director
WRDC	Augusta	Kenneth Berkeley	Manager
WRNL	Richmond	Jack Atwood	Manager
WRNL	Richmond	John Bondeson	Program Manager
WRNL	Richmond	Malory Freeman	Edue'l Director
WRNL	Richmond	Dr. Harry Clarke	Edue'l Advisor
WSAN	Allentown	B. Bryan Musselman	Manager
WSBY	Savannah	Harben Daniel	Manager
WSB	Atlanta	Marion Bartlett	Program Manager
WSFA	Montgomery	Howard Hall	Manager
WSGN	Birmingham	Carl Cannon	Edue'l Director
WSJS	Winston-Salem	David Taylor	Manager
WSLJ	Jackson, Miss.	Paul Wilson	Manager
WSM	Nashville	Jack Stapp	Program Director
WSMB	New Orleans	William Brenge	Program Director
WSOC	Charlotte	Charles Hicks, Jr.	Program Director
WSPD	Toledo	J. H. Ryan	General Manager
WSTL	St. Petersburg	Barry Meyer	Manager
WSTR	Syracuse	Ray Servatius	Program Manager
WTAG	Worcester, Mass.	William Cavanagh	Program Dir.
WTAM	Cleveland	Vernon Pribble	Manager
WTAR	Norfolk	Henry C. Whitehead	Program Mgr.
WTGN	Minneapolis	Robert De Haven	Production Mgr.
WTHT	Hartford	Charles Cray	Program Manager
WTAM	Charleston, S. C.	W. D. Workman, Jr.	Manager
WTMC	Ocala, Fla.	Hai Davis	Manager
WTMJ	Milwaukee	Russ Winnie	Assistant Manager
WTV	Toledo	Arch Shaw	Manager
WTV	Troy	W. C. Riple	Manager
WWJ	Detroit	Myron Golden	Manager
WKZY	Detroit	Fletcher Hull	Pub. Serv. Pgm. Dir.
WCL	Toronto	J. R. Radford	Manager
WMT	Montreal	James Shaw	Manager
CBM-CBF	Montreal	Maurice Goudreau	Manager

TIME AND TERMS

N.A.B. Should Standardize Air Force, Says Salesmanagers

Kansas City, April 22. Salesmanagers and commercial managers sections of the National Association of Broadcasters held a district convention at Hotel Muehlebach here last Saturday (19). Karl Koepfer, v.p. of KMBC and regional office of the group, called the meeting to order and turned proceedings over to Sam Bennett, KMBC salesmanager.

Round robin discussion prevailed with two resolutions resulting. One urges N.A.B. to action in standardization of American Association of Advertising Agents' contracts at the national convention, and second is toward an action move by N.A.B. to standardization of time, especially as regards daylight savings switch.

Kansas City broadcasters entertained visitors of the group at luncheon and cocktail party following the discussion. About thirty members from stations in Iowa, Nebraska and Missouri attended the convention.

Rap at WCCO By Politician Not Serious

Washington, April 22. Feuding between Minnesota politicians has enmeshed WCCO, Minneapolis, but the Federal Communications Commission is not to meet out any punishment, inasmuch as preliminary examination of complaints about program cancellation does not indicate any law violation. Bleat about attitude of the station management is before the regulators and direct protest has been made to Commissioner Fred I. Thompson.

Name-calling grew out of WCCO's denial of permission for State Senator George Lomen, a farmer-labor member of the State legislature, to deliver a scolding to speech on state finances by Gov. Harold E. Stassen. The station bupenciled the timetable after Stassen, who got a glimpse of the text, charged the solon with making a humorous in correct and defamatory statements. The Governor's threat to hold WCCO accountable caused a legal huddle leading to cancellation of the program.

On behalf of WCCO, it has been explained the lawyers held the statements, if true, might serve as grounds for impeachment moves against Stassen. Senator Lomen then was told he would have to offer proof of the accuracy of his assertions, to safeguard the station against possible defamation of character litigation. When no satisfactory adjustment could be reached, the talk was not permitted.

Superficially there is no evidence of any infringement of the Communications Act. Especially since former Governor Elmer Benson, another Farmer-Laborite, did get a chance to give the other side of the argument in reply to Gov. Stassen. Furthermore, the equal opportunity clause in the statute does not apply, as there is no campaign in progress and the station was making the time available gratis in adherence to policy of scholastic and political matters interesting in the state.

Warren Brown Broadcasts For Local Advertisers

Chicago, April 22. Warren Brown, vet sports writer for the Hearst Herald-American and after dinner speaker, has been signed for daily sports talk on WMB.

Sponsorship on M-W-F by the Sachs Clothing Co. through the Wade agency and T-Th-Sat. by the Local Loan Co. through the Hartman agency.

More FCC Qualified Attys.

Washington, April 22. Attorneys recently admitted to practice before the Federal Communications Commission are:

Newcomers—mostly New Yorkers and Washingtonians—are James B. Gordon, of New York; William R. Lichtenberg, Richard C. O'Hare and Ralph D. Pittman, of Washington; Charles Fleming Duval, Chicago; Richard S. Paul, and James Gilligan Manley, Cincinnati.

Philadelphia Hears 'Polluted Stream' Tale About Coincidental Surveys; Calculated Replies on Cash Hope

Philadelphia, April 22. Novel criticism of co-incidental telephone surveys (not the Cooperative Analysis of Broadcasting which uses the recollective, double-check system) is being heard in Philadelphia. It is stated that calculated wrong replies are given the telephone by Philadelphia's called by radio research field workers. The reason for the bum steers as to what stations or programs are tuned in by the home at the moment is the supposed station of listeners that a cash giveaway may be involved. Theory is that telephone-answers name WIP, WFIL or WIBC more often than the facts justify because those stations are widely known to have giveaways via telephone.

It is hardly a secret that this idea of a 'polluted stream' in research locally originates with stations that aren't too pleased by recent data. The C.A.B. itself is known to have become aware of the local story and to have sent a supervisor here from New York. C.A.B. satisfied itself that the criticism is statistically far-fetched to stick with and doesn't affect its operations in any event. (Philly one of the 33 regular C.A.B. checking centres.)

Here's how the 'polluted stream' theory runs:

There are three stations handing out cash and valuable prizes merely for answering on phone that citizen is listening to particular programs. Dial-twists, aren't taking any chances. Whenever the phone rings and a research question popped answer—in many cases—will be 'WIP'—'WFIL'—'WIBC'—whether the listener has these outlets tuned in or not.

Because the giveaway programs are spotted throughout the day, listeners aren't sure of the time and are apt to give the stock answers whether the poll-ster calls during the day or night. Surveys are said to report that during coincidental checkups, listeners have answered they were tuned in to one of the three giveaway stations, while their

radios could be clearly heard over the phone, tuned to an obviously different program. Some listeners have, it is said, asked the surveyors to hold the wire while they asked other members of the family 'what is the name of the station handing out the dough?'

WIP and WIBC have cash giveaway programs, while WFIL gives Farnsworth table sets to persons tuned in when the station announcer telephones. Numbers are selected at random from the city and suburban telephone books much in the manner of the system used by the 'Pot o' Gold' program.

This is the odorous operandi of the giveaway broadcasts:

'Dialing for Dollars' (WIP)—Sponsored by Food Fairs, Inc., a grocery chain. Each morning, Monday through Friday at 10:30 a.m., the announcer picks a telephone number out of a box and makes the call. If it is answered the conversation goes like this:

'Is this the home of Mrs. Doakes? Is your radio turned on? To what station are you listening?'

If the answer is 'WIP' a messenger is sent to the house with a check for \$5 and a certificate for a couple of pounds of coffee. If the listener isn't listening to WIP, the five dollars is added to the next call. Listeners have received as high as \$75 just for giving the right answer.

'Radio Awards' (WFIL)—This is a straight promotion for WFIL. Three times during the day, with the time variable, telephone calls are placed to persons whose numbers are placed at random. If they are listening to WFIL at the time, they receive a new Farnsworth. About a dozen radios are given away each week.

'Lucky Jackpot' (WIBC)—This program is substantially the same as that on WIP. Only variation, however, is a 'money sentence,' read off at the beginning of the program. When the listener answers the phone, the must be able to repeat the sentence to collect the award. Prizes begin at \$2 and 'snowball' in the same manner as the awards on the WIP broadcast.

WANTED... in America's Money Belt!

Food for a Fourth of ALL the Nations' Tractors!

Will you sell it?

NEARLY \$300 a minute—every minute of the day and night—all year long... that's what it costs to keep the farmers' tractors and trucks running in America's Money Belt. That's a lot for plowing—but no wonder...

More than one-fourth of all the tractors of the nation are owned by "Money Belt" farmers. Only 10.7% of the U.S. farms—BUT 23.1% OF THE TRACTORS! Reason? Farmers have money and other folks too, have money to buy the things they need. Those "other folks" spend plenty for their automobiles too, out here where there's practically a car for practically every family.

Reap your harvest with "Money Belt" farmers plus this Spring. The four-way voice of The Cowles Stations will plant your message in this fertile ground. May we tell you more?

The Cowles Stations
WMT KRT KSD WMAX

Represented Nationally by THE KATZ AGENCY

Here's What Money Belt Farmers Always Used Last Year

Quantity	Est. Cost
GASOLINE	
933,241.720 gal.	\$105,067,000.00
MOTOR OIL	
2,088,880 gal.	\$1,474,230.00
GEAR LUBRICANTS	
68,034,211 lbs.	\$1,025,447.00
SPECIAL LUBRICANTS	
12,387,793 lbs.	\$1,653,608.00
KEROSENE	
8,170,205 lbs.	\$5,723,735.00
DISTILLATE	
896,005 lbs.	\$2,034,420.00
PETROLEUM GAS	
7,868,808 gal.	\$2,386,630.00

Now! 5000 WATTS DAY AND NIGHT

YOUR BEST NATIONAL SPOT BUY

A NEW APPROACH TO THE NEW YORK MARKET

WBX

From The Production Centres

IN NEW YORK CITY

'Buck Private', a serial romance with an army camp background, being readied as an NBC sustainer... Arthur Hanna will direct it... Wade Hoyt starts sustaining the radio bit for Brown & Breen... Bob Schmidt, Mutual sales promotion manager, one of the 10 young men whose achievements during the last year get them Order of the Rake awards at the New York Advertising club tomorrow... Danny Kaye, Artie Shaw and Eric Leinsdorf are others.

Edgar Lee Masters weekend with Sandra Michael and John Gibbs at the Silvermine (Conn.) farm to read for his appearance tomorrow on Miss Michael's 'Against the Storm' program... Hal James of the Compton agency, was also present... Charles Kenny and Joy Hathaway (Mrs. Kenny) had the cast of 'Amanda of Honeymoon Hill' at their Eastern (Conn.) home for the weekend... Doris Dudley is off the 'Meet Mr. Meek' program and Don Bernard, of the Ely agency, is auditioning for a replacement.

Francine Larrimore gives Tuesday (29) night on 'Grand Central Station' in an original by Michael Sklar... Walter Kaner owned recorded 'Band of the Week' series Tuesday nights over WRLW, with press agents for the listeners given a turn at the mike to talk for their wages... Jack Davis, of WMCA, produced staff, yanked in the draft... Martha Sleeper and William Harrigan joined cast of WOR-Mutual's 'We Are Always Young' serial... Roger Shaw, author and former magazine editor, doing commentator series on WJNY, the FM outlet of WOR.

Gregory Abbott, Paramount newswire announcer, started five-weekly news series on WMCA... Carolyn Davis, doing the 'Lucille Merritt' and Jessica Dragonette's ET series for Better Vision... Walter Scanlon, one of the pioneers of radio and recordings, doing a 'Songs of Ireland' program over WOR Thursday nights... Alma Graef, contract manager of WMCA, leaving for a maternity assignment... Lois Frost succeeds her and Edmund Lorie over WEVD after trip to Mexico and Play Coast... Eleri Queen's 'Do Not Disturb'... William Powell and Diana Lewis do 'One Way Passage' the following week, May 2.

Lynn Thompson recovered from flu attack at her New Canaan (Conn.) home... Marjorie Bartlett, formerly scripter of 'Big Sister', in Florida recuperating from serious illness... She's authoring the transcribed 'Devil of First Night' musical for the stage... Agnes Moorehead, Jean Muir, Helen Mack, Elspeth Eric and Ann Shepherd alternating as femme leads on 'Buildup Drummond'... Hunter Copeland, retired former owner-operator of WGN, Newport News, Va., brought his family to New York for indefinite stay.

Sam Brewer, war correspondent for Chicago Tribune, appointed Mutual's 'Battle Reporters'... Harold Truitt, new narrator on 'Long Ranger' series out of Detroit, succeeding Bruce Beemer, who took over the title part on the death of Earle Grasser.

Oliver Barbour now directing 'Parker Family', Transamerican production for L. & M... Betty Garde is playing the part of Sally Andrews, Jersey beauty actress, in the new radio show 'Lucille Merritt'... She is personating the similar part of Janet Parker for Woodbury on the 'Parker Family'....

Don Becker had Hammond organ installed in his home... Bill Slonson, CBS special events head, back in town after 8,000-mile air tour of training camps and defense plants... James Waterman Wise resumed his 'Men and Events' series over WEVD after trip to Mexico and Play Coast... William Bussey Hoffman, WOR sound effects man, announced engagement to Edith Christine Feizer, of Scarsdale, a non-pro... Donald Cook and Claudia Morgan did the leads in an audition of a 'Thin Man' series last week for Ruthputz & Ryan.

Ward Wilson and Dwight Weist doing five-a-week, five-minute recorded 'Five Dollar Face' series over WOR for Shell oil... Little Pea Island, in Long Island Sound off New Rochelle, N. Y., enlarged and built up to accommodate news transmitter for WABC, renamed Columbia Island....

Bob and Betty White, whose 'People's Playhouse' series Tuesday nights on WOR uses recruit amateurs in the cast, hired one of the entries... She's Lynn Masters and is now their secretary and audition assistant.

Robert Sloan, producer of 'Wee Wee' series, of the new 'Life of Riley' series on CBS, has a volume of children's plays, 'On Rain Afternoons', which Samuel French will publish next month... Sandy Stronach directing the Dorothy Kilgallen show for Young & Rubicam... John Gibbs and Sandra Michael returned east and again at their Silvermine (Conn.) farm.

Elizabeth and James Hart have succeeded Ray Harvey as authors of 'Gold If You Find It' on CBS... Lyn Murray composing a special score for Norman Corwin's 'Radio Prime', first program in the '26 by Corwin' series... show's preem has been postponed a week and is now scheduled for May 4... 'The Cockeyed Wonder', radio farce originally presented on 'Columbia Wonder' series, a lot of fun and will be presented by Bonfils & Sommers... It's about a ball player whose vision became superhuman when he drank several 'Pink Ladies'... Innis Osborn, radio scripter who has been seriously ill for a long time at his Norwalk (Conn.) home, reported much better.

Richard Gordon and Florence Lake added to cast of 'Orphans of Divorce'... Gordon Auchincloss, director of 'Your Hit Parade', started another comeback at bowling last week... Joe Julian leaving cast of 'Big Sister'... he's regular on 'Joyce Jordan' series and periodically on 'Inner Sanctum Mysteries' and 'Buildup Drummond'... Martin Gabel, who was written out of cast of 'Bitter' when his doctor character was sent to London, not yet back in the show.

Al Heller, doing first regular sportscasting stint on FM with a five-weekly series on WJNY... he also does late-evening sports shot on WOR... Doris Krangel, whose last regular radio scripting stint was 'Sky & Radio', has come back to a light comedy 'Gullaby for Husbands', and also has a couple of radio series being submitted to NBC... NBC sent Arnold McCullure, author of 'Stella Dallas', goes to her summer place at Silvermine, Conn., early next week... Bess Flynn, who authors 'Bachelor's Children' and 'Martha Webster', bowed out of lead in latter serial... Vivian Holt replaced her in Hollywood.

SYRACUSE'S FOURTH

WAGE Begins Operation—45 Advertisers to Start With

Syracuse, April 22. WAGE, the fourth Syracuse station, hit the air last week. Operation was routine with exception of a series of salutes to new outlet by Mutual, with which unit is linked. Formal dedication program is planned for May 22, when 1,000 waiters will stage hour show from stage of Loew's State theatre, half-hour (9 to 9:30 p.m.) to be aired over Mutual webbing.

Opening of station was heralded by double truck spreads in two local Sunday sheets—biggest single promotion by any local station. Ads listed: 45 Central New York firms which have already bought time on new unit.

Station opened with following staff personnel: Tom McMahon, former WJNY, sports editor; Glenn Williams, formerly WITH, news editor; Mrs. Helen Shaffer, women's editor; Thelma Jean MacNeal, musical director; Jackie Dale, John Dekman, Robert Lawrence, Larry Lawrence and William Dunn, staff announcers; Herbert Shurr, Russell Loftus, Steven Webb, and Victor A. Hanson, sales staff; William Cheley, William Bauer, William L. Lawrence, James Felix and Lyle Conway, engineering and operating staff; Gordon Alderman, continuity.

THREE ROMAGUERAS FROM CUBA IN U.S.A.

Cincinnati, April 22. Starting Monday (21), Crosley's short-wave WLWO upped its foreign language programs by inaugurating an all-Spanish stretch from 1 p.m. to midnight, save for the 11 to 11:15 p.m. trip of news by Peter Geronzi in English, caught off Crosley's 50,000-watt WLW.

Programs in the all-Spanish 11-hour run are of the general variety. News-casts are carried every hour on the quarter-hour mark, carrying five minutes up to 7:15 p.m. and 15 minutes thereafter.

WLWO's Spanish newscasters are Jaime Canel and Oscar H. Romaguera. Latter is a brother of Buck Romaguera, who broadcasts sports in English on NBC and also does a news shot in Spanish on that web's short-wave.

The Romagueras hail from Havana, where they did newspaper and radio work before coming over to the states. Another brother, Alfredo Romaguera, has been signed by WLWO and is to report here May 1.

F. W. Meyer Gets Going

Denver, April 22. KMYR has its opening Sunday, April 27 at 2 p.m. with Gov. Ralph Carr and Mayor Ben Stapleton scheduled to dedicate the mikes. At that time the station will be on the air for several days, for testing and other purposes, but Sunday was selected as most advantageous for formal inauguration and party. F. W. Meyer, owner, will speak briefly and staff will be introduced.

On the inauguration program the 16-piece KMYR orchestra, directed by Milton Shrednik, will appear, as will the Ruth Skelly Best string ensemble and vocalists Janet Noble and Helen Unfug. The station has signed with both ASCAP and BMI, and will be on the 1340 wave length.

Quarter hour rates start at \$22.

Night Boost for KOL

Seattle, April 22. Federal Communications Commission has authorized night time increase for KOL, Seattle, to 5,000 watts. Station at present uses 1,000 for night time, 5,000 in day.

Increase will take effect in about three months with station going ahead on construction plans for new transmitter.

Added a flock of new rural friends: Her Friday night broadcasts brought torrents of sky juice—all except the

IN CHICAGO

Helen Hiett, NBC commentator just in from Gibraltar, was in town on some act, the NBC mole took a cockle spread for her... Henry Saxe was with the 'Stepmother' cast, Francis Trout back in job in either 'Scattergood Baines' after Coast trip for role of 'Pinky' in the second flicker of the 'Baines' series, former, doubling as songwriter; and has turned out several tunes for the Radio-Loew production... Shirley Sherman, formerly of the Weiss & Geller agency, moving in as secretary of WGN publicity chief Bruce Dennis, replacing Ivy Brown, who exits on a six-month leave... Virginia Clark back to mike work after long vacash... Catherine McCune now doubling on the 'Scattergood Baines' show.

How to Get Up a Gag File

Gag file of arm jokes and situations is piling up for Gracie Allen as she sent 'Brother Willie' into the cantonments... Gracie recently lettered to every camp in the country. What started as a promotional stunt for Burns and Allen while doing air duty for Hormel has developed into a valuable cache of material, mostly usable and all timely. Letters signed by Gracie's mythical 'Brother Willie' are addressed to 'Dear Soldier'.

Gag about 'Willie' come in by the thousands every week from camp comedians. Gracie will keep up the weekly letter as long as the boys are in camp and it's certain that when B & A go back on the air in the fall, 'Brother Willie' will be a prominent member of the act, in absentia.

Hollywood, April 22. Gracie Allen, who is currently in the cantonments, is piling up a file of arm jokes and situations... Gracie recently lettered to every camp in the country. What started as a promotional stunt for Burns and Allen while doing air duty for Hormel has developed into a valuable cache of material, mostly usable and all timely. Letters signed by Gracie's mythical 'Brother Willie' are addressed to 'Dear Soldier'.

LOADED AFTER 10 P.M.

KSTP, Minneapolis, Extends Commercial into Late Evening

Minneapolis, April 22. KSTP commercially laden after 10 p.m. and sees it as demonstrating to advertisers that in these hinterlands they don't take in the side walks at an early curfew hour. With the sale of a new six-nights-a-week show to the Gruen Watch Co. at 11 p.m., KSTP believes it has unique record for Saturday time beyond that customary deadline hour.

Starting at 10 p.m., KSTP has a Phillips Petroleum for Monday through Saturday 15-minute newscast; Minnesota Milk Foundation is on the line for a 10:15 to 10:30 p.m. musical show with Amanda Show Monday through Friday, and Twin City De So Dealers follow with a Sports Oddities show from 10:30 to 10:55 p.m., also Monday through Friday.

The Saturday night 10:15 to 10:45 p.m. time is sponsored by Brown & Williamson for Avalon Cigarettes. Show is the weekly 'Sunset Valley Barn Dance'.

Fulton Lewis Tours Plants For Manufacturers Assn.

Fulton Lewis, Jr., Mutual's Washington correspondent, will do a series on national defense at 10:45 Thursday nights, starting May 1. He'll originate the programs from various defense plants, starting with the Chrysler tank plant at Detroit. Series will be in co-operation between Mutual and the National Assn. of Manufacturers. Lewis will also continue his regular five-weekly series at 7 p.m.

Merrill E. Compton, research writer of the N.A.M. will do the advance work for the new programs, operated by Frank Faulkner, chief Reporter. Another series on the same subject 'Defense for America,' is heard in co-operation with the N.A.M., is heard over NBC red (WEAF) Sunday nights. Laurence Hammond writes and produces it.

WPAT, Paterson, Opening

Paterson, N. J., April 22. On May 3, station WPAT will open. It's a 1,000-watt operation on the 930 band. It is owned and operated by Frank Faulkner, chief engineer of WBBM-Columbia, Chicago, Rex Scheppe, sales manager of WIRE, Indianapolis and James Cosman, who is president of the WPAT outfit.

Station was planned and applied to when Scheppe was member of the WBBM sales staff.

Milt Kaye to Paterson Milton Bernard Kaye, who originated the week-to-week 'Recorded' series on WHN, New York, leaves the staff this week to become program director of WPAT, new station at Paterson, N. J., slated to start operation May 3. Besides handling the 'Music to Read By' series, he has been in charge of recorded programming at WHN.

Before joining the Loew station five years ago, he had a photographic studio, and previous to that was a concert pianist.

Her Friday night broadcasts brought last one.

WMCA DOTS SCHEDULE WITH MUSIC PERIODS

WMCA, New York, has completely revamped its schedule of musical shows in the past month. In that period the station has dropped approximately 20 records, shows and added 20 live music programs. Hand handled by its 11-piece studio band, Joe Rines is now musical director of the outlet and from a basic combination of four sax, two trumpets, one trombone, bass, piano, drums, violin, he has developed various combinations of instruments to interpret everything from live to classical music. Much of the work he uses is stuff that he himself has written in the past.

New programs are: 'Familiar Waltzes'—Mon., 8:30-9 p.m. (classical) old melodies through without a halt).

'Open House'—Mon-Fri., 4:30-5 p.m. (swing show, guests).

'String Concert'—M-W-F., 6:45-7 p.m. (classical).

'Curts and Colby'—Tues-Thurs., 6:45-7 p.m. (piano duets).

Stuart Allen (former vocalist with Gracie Humber) and small string quartet, M-W-F., 7:30-8:45 p.m. Irish music with Louise Agnes, vocalist, Tues-Thurs., 7:30-7:45 p.m.

'Memory Lane'—Fri., 8:30-9 p.m. (a familiar fox-trots in medley form).

'Tintypes'—Tues., 8:30-8:45 p.m. (old tunes of Gay 80's era, never published).

'Carriage Trade Supper Club'—Tues., 9-9:30 (aimed at society level).

More Clever Kids

Seattle, April 22. First network show to originate in Seattle will air Sunday, April 27, from KJR and weekly thereafter for four weeks before moving to Hollywood. Show is 'Kids of the Week' half-hour broadcast in which the kids are allowed to have their own subject matter. The show will go out over Pacific Blue of NBC. Denis Sederholm is moderator of show and has worked on origination and production. Chief idea is to let kids speak their own thoughts without studio audience, excitement or pressure. Two age groups will be used—from 10 to 12 and from 12 to 14; three girls and three boys. Show is bankrolled by Lime Cola Co.

Neis Peddle a Pair

Hollywood, April 22. Both NBC and Columbia signed up sponsors for studio-built shows last week. CBS contract with Yeast Foam puts Frank Gragham's 'Nightcap Yarns' on KNX nightly in quarter hour gaps.

Time Cola bought NBC's variation of the 'Kids of the Week' for the cable network. New twist has the moppets in the audience tossing questions at an adult panel of experts.

TED NICHOLAS WITH WIRE

Former Manager of Orrin Tucker Orchestra Now with Station

Indianapolis, April 22. Ted Nicholas, former manager of Orrin Tucker arch, has accepted the post of commercial manager at WIRE, local NBC outlet. Nicholas left the Tucker band in January and opened his own advertising agency here. After a week he was offered the position in radio and accepted.

Nicholas was manager of the vaudeville Lyric for six years, and has been active after leaving theatres in the capacity of manager and publicity representative.

San Luis Obispo, Cal.—Myron Lane until recently operator of a wax studio in Hollywood, has joined the nouncing staff of local station KVBC.

IN HOLLYWOOD

John Barrymore's trouping instinct finally failed him last week and forced him to miss his last Seattle broadcast since joining up with Rudy Vallee as a regular. Flus, too many of them, pinned him down and his script was tossed to Orson Welles... Edward Everett Horton waxed an half hour comedy program for NBC sales crew... Don Lee's new WEXAO studio overlooking Hollywood from the highest hilltop gave out with its first live studio program after months of inactivity during construction of the plant... Three local bands tag on to the Fifth Bandwagon next month. Skinnay Ennis leads off May 11, followed by Freddie Martin and Phil Harris... Robert Ardner, KFWB-KFOX commentator, did three lectures at Elmer theatre to help raise funds for British and Greek War relief... Haven MacQuarrie stopped off enroute from Kansas City to San Lake to visit with his family... Bill Bacher, another over-the-bus driver, back to Chicago after an Arizona ranch fiesta... O. B. Hanson looked in on the NBC plant before returning east after checking up on the chain's new studio in Flies... John Christ of the J. Walter Thompson radio staff to San Antonio to help Ed Cashman set up facilities at Randolph Field for the Kay Kyster broadcast... Fox Case took a half dozen announcers and crew of technicians to Cal Tech in Pasadena to give CBS dialers a look into what's going on in the way of new gimmicks for national defense... It's the farmers who like rain then Kate Smith must have

Inside Stuff—Radio

Edwin Hartich did a 15-minute NBC transpicade (19) which was announced as the first "uncensored" air report after a survey of the situation in the Netherlands East Indies, Singapore, the Malayan Peninsula and French Indo-China. Hartich, remembered for his broadcast on CBS from the low countries and from Berlin as well as from other European spots last year, gave a clear picture of the troubled South Pacific area. He covered the ground on this trip via plane with his wife. Hartich stated that when he landed on the field at Java, he and Mrs. Hartich were arrested and held for 48 hours. Netherlands East Indies officials have a healthy suspicion of all foreigners, due to known Fifth Column activities by the Germans and Japs. Hartich's arrest made, although he bore a personal letter from the Dutch minister in Washington, was due to the fact he had an old German visa among his papers and had done radio reporting from Berlin within the past six months.

Jane Crusingberry, author of the Procter & Gamble serial, "Story of Mary Marlin," will take a vacation again this summer and is looking for a substitute scripter to take over while she's away. Show is produced out of Chicago, with Joseph Ainsley directing for the Compton agency, but shifts July 1 to Benton & Bowles. It moves next Monday (28) from 3 p.m. on NBC red (WEAF) to 11 a.m. on the same network, with a repeat at 5 p.m. on CBS. Ivory snow is the product.

Marlin is the program which first brought Sandra Michael to P. & G. attention when she was substitute scripter two summers ago. Since then P. & G. has sponsored her "Against the Storm" and "Lone Journey."

Lisa Sergio, commentator on WQXR, New York, was one of six people allegedly named by John Arena, murdered Italian prodigal of Chicago, as being slated for assassination by U. S. Fascists. That was revealed in a newspaper story relating that Arena made the statement in an interview several weeks before his death.

When she was informed of the story, Miss Sergio called it to the attention of police in New York, and, like her sister lives, but otherwise took the matter philosophically. She was once a member of the Fascist party in Italy. Miss Sergio has increasingly praised the U. S. and democratic ideals generally and has frequently criticized the Fascist and Nazi philosophies and policies.

American Can Co. is marking time in so far as its commercials on "The Amazing Mr. Smith" series (Mutual) are concerned because of the metal priorities situation. The show and time had been bought to plug the company's kingly brand but since then the question has come up as to whether beer cans would be considered essential by the OPA's priorities board. So far the only commercial reference on the show has been the introductory, "The American Can Co. presents..."

The indications are that the series will be used to plug the food container end of the business.

Sense of loyalty to their sponsor (Johnson wax) for giving them the big break and playing along with them for six years prompted the Jim Jordans and Don Quinn to reject the overture of Young & Rubicam's Chet LaRoche to swing over to Lever Bros. (Swan soap) when they run out their string with Johnson next April. Although the coin offered is said to be almost twice what they're now receiving, the Jordans and Quinn gave it a polite turn-down. Understood Quinn, who scripts the "Fibber McGee and Molly" program, is a partner in the enterprise.

Colgate's Spotlight, summer replacement for Ask-I-Basket on CBS Thursday nights (Ted Bates agency), finally overcame a little unwritten rule: around CBS set down by Major Bowes' amateur program that no similar talent can go on the same network. Colgate's Spotlight, however, is supposed to focus on new and talent alike, at a flat \$50 per shot but the winner will receive an extra \$200, and the five top winners appearing on one grand slam show every six weeks. Jack Runyon, Bates' radio producer, handles the show.

It may have been due to the vagaries induced by spring or to sheer innocence about the business, but a couple of station reps last week got a call from an agency seeking guaranteed evening chairbacks on Class A stations for an announcement campaign which would start in October. It was one of the smaller agencies and after quick enlightenment as to cost it decided to lay off the quest until at least late August.

The product was a coughdrop.

"Vox Pop" will be at the Newspaper Publishers Association convention in New York April 25 to quiz over CBS King Features Service writers, including General Hugh Johnson, Beatrice Fairfax, Tex Robb and Bugs Baer. Prior to first New York scene of "The Great American Broadcast" last week, "Vox Pop" put on Lowell Thomas, Graham McNamee, Guy Lombardo, Adelaide Hawley, Howard Barlow and Joan Edwards, all of radio.

Any British Broadcasting Corp. clamdowner on certain prominent show his personalities because of their political leanings (Pacifist or Leftist) was nixed by the Prime Minister. Speaking in Parliament, Winston Churchill stated at question time it was not part of British policy to levy discrimination on Ban would be lifted. He turned into a laugh what had the earmarks of becoming something stably disturbing.

Bandit slain by a deputy sheriff last Wednesday (18) in an attempted hold-up of the North Prairie office of the State Bank of Genesee Depot, Wis., was later identified as the farmhand who for the last eight months had been working under the name of Henry Roger Williams on the Waukesha county estate of William J. Benning, musical director of WTMJ, Milwaukee.

Riso (Lever Bros.) is considering a serial based on "Mr. and Mrs. North" as a summer replacement for "Big Town" (CBS). The question of renewing Edward G. Robinson for the coming fall won't come up until June.

Rutheff & Ryan is the agency.

Dorsey Richardson, director of Columbia Broadcasting System, acquired 10 shares of the web's Class A common during February, the Securities & Exchange Commission reported last week. These are all he owns.

Jack Alex Will Manage WLEX, N. C., Newcomer

Charles E. N. C., April 22. Lexington Broadcasting Corp. has filed formal application with the Federal Communications Commission at Washington for a license to operate a full-time broadcasting station there. Jack Alex, who for more than two years past has been the Lexington manager for station WMPR of High Point at Lexington, will be manager of WLEX, as the proposed new station has been designated, if the FCC permit is issued.

The corporation has applied for a permit to use 250 watts power. A wavelength of 1390 kilocycles is being sought.

Don't Forget St. Paul

Minneapolis, April 22. In order to appease St. Paul, which has been squawking because of alleged station neglect, WCCO now has a 45-minute variety show "Saturday Morning Open House" from the Hotel Lowry studio there. The 500 tickets for the initial broadcast were gobbled up days ahead and many people were turned away.

Station's gesture has brought the show extra cooperation from the St. Paul Dispatch-Pioneer Press which helped build a live audience for the broadcast and upped the St. Paul listening audience.

McDONALD'S WELFARE

It's Reported a Factor in Clark Griffith's Price Slice

Washington, April 22. Anxiety of Clark Griffith, owner of the Washington baseball team, to maintain a mite job for Arch McDonald, is credited with Griffith's last-minute decision to reduce his price for the season's broadcast rights from \$15,000 to \$8,500. The statement, which threatened to keep the Washington team's games off the air in July, finally seemed to end in time for the broadcasting of the opening game (14). WMLA did pick up part of the second game at Boston and the regular broadcasts began Wednesday (16).

General Mills and L. P. Stewart, auto dealer, co-sponsoring the Washington games. For a while only the later innings will be broadcast every day except Sunday because of prior matinee time commitments.

U. S. Radio Drive

(Continued from page 1)

be useful in contacting the immigrant groups. Some 22 of the 27 foreign tongues spoken in the United States will be used in recording one-minute announcements.

The Treasury has no actual dollar quotas on bond sales, but is especially anxious to achieve the widest possible distribution of the bonds through the populace. Hence the emphasis upon radio. Government does not want bonds gobbled up only by the banking and well-to-do classes. Its theory is that the national defense burden and the problem of a post-bellum slump will be best eased by a spread. In other words, the Treasury, through radio, is going after people as well as dollars.

Campaign Tees Off May 1

At the moment, the Treasury radio department, under Victor Callahan, recently named as WBCB, Boston, is ready to launch its campaign on May 1. Preliminary steps of the campaign has the Treasury supplying prepared scripts for:

An interview by local stations with local mayors the day before the campaign opens, and with local postmasters the day it starts.

A series of red-white-and-blue Calhoun announcements to run at station convenience. Some 554 stations have stated they will cooperate.

Two five-minute transcribed interviews on the defense standard and bonds will be provided weekly.

Television Roundtable

Meantime, NBC will have a television roundtable by six news commentators who will discuss the bonds, and some 14 different network broadcast stations. The Treasury has requested and over 30 sponsors have answered favorably that allusions, even gags, about the bonds be slipped into the big sponsored entertainments as or when opportunities arise.

Announcements between innings at baseball games are among the games the Treasury will request in the sports field.

Calhoun's aide, Charles J. Gilchrist, is leaving Sunday for Hollywood to line up film personalities for radio transcriptions. This is separate from various intra-cinema activities for the defense bonds being launched by Howard Dietz, of Metro.

No Ad Budget As Yet

At the present time the Treasury is without funds for advertising, but it is possible appropriations will be voted hereafter by Congress. In such event radio will share in the total amount to be spent. In anticipation of this possibility the several networks have been invited to prepare radio sale presentations. Meantime it's all strictly sustaining in the name of patriotic effort.

Treasury radio department now includes Frank King, Jerry Holland, Edwin Sullivan and George Spriggs, another ex-Bostonian from WBZ. As a special courtesy to Uncle Sam by the Marschalk & Pratt advertising agency, the preliminary batch of red-white-and-blue announcements was written by an ad agency writer, Bill Freeman, without cost. This gives them, it is reported, professional zinginess and sellability that is ordinarily absent from radio spots.

Treasury was in conference last week at Washington with Gleen Bannerman, president of the Central Association of Broadcasters, who gave it the benefit of Canada's recent experience in "selling similar" bonds to its citizens via radio.

Payroll Traffic

Baltimore—Armond Grant is the latest addition to WBAL's sales staff. He comes from the department store field.

St. Louis—Jack Norwine, newcomer to radio, now gabber at WTMV, East St. Louis.

Toledo, O.—Harold Marsh, former maintenance superintendent of WSPD, Toledo, has been assigned to KJAL, Toledo, as a radio corps at Fort Monmouth, N. J.

Charleston, W. Va.—Dave Fulton, formerly of WPIC, Sharon, Pa., has joined the staff of WCHS, Charleston, W. Va., as announcer.

Schenectady—Charles Warren, announcer at WGY, has sports events assignment at WGRB, Louisville, Ky.

Waterbury, N. Y.—Robert Mowers from WGY now an announcer at WNYW, New Tommy Martin is manager of WNYW.

Salisbury, N. C.—WSTP has added announcer Eddie Carlos and Woody Leaf. The additions were made following the recent resignation of Bob Van Camp, program director, and promotion of George Brantley to that position.

In addition to announcing, Carlos will present programs of American and Mexican songs to his own accompaniment on the guitar. He was formerly with XERA, Mexican border station.

Des Moines—Dan Hoerner, of the production staff of WLS, Chicago, is joining the news and production department of KSO-KRNT.

Pittsburgh—Bob Merryman has resigned his announcer's berth at KGO and become program director for station WIBC in Indianapolis. He's being replaced by Johnny Boyer, who moves over from KQ7.

Lloyd Chapman, member head of sound effects department at KDKA, succeeding Johnny Shilano, recently upped to a spot in Westinghouse's radio engineering department.

Portland, Ore.—Bob Sisk, KOIN-KALE, home in Los Angeles this week preparatory to entering army service. (Not to be confused with Sisk, Ill., replaced Esther Wiley at WEEI.)

Frank Hemmaway, formerly of KWJH, here, joined KOIN-KALE as announcer. He's former actor, having appeared on the New York legit and in vaudeville.

Boston—Grace L. Erickson of Wintika, Ill., replaced Esther Wiley at WEEI.

Madison, Wis.—William E. Walker, for 10 years business manager and sports announcer of station WIBA here, will depart May 1 to join W. E. Weger advertising agency and supervise stations WSAU, Wausau, and WMAM, Marinette, Wis.

Akron—Marcia DeLoe's "Betty Bargain" program, on WJW for five years, has switched to WAKR, with Gretchen Neldinger, of copy department, taking over the WJW spot with "Gretchen's Gumbo." Other changes in local ether setup include: Bob Bowles and Rae Cardie have left business staff of WLW, while Bill Egan has left WAKR. Jerry Zahrt has become WAKR's hostess, replacing Jack Egan, who has moved into commercial office. Russ Wisse, formerly of WTAM, Cleveland, now announcer at WAKR, and Gordon Smith, at the local station, has gone to WHK, Cleveland. Dave Fulton, formerly WJW announcer, has joined staff at WCHS, Charleston, W. Va.

Salt Lake City—KDYL has named Ed Stoker as their new musical director, replacing by Woodbury. Was assistant musical director of the station for the last three years.

New Haven—Jerry Lewis, former legit actor to WELI as assistant news editor.

Dallas—Jerry Doggett of KFRO, Longview, has joined municipal station, WRR, as head of sports department.

Marshall, Texas.—Dick Martin, announcer at KGNC here, has joined Daily Oklahoman as aviation editor. Jack Sifton succeeded him. Dorothy Hopper Holbrook has re-

joined the continuity staff of station after absence of six months.

San Antonio—Fred Hammond is at KONO as engineer and announcer, replacing Herbie Hartman.

El Paso, Texas.—Lucyba Van Dyke writer, and narrates new KROD script. She's from KJWB, Globe, Arizona.

Fort Worth—Ernest Mobley is addition to Texas State Network announcing staff. Comes from station KNUC, Vernon, Texas, where he was manager.

J. D. McCall terminated eight years with KGKO-WBAP to report to Uncle Sam. He will be an ensign of Naval Reserve.

Denver—T. C. McClelland, chief continuity KCLZ since 1935, called to Annapolis as a reserve ensign. Virgil Reames of the sales staff, reserve captain, joined the 40th field artillery and will be stationed at Camp Carson, Simon.

Elmer Fodren, KGGM, Albuquerque, is now KLLZ promotion manager.

Milwaukee.—Don Withr, from WOMT, Manitowish, and WIBA, Madison, become member of staff of WTMJ.

Kansas City—Lillian Faust of the continuity staff, since 1935, called to KCKN, Kansas City, leaves to take a position with KRIC, Beaumont, Texas.

Colorado Springs—Zelle Wade, formerly publicity director of the local chamber of commerce, has joined the staff of KFOR as program and publicity director. James Lantz, formerly with KSAL, Salina, Kan., has joined the program director from WBB, Kansas City, Calvin Frederick, KICA, Clovis, N. M., and Robin Davis, KCKN, Kansas City, are newcomers along with Blanche Fife, formerly advertising writer for the MFA Milling Co., Springfield.

Savannah—Jerry Burns, formerly sports broadcaster for WGN and WJZZ, Chicago, has joined the staff of WSAV, local NBC outlet, where he'll handle the play-by-play counts of the Savannah Indians games for Atlantic Refining and do various other announcing and production assignments.

New York City—Carroll Bagley, formerly assistant to the sales manager of Duysen color camera, has joined the staff of WJZZ, New York. Fairlie Myers, of Savannah, joined the continuity staff which now includes Raymond Sweeney, director; Irwin Naitove and Edwin Weisman.

New York City—Bernard J. Puid, engineer at WQXR, New York, and a reserve communications naval officer, was called Monday (21) far overseas. After four months' special training at Annapolis, he will be assigned as senior communications officer of one of the larger battle-ships.

Philip Keith Palmer joined WQXR announcing staff, filling the vacancy left by William D. Strauss, now serving with the army at Ft. Jackson, S. C.

William Crawford, formerly a copywriter for J. Walter Thompson agency, has joined the promotion department of WJZZ, New York. Fred Robinson, from CFCE, Montreal, has joined WOR. He replaces Sid Walton, who resigned to do free-lance announcing.

Herrin, Ill.—Edgar C. Deffenbaugh, former program director of WSOY, Decatur, Ill., has joined the staff of WJFF here as production manager. Ray Moss and Gene Gosh are recent addition to the WJFF sales staff.

Fargo, N. D.—B. J. Greene, formerly of WJVC, Valley City, has joined the staff of WDAY, local NBC outlet, succeeding Paul Schlatter, of the engineering department. Schlatter left to join the staff of WCHS, Charleston, S. C. Fred Mendelhall, formerly of KFJX, Grand Junction, Colo., is also a newcomer to the WDAY engineering department. Keith M. Mitty, who has been with WDAY, will take the vacation shift in the WDAY engineering staff. Roy Pederson, of North Dakota State college, is an announcer at WDAY, and is also active in the station's talent bureau.

Bands at Hotel B. O.

(Presented herewith, 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	Total
Clyde Lucas	Biltmore (300; \$1-\$1.50)	3	775
Xavier Cugat	Waldorf (375; \$1-\$1.50)	1	1,725
Ray Kinney	Lexington (300; 75c-\$1.50)	1	1,175
Guy Lombardo	Roosevelt (500; \$1-\$1.50)	27	14,850
Jimmy Dorsey	Pennsylvania (500; 75c-\$1.50)	12	2,425

* Asterisks indicate a supporting floor show, although the band is the major draw.

† Seven days, including Saturday (12) opening.

‡ Nine days from Kinney's April 10 opening.

James, \$24,000 in Det., King, 20G In Omaha, Big in Bandfilmmers, But Clyde McCoy Light \$17,500 in N.Y.

Jimmy Dorsey, New York—(Strand; 35-55-75-85-99). With 'Great Lie' (WB) on screen (2d week). Combined draught of the radio, movie and the Dorsey orchestra means a stout current (2d) week of take \$35,000, following a first over Easter that hit big \$47,000. Holds third stanza.

Shep Fields, Chicago—(State-Lake; 2,700; 25-45). With vaude and 'Caravan' (Par) on screen. Brilliant \$19,000 forecast. Fields' output is top in the stage line-up, and is providing the real boxoffice backbone.

Benny Goodman, New York (Paramount; 35-55-85-99). With 'Road to Zanzibar' (Par) on screen, plus Copacabana Revue and other acts (3d week). Very potent coin-getter, set one week ending last night (\$75.) being sold \$56,000. First was \$48,500, second best week for house in over five years of the pithead policy. Has been pencilled in for three weeks, while Harris has signed for two weeks only. Initial seven days look like \$30,000, terrific.

Phil Harris, Los Angeles—(Paramount; 3,595; 30-45-55-75). With 'Road to Zanzibar' (Par) on screen. Film, which is a walloping boxoffice item, has been pencilled in for three weeks, while Harris has signed for two weeks only. Initial seven days look like \$30,000, terrific.

Harry James, Detroit—(Michigan; 4,000; 30-40-55). With Eddie Bracken and Kitty Carlisle on stage, and 'Reaching for the Sun' (Par) on screen. Big \$24,000 for the combo. Film is being run under its original title, 'F.O.B. Detroit', and the stage show includes Eddie Bracken in the pic. Bill shows strength in every direction.

Wayne King, Omaha—(Orpheum; 3,000; 10-40-55). With 'Tupper Reunion' (UA) on screen. King and his revue are opening their road tour at this spot and the unveiling looks like \$20,000, immense. May get as high as Sammy Kaye's record at this spot, which was \$22,000. Film is a normal grosser.

Abe Lyman, Philadelphia—(Earle; 2,350; 35-45-60-75-85). With 'Girl, Guy, Goo' (RKO) on screen. Tally will be about \$18,000, barely par for the house. Warm weather is doing the Philly grosses no good.

Clyde McCoy, New York—(State; 28-35-75-90-\$1.10). With 'Lady Eve' (Par) as the picture, plus vaude and including Denny Murphy, Sims and Bailey. Biz quite light at only \$17,500, but probably due largely to fact 'Eve' was milked at the first-run Par recently, going three weeks there to heavy takings.

Ted Weems, Cincinnati—(Shubert; 2,150; 33-44-60). With 'Melody for Me' (RKO) on screen. Reaching for \$11,000, best gross here for the past four weeks. Weems entirely responsible.

Benny Goodman Season For O.G. May End May 5

Benny Goodman will likely do his last Old Guard broadcast on WJZ. Benny's contract with the radio for the current season May 5. Goodman's contract with the radio for the current season May 5. Goodman's contract with the radio for the current season May 5.

Band Bookings

Van Alexander, May 9, Williams College, Williamstown, Mass.

Billy Beer-Eddie Howard, April 28, Orpheum theatre, Springfield, Ill.; 27, Palace theatre, Peoria; 29-30, Coronado theatre, Rockford, Ill.; May 1, Palace theatre, South Bend, Ind.; 4, Rialto theatre, Joliet, Ill.

Bill Baro, April 28, Cherokee C.C. Knoxville, Tenn.; 28, Athletic Club, Columbus, Ohio.

Ralph Barlow, May 18, Forest Park Highlands.

Count Basie, July 29, week, Surf Beach Club, Virginia Beach.

Henry Busse, July 1, week, Surf Beach Club, Virginia Beach.

Bobby Byrne, April 25, Miami U., Oxford, O.; 26, Trianon B., Cleveland; 27, Myers Lake Park, Canton, O.; May 1, Trianon B., Toledo; 2, GM Aud., Detroit; 3, Masonic Temple, Detroit.

Cal Calloway, April 23, Electric Park, Waterloo, Ia.; 26, Carlson, College, Northfield, Minn.; 27, Arkola B., Sioux Falls, S. D.; May 3, Frog Hop B., St. Joseph, Mo.

Del Casino, April 25, Hotel Nicollet Minneapolis.

Larry Clinton, May 2, Temple U., Philadelphia; 3, Bellevue-Stratford hotel, Philadelphia.

Sonny Dunham, May 9, four weeks Roseland B., New York.

Ella Fitzgerald, May 1, Central Warehouse, Kingston, N. C.; 2, Jax Aud., Fayetteville, N. C.; 3, Aud., Rocky Mount, N. C.; 4, Aud., Valdosta, Ga.; 5, Palmetto Park, Aud., Jacksonville, Fla.; 6, Aud., Jacksonville, Fla.; 7, Aud., Waycross, Ga.; 8, Aud., Albany, Ga.; 9, Aud., Macon, Ga.; 13, Aud., Savannah, Ga.; 14, Grant's Park, Charleston, S. C.

Erskine Hawkins, April 25, four weeks, Savoy Ballroom, New York City.

Woody Herman, April 24, Pla-Mor B., Kansas City; 25-26, Stevens College, Columbia, Mo.; 27, Meadow Acres, Topeka, Kan.; 28, U. of Arkansas, Fayetteville; 29, Shrine Mosque, Springfield, Mo.; 30, Turnpike Casino, Lincoln, Neb.; May 1, Surf B., Clear Lake, Calif.

Earl Hines, May 20-21, Grand theatre, Canton, O.

Inskip, May 1, Armyory Jackson, Tenn.; 2, Beale U., Memphis; 4, Indiana Road, Indianapolis; 5, Paramount theatre, Hamilton, Ill.; 6, Palace theatre, Marion, O.; 7, Armyory, Columbus; 8, Sunset Terrace, Indianapolis; 9, Regal theatre, Chicago; 16, Virginia theatre, Champaign, Ill.; 17, Miramar B., Gary, Ind.

Herbie Kay, April 26, two weeks, Trocadero, Henderson, Ky.

Little Jack Little, May 4, five weeks, Edgewater Beach hotel, Chicago; June 20, Muehlebach hotel, Kansas City; July 1, Tower theatre, Kansas City; July 29, Hamid's Million Dollar Pier, Atlantic City.

Johnny Long, May 16, Middlebury College Junior Prom, Middlebury, Vt.; 18, Hofbrau, Lawrence, Mass.

Vincent Lopez, May 4, Rivoli theatre, Rutherford, Ill.; 19-20, London Skating Arena, London, Ont.

Jimmy Lunceford, May 2-3, Grand theatre, Evansville, Ind.; 6, Labar Temple B., Louisville, Ky.; 7, Palais Royale, South Bend, Ind.; 9, Riverview B., Des Moines; 10, Turnpike Casino, Lincoln, Neb.; 11, Aud., Omaha; 12, Rainbow B., Denver; 13, U. of Colorado, Boulder; 14, Rainbow B., Denver; 15-17, Rainbow Randevu, Salt Lake City.

Johnny McGee, May 3, two weeks, Yankee Stadium, New York.

Red Nichols, May 2, U. of New Hampshire Junior Prom, Durham, N. H.

Teddy Powell, May 10, Old Orchard Pier, Old Orchard Beach, Me.; 14-16-17, Totem Pole B., Auburndale, Mass.

Tommy Reynolds, May 4, Hofbrau, Lawrence, Mass.; May 17, Phillips-Exeter Academy, Exeter, N. H.

Joe Rinaldi, May 3, indec., Claremont Inn, New York City.

Dick Rogers, April 27, Ritz B., Bridgeport, Conn.; 28, Ritz B., Springfield, Mass.

Charlie Spivak, April 25-26, U. of Georgia, Athens; May 2-3, Davidson College, Charlotte, N. C.; 7, Empire B., Allentown, Pa.; 8, Loyds Club, Baltimore; 8, week, Erie theatre, Washington, D. C.; 18, Cornell U., Ithaca, N. Y.

Jack Teagarden, May 23, week, Paramount theatre, Los Angeles; June 7, two weeks, Jantzen's Beach, Portland, Ore.; June 20, two weeks, Elfrick Gardens, Denver; July 4, Meadowbrook, C. C., St. Louis; July 13, week, Concordia, Cincinnati.

Jerry Wald, April 30, May 2-3, Totem Pole B., Auburndale, Mass.

Krupa's \$6,800, Prov., Herman's \$5,043, Lopez's \$3,949 Top 1-Niter Takes

Det. Brissette (Bancroft hotel, Worcester, Mass., April 16) Holy Cross undergrd. hop drew 500 couples at \$2.50 per live \$750 gross with Brissette.

Larry Clinton (Graystone B., Detroit, April 15), On an off night, Clinton's \$1,070 from 1,425 at 75c was bad.

Det. Courtney (St. Louis U., St. Louis, April 21), At \$3 per, drag or stag, Courtney pulled sock \$3,000 from 1,000 hoppers with few ducats sold outside student body.

Sam Donahue (Rosedale-State B., Boston, April 18), Donahue got disappointing 450 at 55c-44c for poor \$225 gross.

Tommy Dorsey (Arenas, New Haven, Conn., April 20), Dorsey did best biz of series to date. With vaude band grabbed healthy \$4,500 gross from 9,500 matinee and night at 45c-11.10.

Duke Ellington (Pilgrim Aud., Houston, April 16), Fair crowd of 850 greeted Ellington, 200 of whom were white listeners. Tap was 70c to 93c p.m. and 95c after.

Phil Harris (Pacific Square B., San Diego, Cal., April 10-12), Harris' draw was second only to Kay Kyser. He played to 6,702 stubholders who ponied up \$3,217 at 80c.

Erskine Hawkins (Memorial Hall, Dayton, O., April 19), Take of \$1,500 from 1,700 dancers at 85c was excellent. At Aud., Columbus (17) band was slightly below expectations, but made profit with 1,000 admissions at 85c advance, \$1 at gate for 9000 gross.

Horace Heidt (Lyric theatre, Bridgeport, Conn., April 20), Heidt got only fair \$3,000 from 6,500 viewees at 55c.

Woody Herman (Memorial Hall, Columbus, April 19), Debut of band in this territory plenty sock, turntunes clicking 2,100 times for gross of \$2,775 at 25c advance and \$1.50 gate. At Yankee Lake Park, Sharon, Pa. (16), band got okay \$1,018 at 75c advance and \$1 door from 1,215. Indiana Roof ran up good \$1,250 with 1,450 who paid 85c and \$1.10.

Sammy Kaye (Crystal Palace, Denton Harbor, Mich., April 19), Kaye pulled net 1,551 at \$1 plus tax.

George King (Lakewood Park, Dayton, April 20), King's draw of 1,000 at 50c for \$500 gross was good, all things considered.

Gene Krupa (Metropolitan theatre, Providence, R. I., April 18-20), Krupa knocked off little \$6,800 in three days despite hot weather.

Little Jack Little (Ricker Gardens, Portland, Me., April 19), Usually quick in example of outlying spots earlier than this, Little's take of \$300 was fair. Drew 500 at 55c-65c.

Vincent Lopez (Totem Pole B., Auburndale, Mass., April 18-19), Lopez proved big surprise with 2,850 footers Friday and a capacity 3,000 Saturday for total take of \$3,949 at \$1.35 a couple both nights.

Mae Morgan (Capitol College, Seaside, Calif., April 19), Morgan's 1,000 Sunday and 900 Monday for \$1,425 at 75c was slow. Tuesday (15) he got mild \$800 with from 900 at 75c-90c.

Red Nichols (Raymor B., Boston, April 14), First attempt at Monday night operation in years brought in 500 buyers at 55c-50c for net \$300 with Nichols. Tuesday-Wednesday (15-16), coupled to Beverly Twins, Nichols got 550 first night and 600 second for fair \$890. At Boston College prom at Statler hotel, Friday (18) Nichols got 350 couples at \$8.80 couple for excellent \$3,500. On Saturday band hopped to Raymor and got big 2,270 at 65c-65c for \$1,365.

Des Moines College, Des Moines, April 19), Okay \$1,600 from 450 couples at \$2.50 per. At Peony Terrace, Omaha, band got good \$1,170 from 1,800 at 65c.

Tommy Reynolds-Beverly Twins (Raymor-Playmor B., Boston, April 18), Net gross of \$1,110 pulled by pair from 1,850 dancers at 65c-55c.

At Ritz B., Springfield, Mass., April 18), Okay attendance of 600 ran up \$300 at 50c.

Charlie Spivak (Totem Pole B., Auburndale, Mass., April 16), This spot draws mainly from colleges nearby, all on vacation this week, so 450 footers at \$1.35 couple for gross of \$304 not as poor as it sounds. Jump-biz to Ritz B., Bridgeport, Sunday (20) Spivak copped terrific \$1,995 from 2,300 at 85c.

Tommy Tucker (Meyers Lake, Canton, O., April 15), Tucker took okay \$900 gross from 1,200 at 75c.

Sterling Young (Turnpike Casino, Lincoln, Neb., April 18-20), First matinee priced band to turn a profit here at 40c-55c. Take approximated \$825.

Inside Stuff—Orchestras

Most bands will go to great lengths to get into spots which give them sustaining broadcast time. Mugsy Spanier's new band is reversing that idea by going to great lengths to keep the embryo group away from a make until it is ready by having Consolidated Radio Artists, his backers, schedule the band for highway stands that don't even have local wires.

Spanier completed his first date, a two-week stand, at El Rancho, Chester, Pa., end of last week and is now at the Venetian Gardens, Altoona, Pa., for another four. It will stay away from broadcast time for at least three months.

Even though Warren Music's 'No. 10 Lullaby Lane' and Schubert Music's 'Intermezzo' are non-ASCAP, the ASCAP publishers are taking heart from the big Negro own two copyrights, that perhaps the public is starting to recognize the merits of tunes even though they are 'un-American' and are on the current best sellers. Last week Berlin, Inc., also was represented with 'San Antonio Rose' as it has been for some weeks, due to the tune being out of a Paramount 'Musical', 'Las Vegas Nights'.

Mills Bros. have shifted away from the idea of simulating instruments in accompaniment with their vocaling. Won't dispense with it entirely, retaining the style on occasion in arrangements that demanded it. Quartet cut a batch of sides at Decca last week with instrumental background for first time to supplement their vocal simulations. Used trumpet, sax, clarinet, drums, guitar.

Group opens in Chicago today (Wed.) for 13 weeks at the Capitol Club. They'll get two Mutual sustaining broadcast periods a week, the first scheduled air shots they've had in some time.

About 100 salesgirls from retail counters in various New York stores were guested by Columbia Records at a cutting session Monday (21) night. Girls got a glimpse of the mechanics of cutting by watching Horace Heidt's band get in a quartet of tunes.

They were from Macy's, Bloomingdale's, Gimbels, etc. counters.

Erskine Butterfield, now on WOR sustaining with his band, is perhaps the only Negro man doing spot radio commercials. He is waxing another series for Philadel doing two-minute transcriptions.

Transamerican placed the business via AMP recordings (Ben Selvin). Walter Bloomman manages Butterfield.

Special album soon to be released by Columbia Recording Corp. will be Gershwin's 'Rhapsody in Blue' played by Alec Templeton and Andre Kostelanetz's orchestra.

Outlook: Good

Band booking agencies are looking forward to what they think will be the biggest summer in years for bands of all types, in location and on one-nighters. Outlook is particularly good for the split and full week stands, most of last year's operations resuming and several new ones added. In fact, bookers expect a more acute shortage of major bands for one-night work than is usually the case, because of the number of parks, etc., that will have to be serviced.

Base their predictions on the unusually good spring business piled up in various sections of the country, in spots that have been drawing consistently heavy crowds with most any calibre of band. Totem Pole, Auburndale, Mass., is an example. Spot has pulled ticket sales at 3,000 admissions repeatedly. Another reason for big-business expectations is heavy defense appropriations allotted to industrial areas, where most of the big night ballrooms and parks are located.

Musicians Union Honors Ford Executive, Labeled Anti-Union, With Medal

Detroit, April 22.

Harry Bennett, personnel director of the Ford Motor Co. and prominently named as leader in the anti-union activity of the company, was presented with a gold medal here by Musicians Union, Local 5, AFL.

Musicians presented him with the medal in recognition of his assistance over the years to jobs men members of the union during the time when sound came into the picture theatres and blitzed many house orchestras. In presenting the medal, Jack Forrester, local president, praised Bennett not only for providing work for many of the musicians but in following through until their personal problems were solved.

Present for the presentation in Bennett's office also were George V. Clancy, union secretary, and Edward Werner, for many years orchestra leader at the Michigan theatre.

Entire season of bands has been set up for the Surf Beach Club, Virginia Beach, Va. General Amusement Corp. set 10 weeks and five days of the presentation in agency the remaining three weeks.

Johnny McGee opens the season, staying a fortnight, from May 30 to June 10. Woody Herman runs June 11-17. Claude Thornhill, June 18-20. Henry Busse, July 1-7; Lanf McIntire, July 8-18; Al Donahue, July 17-24; Glenn Miller, July 25-28; 27-28 is undecided, probably a local band, Count Basie, July 29-Aug. 4; Jimmy Dorsey, Aug. 5-18; Glen Gray, Aug. 19-25; Joe Venuti, Aug. 20-Sept. 1.

Virginia Beach Bookings

Entire season of bands has been set up for the Surf Beach Club, Virginia Beach, Va. General Amusement Corp. set 10 weeks and five days of the presentation in agency the remaining three weeks.

Johnny McGee opens the season, staying a fortnight, from May 30 to June 10. Woody Herman runs June 11-17. Claude Thornhill, June 18-20. Henry Busse, July 1-7; Lanf McIntire, July 8-18; Al Donahue, July 17-24; Glenn Miller, July 25-28; 27-28 is undecided, probably a local band, Count Basie, July 29-Aug. 4; Jimmy Dorsey, Aug. 5-18; Glen Gray, Aug. 19-25; Joe Venuti, Aug. 20-Sept. 1.

Court Orders Damages Paid Members 'Illegally' Punished by Local 77

Philadelphia, April 22.

In a unique decision in the Pennsylvania law annals the Pennsylvania Superior Court (Harrisburg) ordered Local 77, American Federation of Musicians to reimburse three members for wages they lost when they were dismissed from their jobs by being stricken from the union rolls. The men were ousted from the local on charges they had been working under scale but they had been found not guilty by the union's trial board. A subsequent ruling by the International Executive Board found them guilty.

The musicians involved were Leon Gordon, George W. Tipton and Alvin Schatz, who were members of the pit crew at the Carnegie. The men claimed that two years ago they were charged with chiseling on the scale, and though they were cleared by the trial board, the executive committee of the local adopted a resolution ordering them fired from the Carman band.

The plaintiffs said that 51 days after their acquittal by the trial board the local's executive board appealed to the international to reverse the decision. The international board found them guilty and ordered them to pay fines of \$100 each. In default of payment, they were bounced from the union.

A common pleas court ruled that the appeal to the international board was void because it was taken after the 30-day limit set by the A.F.M. constitution for such action. The court ordered reimbursement of the loss of salary and enjoined the union from attempting to collect the fine. This decision was upheld in yesterday's Superior Court ruling.

The union was ordered to pay Gordon and Schatz \$683 each, while Tipton was to get \$413, the difference being the amount he earned while the suit was pending.

Attorneys believe this was the first time in history that a union was ordered to make good losses to members caused by the 'illegal' action of the union officers.

In the opinion, read by Judge Chester H. Rhodes, it was declared: "No legal or social justification for the conduct of the defendants appears in the present case, and there is affirmative evidence of actual malice toward the plaintiffs by one of the individual defendants, the president of the association (Local 77) and a member of the executive committee. In his insistence on the guilt of the plaintiffs in the face of their acquittal and in his announced intention to keep them out of the theatre (Carman) if he could."

Named as defendants in the suit were A. A. Tomei, former president; A. Rex Riccardi, secretary; Joseph Bossie, treasurer, and Louis Ingber, member of the executive committee.

Roy Eldridge, Negro, Is Soloist With Gene Krupa; Used as Added Asset

Roy Eldridge, colored trumpeter who has been leading a band of his own, joined Gene Krupa's band as a soloist last week. He is at the Pennsylvania hotel, New York, with the band Monday (21) night. Eldridge will not work as a section man with Benny Goodman's band but will appear at intervals somewhat like a singer is employed.

Goodman is the only other major band regularly using colored instrumentalists. He has Charlie Christians on guitar beside Williams, and had pianist Teddy Wilson and Lionel Hampton on vibraphon with him for several years. He has also had Hampton now lead their own bands.

Scat Davis Scrams West

Kansas City, April 22.
Following his time in the Tower theatre here, week of April 25 Johnny 'Scat' Davis and his crew will work toward the West Coast where leader and band will begin work on a two picture commitment in Columbia.

Work on the Coast will wait while the orch takes time out to open the summer season at Elitch's Gardens in Denver early in May.

Katzman Quits WINS;

Henry Sylvern Succeeds

Louis Katzman, musical director of WINS, New York, has resigned effective Sunday (27). He will devote full time to his duties as research director and arranger for BMI.

Henry Sylvern, staff organist, succeeds to the WINS musical director post. He plans several replacements in the house orchestra and revising its arrangement by forming supplementary small groups for special kinds of music. Crew now consists of nine men, but will be nearly doubled in size when the station goes to 50,000 watts power.

Court Victory For Union Over Muzak

Cleveland, April 22.
Cleveland Musicians' local's court fight to limit the scope of Muzak wired recording service in local hotels and nighteries, the grounds that it displaced a number of musicians, scored last Saturday (19) against the Ohio Music Corp. Distributors of Muzak here lost out in the precedent-setting case when Judge Adrian C. Newcomb threw out their petition for an injunction restraining the union from picketing or otherwise interfering with dance place using the canned music.

James Connell attorney, represented the union in proving that the service had caused five establishments to drop musicians. They were the Cleveland Athletic Club, Frolics Cafe, Herman Pichner's Hofbrau, and the restaurant and the Bolton Square hotel, which previously had concert trios or pianos or small ensembles.

Russell L. Sagner, local manager for Ohio Music Corp., filed suit for an injunction in early January when Lee Repp, union prez, threatened to pull his men out of four other dance spots if they continued to use Muzak. Distributors also were put on its 'unfair list.'

Boostered with a victory, the national musicians' union is expected to use this test case as a lever to combat competition from Muzak distributors all over the country. It appears likely to crystallize in a demand that future union contracts will include a guarantee that wired transcription will be barred from amusement places employing union members. Such a possibility 'is being explored,' according to Repp.

Sagner declined to say after the court proceedings whether he would appeal the case to a higher court.

BARNET SEES LIGHT

Paying Off \$17,500 to Consolidated—
Fights Out of Red

Charlie Barnet band will climb out of the major portion of the red ink it has been wallowing in after its current date at the Windsor theatre, New York. Barnet figures to make a final payment of \$14,500 to Consolidated Radio Artists, which will wash up the \$17,500 he's paying in installments to be released from a CRA contract. Leader paid \$5,000 down and rest in small lumps. CRA and Barnet parted last fall after a long drawn out battle during which he temporarily lost his American Federation of Musicians membership.

Fire at the Palomar Ballroom, Los Angeles, in 1939, which burned Barnet out of instruments and library, cost him about \$7,000, all of which is clear along with the \$15,000 or so lost originally to get the band rolling. Band, the original hard luck outfit, now has only about \$1,200 in small obligations remaining to be wiped out. It is booked almost solidly for the summer.

DRAFT CLOSES CAFE

Owners Into Army—Several Leaders Turn Over Their Batons

Cleveland, April 22.
Conscription boards have kidnapped three local bandmasters, closed one nitery by drafting both of its owners into the army and a re-organizing several orchestras 'by their intrusion into musical stuffs.' Fred Keating is disbanding his outfit when he reports for induction May 10. Hal Lynn's crew going on under his name although leader exchanged baton for a rifle two weeks ago. Eddy Pepper, who started his army stretch, turned over his outfit to Eddie Sweet, his business manager.

Six year partnership of Jack Rogoff and Ed Helstein, whose Jack & Eddy's Club was one of town's liveliest night spots, was broken up when both were simultaneously conscripted. Owners are selling out bag-and-baggage, since place was built up around their Hallazapoppin-like personalities.

Lang Thompson's orchestra, booked into Hotel Cleveland's Bronze Room for 10 weeks, is losing saxophonist John Murphy and Oliver Suderman, trumpet and trombone man, to the army in the next week. Lee Allen returned to Southern Tavern from Hotel Commodore Perry in Poland last week to direct the Detroit Nick Goli, trumpeteer, and Lester Stark, sax, who are being replaced by Jimmy Vajli and Bill DuVal.

NO DISC PRICE BOOST NOW FORESEEN

Even though costs of raw materials are going up steadily the phonograph record companies have no intention of raising the prices on any of their labels. Questioning of exes in the three major disc firms has elicited the information that the prices on shellac and packing goods have been zooming but they all were of the opinion that these trends did not presage a hike in disc prices, at least in the immediate future. They figured that since the overall cost of the business hasn't been appreciably affected they will have to learn to make the materials do more for them.

The item in disc manufacture which has undergone the biggest increase in cost is shellac. Before the war a fine grade of the product sold for 10c a pound and now the same quality calls for a pound. Shellac is imported from India and the buyers on this side have been feeling the price nudge as the Nazis' all-out war on merchant shipping has spread.

802 Pays \$1,500 'Strike Benefits'

Byrne Orchestra Consolated for Loss of N. Y. Hotel Date Due to 'Spotlighters' Aid

Local 802 of the American Federation of Musicians is paying Bobby Byrne's orchestra a two-week total of \$1,500 out of its Strike Benefit Fund because of the band's enforced layoff by the strike at the New Yorker Hotel, New York. No. 802 backed the International Alliance of Theatrical Stage Employees, which seeks to place its men behind the hotel's spotlights, and barred Byrne from a scheduled April 11 opening. Hotel dropped its band policy, shattering at 10 p.m.

Local is paying Byrne and his 14 men \$50 apiece each week because General Amusement Corp., band's booker was unable to set up a schedule of work on such a short notice and the band was forced to lay off. Its first date since is this Friday (25) at Miami U., Oxford, O. It has been booked for four weeks at Mendocino, Cedar Grove, N. J., opening May 7. Union benefit cash doesn't quite cover Byrne's payroll, which amounts to about \$55 a man weekly, and in any event it isn't enough to pay two vocalists who are not covered by 802's fund.

Byrne, currently in Post Graduate hospital, New York, being treated for a badly infected thumb. He was admitted Saturday (19).

Madison Square Summer Policy Is Disturbing to Paramount, Strand; \$8,800 Band Set for \$5,000

Campus Best Sellers (OHIO STATE U.)

1. 'Everything Happens to Me' (Tommy Dorsey)
2. 'Amigo' (Jimmy Dorsey)
3. 'Do Worry' (Tommy Dorsey)
4. 'Dream I Duelt in Harlem' (Glenn Miller)
5. 'Dolores' (Tommy Dorsey)
6. 'Bounce Me Brother' (Will Bradley)

Defense Coin Makes Detroit Outlook Good

Detroit, April 22.
Opening of New Casino Ballroom at Walled Lake, which usually pioneers the dance business in the drive-out areas near Detroit, was sufficiently big that the large spot now is contemplating moving up to better type of bands. Spot which usually gets away weeks before the other numerous out-town dancers and is watched by them as a good business gauge, had a spill-over crowd for its opening.

Although a summery spell helped build the crowd, biggest opening in several years tipped off the fact that a big season impends among the juveniles who like getting out of the city for their hopping. Plentiful defense money in the town and the feeling of many young guys that their number will be coming up shortly in the draft were said to be factors in causing numerous summer dance places to plan to revive and elaborate their plans.

New Casino got more ambitious, too, by inking in Jimmie Joy for Friday and Saturday nights and following them last Sunday (20) with Bob Crosby.

Bradley's New York Date

Will Bradley gets yet its second shot, within eight months at a New York hotel location job. Outfit follows Tommy Dorsey into the Astor hotel Roof, July 16.

Dorsey opens May 21 for eight weeks. He was at the Astor last summer for the entire season.

ARTIE SHAW'S TUTOR

Clarinetist Has The Yen For More Exalted Music

Artie Shaw is currently studying serious music with Dr. Hans Byrns, Austrian refugee and former director of the Staats Opera at Vienna, who is now in New York. Leader is preparing to devote his time exclusively to the higher type of melodies and is definitely through with pop stuff with the exception of the records he cuts for Victor.

On May 20 Shaw will do his first guest conductor shift with an established longhair outfit. He goes to Memphis on that date to baton the Memphis Symphony, an organization of about 80 pieces. He also has been offered a chance to take over the 42-piece studio band at WOR, New York, to use on a series of programs of 'modern American music.'

Memphis date and other things not definitely set have postponed Shaw's plans to head toward the southwest and Mexico in search of native melodies. He won't go now for at least four or five months.

Monte Proser's monster Dance Carnival in New York's Madison Square Garden, opening Memorial Day (May 30), appears to be running into a serious snag on name bands due to the burnup by the Paramount and WB's Strand on Broadway over the possible opposition. Operators and bookers of both theatres are especially miffed over the report that Benny Goodman would play the Garden for \$5,000 weekly salary, whereas the Paramount currently is paying Goodman at the rate of \$8,800 for the first week and scaling down each week thereafter.

It's pointed out, too, that the Garden's admish of 66c is also under the night admission at both houses, 99c top. That's a hard thing for the theatre by Central means, and that the Paramount was instrumental in building bands to their present high status as b.o. factors, plus the fact that both Paramount and Warner Bros. have millions of dollars invested in the theatre business which would be jeopardized should the Garden's summer policy click and arenas in other key cities follow suit.

The situation created by Proser's Garden setup appears also to be rubbing the nose for another burnup by Paramount and Warner Bros. against the Music Corp. of America. Latter set Goodman's orch, probably switching the band out of several previously booked engagements, and also attempted to insert Horace Heidt's crew, along with Chav's rhumba band, on the Garden's opening triple-band bill. E. Gene Krupa, also an MCA band, or Larry Clinton, agented by Central, plus are now.

(Continued on page 40)

Selvin Explains Petrillo Data Oust in Talk With Neville Miller

Ben Selvin, v.p. in charge of recording for the Associated Music Publishers, who has been designated by President James Petrillo, of the American Federation of Musicians, to prepare a survey on all phases of the recording business, met with Neville Miller, secretary of the National Association of Broadcasters, Monday (21) to discuss the questionnaire which Selvin had recently addressed to station operators. Recorded by the press, Selvin was quite at ease among the broadcasters. Selvin sought to explain to Miller why he wanted the information.

The questionnaires went out last Monday (17) and are up to late Monday (21) Selvin had received 15 sheets from over 80 stations. The purposes of the questionnaire is to find out how much each station spends annually for live musicians, transcriptions and phonograph records and what commercial uses it makes of each.

CHICAGO'S NEW RHUMBA CASINO OPENS TO PEDRO

Niteries here, Chicago, April 22.
New operation, opening May 15 under label Rhumba Casino, Don Pedro, who has been working with a small combination in this area, debuts the new 12-piece group he has been rehearsing coincident with the unveiling. Casino will use two bands and floor show, Eddie LeBaron set to play opposite Pedro. They will have NBC wires Tito Guizar also booked.

Al Greenfield and Milton Schwartz are backing. They operate the Capitol cafe.

ARENA 'SPRING' \$0.50

New Haven, April 22.
Arena will end spring series of Sunday names with Sammy Kaye April 27.

Got off to bad start April 6 with Tito Parodi and his broke about even following week with Tony Pastor. Jimmy Evans promotion.

Coin-Catching Possibilities

Tommy Dorsey 'Let's Get Away from It All' (Victor 27377)

Good commercial cutting that will give machines a choice of two sides of same tune that could easily have been set down as two separate versions. First offers Dorsey's tromboning and Pied Pipers vocal; reverse, Frank Sinatra, Connie Haines and Pipers. Second half is easily the best. Flipover is neatly done, allowing use of either side.

Woody Herman 'Sleepy Serenade'/'Everything Happens to Me' (Decca 3693)

Both good. 'Serenade' shows the Herman bunch in a ballad groove. A strong melody, the tune gets hefty treatment from muted brass, improved saxes and electric guitar. Reverse, in similar tempo is almost all Herman voicing of the well-planned lyric. He has done better vocals.

Charlie Barnet 'Blue Juice'/'Harmony Haven' (Bluebird 11111)

Barnet will get nowhere fast with stuff like these two. Band deserves better tunes. Only recommendation on the first side is short electric guitar and piano breaks. Rest is a waste of time. 'Haven' is nicely handled by band, leader's soprano sax, Bob Carroll's chorus backgrounded vocally, but the tune is puny. Lyrics are just words. Tempo is slow.

Sammy Kaye 'Friendly Tavern Polka'/'Hawaiian Sunset' (Victor 27381)

Horace Heidt has a headstart on Kaye on this tune, a machine item. It's a number that Heidt does well; Kaye also does a commendable job on it. Only fault to be found with his version is that it's done at accelerated tempo, which lowers its effectiveness. Maury Cross and chorus vocal. Backing is typical Kaye smoothness, a melodic arrangement that sets easily. Marty McKenna interprets lyric.

Bing Crosby-Connie Boswell 'Tea for Two'/'Yes Indeed' (Decca 3689)

Crosby and Miss Boswell duo to solid returns on these, pairing on 'Yes Indeed,' making it stand out strong. It's a sort of a spiritual that packs a punch. 'Tea' is also neat, but it doesn't rate with companion piece.

Joe Reichman 'Wonderful Then'/'Stop Kissing Sister' (Victor 27378)

Reichman's version of 'Then' drags. The tune apparently needs a lifting tempo to put it over. Melody isn't too strong and it topples under Reichman, who does it at average speed. Reverse is much better all around. Leader's piano touches fill it out. Marion Shaw vocal both.

Glenn Miller 'One I Love'/'Sun Valley Jump' (Bluebird 11110)

Miller plays 'Love' at extremely slow tempo, fitting it with an interestingly worked out arrangement. He scores with the work, but it has machine versions of the tune by Tommy Dorsey and Ella Fitzgerald to buck, both of which are rhythmically done. Modernaires and Ray Eberle vocal. Reverse is a hopping original, so-so.

Duke Ellington 'Sidewalks New York'/'Take 'A' Train' (Victor 27380)

Ellington and 'Sidewalks' type stuff are usually strangers. He plays it imply, however, with a mild hop and it emerges a likable cutting which might find machines in some spots. Clarinet breaks stand out. 'A Train' is a clever and appealing original, just as appreciable. Band cleans it up, a clear and muted trumpet working in strong links.

'America's College Favorite

BOB CHESTER

And His Orchestra

UNIVERSITY OF NORTH CAROLINA, RUTGERS UNIVERSITY, WASHINGTON AND LEE UNIVERSITY, DAVIDSON COLLEGE, PHILADELPHIA COLLEGE OF PHARMACY AND SCIENCE, FRANKLIN AND MARSHALL COLLEGE, LAWRENCEVILLE SCHOOL, DARTMOUTH COLLEGE, UNIVERSITY OF MICHIGAN, NEW YORK UNIVERSITY, ST. JOSEPH'S COLLEGE, LA FAYETTE COLLEGE, JOHNS HOPKINS UNIVERSITY, PENN STATE COLLEGE, MILITARY COLLEGE OF SO. CAROLINA, UNIVERSITY OF CONNECTICUT, UNIVERSITY OF FLORIDA, THE HILL SCHOOL, UNIVERSITY OF VIRGINIA, OHIO UNIVERSITY, UNIVERSITY OF ALABAMA, UNIVERSITY OF TOLEDO, WESLEYAN UNIVERSITY, HOFSTRA COLLEGE, VILLANOVA COLLEGE, LEHIGH UNIVERSITY, CORNELL UNIVERSITY, UNIVERSITY OF PENNSYLVANIA, DENNISON COLLEGE, CARNEGIE TECH, WAYNE UNIVERSITY, POLYTECHNIC INSTITUTE, VIRGINIA POLYTECHNIC INSTITUTE, UNIVERSITY OF DAYTON, UNIVERSITY OF DETROIT, SPRINGFIELD COLLEGE, ALLEGHENY COLLEGE.

CURRENT BLUEBIRD RECORDINGS

MY SISTER AND I
FEED THE KITTY
DOLORES
OH, LOOK AT ME NOW
YOU'RE DANGEROUS
BEWITCHED
WHAT HAS HAPPENED
SLOW DOWN

Personal Management

MICHAUD & PEPPE

730 Fifth Avenue

New York

Dir.: MUSIC CORPORATION OF AMERICA

10 Best Sellers on Coin-Machines

(Records below are grabbing most nickels this week in jukeboxes throughout the country, as reported by the major coin-machine distributors from coast to coast, to VARIETY. Names of more than one band or vocalist after the title indicates, in order of popularity, whose recordings are being played. Figures and names in parenthesis indicate the number of weeks each song has been in the listings and respective publishers.)

- | | | |
|----------------------------|---------------------------------------|-----------------------------------|
| 1 Anapola | Jimmy Dorsey... | Decca... (6) Marks |
| 2 I Understand | Jimmy Dorsey... | Decca... (4) Feist |
| 3 Dolores | Bing Crosby... | Decca... (3) Paramount |
| 4 Band Played On | Guy Lombardo...
Jesters... | Decca... (2) PD |
| 5 One I Love | Tommy Dorsey...
Ella Fitzgerald... | Victor... (8) Forster
Decca... |
| 6 There'll Be Changes Made | Ted Weems... | Decca... (8) Marks |
| 7 Oh Look At Me Now | Tommy Dorsey...
Woody Herman... | Victor... (2) Embassy
Decca... |
| 8 Perfidia | Jimmy Dorsey...
Benny Goodman... | Decca... (2) Southern
Columbia |
| 9 May I Never Love Again | Ted Weems... | Decca... (7) BMI |
| 10 Memory of a Rose | Sammy Kaye...
Jimmy Dorsey... | Victor... (7) S-B
Decca... |

DISKS GAINING FAVOR

(These recordings are directly below the first 10 in popularity, but growing in demand on the coin machines.)

- | | | |
|----------------------------|--|---|
| Hello Ma, I Done It Again | Ella Fitzgerald...
Mitchell Ayres...
Woody Herman... | Decca...
Bluebird...
Decca... Southern |
| Sorrento | Harry James... | Columbia... Paramount |
| Music Makers | Diek Robertson...
Al Donahue... | Decca...
Okeh... BMI |
| Wise Old Owl | Jimmy Dorsey...
Benny Goodman...
Bob Chester... | Decca...
Columbia... BMI
Bluebird |
| My Sister and I | Woody Herman...
Tommy Dorsey... | Decca...
Victor... Embassy |
| Let's Get Away from It All | Sammy Kaye...
Horace Heidt...
Frankie Masters... | Victor... Republic
Columbia... BMI
Decca... |
| Until Tomorrow | Sammy Kaye... | Victor... BMI |
| Friendly Tavern Polka | Sammy Kaye... | Victor... |

Outbreak of Names In Twin City Dancing

Minneapolis, April 22.

With three ballrooms bringing them in and also independent sponsorship of their appearances, name bands are coming to the Twin Cities with unusual frequency. New Prom ballroom already has had Blue Baron, Henry Busse and Count Basie and Cab Calloway is scheduled for this week. Count Basie also appeared in the Armory here last week under independent management, while Jimmy Lunceford played the Eagles' hall.

Excelsior Amusement Park opens this week with the Dick Barrie orchestra and with George Hamilton, Buddy Fisher, Charlie Agnew, Jack Crawford, Fletcher Henderson, Tiny Hill, Red Nichols and Ace Brigade underlined.

Merigold Ballroom had Hal Leonard last week-end. The Orpheum gets Wayne King April 23 and Woody Herman the following week.

PRIMA IN NEW ENGLAND

Louis Prima will play the opening of three New England ballrooms in as many days: May 2, Riverside Park, Springfield, Mass., May 3, Old Orchard Pier, Old Orchard Beach, Maine, and May 4, Babo's Park, Salford, Conn.

Bookings were arranged by Ray Galvin's Eastern Orchestra Service.

In the Wax Works

Frankie Masters' (Okeh) (Yours, 'First to Say Good Morning, Last to Say Goodnight,' 'Apple Blossom Time,' 'I Found a Million Dollar Baby,' in Hush of Night).

Claude Thornhill (Okeh) 'Sleepy Serenade,' 'Sunrise on 'a Guinea Farm' (title to be changed, 'Do I Worry' 'When the Lilacs Bloom Again'.

Red Allen (Okeh) (Sometimes I'm Happy 'Two sides,' 'K-K Blues,' 'Old Man River'.

Charlie Spivak (Okeh) (Slap, Slap, 'When the Sun Goes Down,' 'Charlie Horse'.

Johanny Messenger (Decca) (Alexander the Swoon, 'Toy Piano Minuet,' 'Miss Bros. (Decca) 'Very Thought of You,' 'Big-a-Jig-Jig'.

Beach Opens June 1

Bridgeport, April 22.

Pleasure Beach, municipally-operated amusement park, will book one-nighters through Music Corp. of America. Perry W. Rodman, controller of city, and Harry Moss of MCA's signature pact which gives latter exclusive over Sunday attractions in room, biggest in Southern New England.

Season preems June 1 with Tommy Dorsey. Spot booked through Charles Shribman office last year.

Vic Abbs shuttling back and forth between Congress hotel, Chicago and Book-Cadillac hotel, Detroit. Starts stand at latter May 18, his fourth jump between two spots. He's now at Congress' Glass Hat.

LOUIS ARMSTRONG

and HIS ORCHESTRA

Doing the Vocals
SONNY WOODS
ANN BAKER

'RIVERSIDE THEATRE
MILWAUKEE
Week April 25

DECCA RECORDS

Personal Management

JOE GLASER, Inc.
Rockefeller Plaza, New York
Circle 7-0882

Kay Kyser Calls Friendliness With Mob Key to Success; 'Get Out and Meet 'Em'

By JACK HELLMAN

Hollywood, April 22.

Everywhere he goes he breaks records. Ask him how he does it and he'll floor you with a blank look. For Kyser isn't conscious of doing anything that every other name band doesn't do to achieve the success which has crowned his every appearance in a theatre or ballroom since he skyrocketed to fame via radio. Draw him out, though, and the formula for success will gradually take form.

The old professor didn't know that he put his finger on it when he timidly admitted 'I guess the kids like me and the gang and we try to give them a run for their money.' Even more potent is his slant on mob psychology. 'Whenever I play a dance or a theatre date I like to feel that I'm the host and they're my friends, he philosophized. The fact that he can go back to a spot and top his former record is proof enough that he makes friends wherever he goes.

Kyser doesn't like too much accent on youth as regards the following he's built up. At the concert, he sez, the audience is better than 70% around middle age. Theatre trade also runs deep into the adult bracket. 'Theatre managers tell me,' he likes to repeat, 'that our band has brought people into the theatre that have never been there before. Some of that folding money is a little green with age, too.'

If success has come to him he prefers to share it with his band, 'as clean a looking outfit as you'll find on a bandstand or stage.' The old prof was beginning to open up.

Have a Look, Kids

'If we're playing a dance all we ask is a platform built high enough so everyone can see what we look like, proper lighting and a well balanced p.a. setup. People have heard us on the air and want to see what we look like. And we want to be

seen, too. We've got nothing to hide. We want to create an air of friendliness, no smart alecky stuff. I try not to be a comedian. They may like me as an entertainer but those kids that are out there dancing like the band. We try to give them down-to-earth entertainment. Every one of us tries to make them feel that we're no better than they are. When they leave the theatre or ballroom we want them to say they got a run for their money. And I think they generally do because every one of us keeps that thought uppermost in our minds and that's our goal above all else.'

Kyser is a firm believer in getting out among the people to get the feel of their likes and dislikes. 'You can't do it by staying within four walls in some big town; you've got to get out. That's why I like to be continually on the go. I learn something new in every town we play. Add them all up after a tour is over and you pretty well know the pulse beat of the dance and music crowd.'

The smaller the town the better he likes it. An interesting aside to this phase of his phenomenal success is recalled when he cancelled the capital city of Sacramento to all a date at nearby Manteca, Cal., with a population of around 2,000. While playing one-nighters in that vicinity he asked the MCA liaison 'where's Manteca?' He was told 'oh, that's just a jerk town a few miles north. Why worry, we've got Sacramento booked next.'

Caddy 'T'll Show 'Em'

'We're cancelling Sacramento and playing Manteca,' Kay ordered over the MCA-ites' apologetic protests. And so it bled. It was later revealed that Kyser had received a fan letter from a group of women in Manteca in which the spokeswoman wrote 'many of us heard you play in the Bal Tabarin in Frisco but I guess you're too big now to bring your band to Manteca.' That last crack

(Continued on page 40)

Nebraska-Pauley Feud Still Goes On; Now It's Noble Versus Herman

Lincoln, April 22.

As a followup to the University of Nebraska students trying to sabotage his dances when they conflict with theirs, R. H. Pauley, of the Turnpike Casino, has taken a lesson from fifth columnists in drawing up his opposition. Crucial state of affairs has been brought on by the campus booking of Ray Noble on the same night (30) that Pauley had contracted Woody Herman. Pauley figures this is a deliberate shot at him, because the normal college nights are Fridays and Saturdays, and this date is on a Wednesday.

Campus publication has been scotching the manner in which the professed danceries conduct their biz, and there have been blasting pamphlets of college origination.

Pauley, this week, contacted 20 collegiates who are on friendly terms with him, and gave them 20 Herman tickets each. His instructions were to sell 19 of them, and they would get to keep the 20th, and in addition, would be given entry free for the next name band of their choice at the Turnpike.

Herman, being a jukebox fav hereabouts, is thus far an easy sale on the campus. This will put out 400 tickets on the campus alone, which, coupled with the people from outside the learning limits, should be enough to get Herman off into a profit. On the other hand, the college party, which celebrates the anniversary of the Student Union, is in for a nut of \$1250 on the Noble band alone.

Expand Rink Facilities

London, Ont., April 22.

The London Arena, formerly the home of ice hockey only, will take on a new lease of life within the next few weeks. In future it will be the locale of symphony orchestra concerts, name band appearances, roller skating and practically everything that goes to make up entertainment.

The spot is being renovated accordingly at cost of \$30,000.

Booking Office Veto Power Over Bands' Reps Causes Trade Talk

Jukebox in Army

Camp Bowie, Texas, April 22.

Private William F. O'Connor, of Co. A, 141st Infantry, before his induction into the Army was a salesman for a Dallas juke box concern.

Now his tent is equipped with a nickelodeon and records and men of his company gather to listen without cost.

Urge Weems Stay Near for ASCAP Pact and Sponsor

NBC has advised Ted Weems not to accept the offer of a stand at Catalina Island, California, but to remain in the mid-west and eastern territory. Net explained that as soon as the ASCAP situation is ironed out it has a sponsor lined up waiting to assume sponsorship of Weems' 'Beat the Band' radio program, which was forced off the air in February by the ASCAP fight. Program, sponsored at the time by Kix, is of a type that provided too many opportunities for infringement on ASCAP tunes.

Weems had been offered the spot at Catalina following Ray Noble, who opens May 17 and closes June 14.

Johnny Messner set for two short-wave broadcasts to Latin America each week for NBC in line with State Department's good neighbor policy. Will be done from McAlpin hotel, N. Y. Messner resumes series of transcriptions for Muzak.

Band bookers will be required around May 15 to use a standard form of contract for all engagements. American Federation of Musicians, which is drawing up the form, expects to have copies of it in the hands of its licensed agents by that time.

With this form for engagements the AFM will have standardized all contract relations between its members and bookers and employers. The standard form for name bands and booking managers was distributed several weeks ago.

One provision in this uniform agreement which has caused much comment in the trade relates to the power assigned to the booking office when it comes to the employment of a personal manager and publicity man. According to a clause in the AFM's contract form, the booking managers may veto the leader's preference for one or both of these aides. As the booking offices see it, this authority will tend to minimize friction between the band and the booker.

SIX MONTHS IN JUG FOR SONG BOOTLEGGER

Buffalo, April 22.

Nabbed last summer in Jamestown, N. Y., Simon Stein, 31, of Cleveland, was given a six-month jolt in county house for peddling song sheets without copyright owners' permission.

Stein, convicted twice on same count seven years back, pleaded guilty.

Elmore White's New Job

Elmore White has joined Dash-Connelly, Inc., as professional manager.

He was last general manager of the Olman Music Corp.

There's Only One

BENNY GOODMAN

THIRD RECORD BREAKING WEEK
PARAMOUNT, NEW YORK
ALL-TIME HIGH FOR WEEK END
GROSS \$29,000

Columbia Records
Old Gold Cigarettes

Direction: MUSIC CORPORATION OF AMERICA

Band Reviews

VELERO SISTERS BAND (?)

Virginia and Violetta Velero have been around as an unique team, heading a congarumba band with themselves vocalizing at the helm and handling the maracas, claves and bongos while backed by a male team. This time they have five men behind them—piano, accordion, violin, drums and trumpet—the cordist also doubling soloist.

The Veleros, in addition to dispensing very competent Latin jazz music, play bolero, beguine, conga and rumba arrangements of classics which, further, gives them distinction.

They're a personality pair at the head of any band, and a conservative spot like the Rainbow Room, which heretofore relied on its major orchestra to double into the Cuban effects, very effective. It's a departure for the Rockefeller nitery, but managing director John Roy and his aide, Ed Seay, finally broke through the ice, and the innovation is bound to prove b.o. Abel.

SHEP FIELDS ORCHESTRA (15)

State-Lake, Chicago. As a sharp departure from the orthodox reed-brass-strings-rhythm setup, Fields has instituted a combination which looks serviceable on paper, but which lends itself for some enjoyable listening. He has a front row of 10 saxophones. Four rhythm, a girl singer, and Fields himself, round out an outfit which is different and yet embodies all the attributes necessary to a good dance or show band. There is trumpet double, which is used primarily for effects, and, of course, to play the shows, so that special arrangements for the acts are unnecessary.

The vocalists, Dorothy Allen, and Larry Neill, who also plays alto, and does the trumpet double, are pleasing and capable. The band as a whole has body, and a kick. Fields himself, turns in fine fronting job. As has been standard Fields in the past, the bulk of the music routine is based on the strictly popular numbers, but there's a pip arrangement and delivery of Anvil chorus.

Fields utilizes previously untried combination of instruments to bring the effect of both brass and string sections, but all based primarily through a skillful use of this long row of saxophones. His guitar-man has fine style which shines through. He plays real low down on the am-

plified Spanish guitar and it proves a highly effective touch. There is a hot bongie-woogie at Ivory.

In all, Fields' new offering (it's a brand new band) makes a combination with substantial experience. Gold.

TINY LITTLE ORCHESTRA (12)

With Larry Hays, leader. Pla-Mor, Lincoln, Neb. Tiny Little's group has been a going Midwest concern for several years, so much so that it now runs without him in the reed department, and with only his name as the trademark for the brand of music he made popular. Band is not rutted to any single groove, but dishes the swingers and the sweets with equal caliber.

Little's gang is of the cheaper dance style, an able cutter with stage line songs. One of the big factors in this is Larry Hays, the batonier. He sings in a medicine show manner, fingers the stick like a minstrel man and rashes out into some buck and wing when the rhythm matches his act mood. In the sophisticated parlors, he wouldn't make much of an impression, but the 20-30-40 ruralists take him with an appetite. To Cliff Beard, the piano man, the outfit looks for bringing the library up to current steps. He has taken the estimate of many one-night audiences and arrived at the conclusion that a solid basic rhythm will get the band over any hump, and that's the way the sheets are written.

Though Hays is the spokesman in most matters, musical and straight, he does share vocally with two of the boys in the brass department, Vincent Pauline and Paul Royce. Their field is in the novelty variety.

Other band personnel includes Steve McCauley and Carl Olin, brasses; Guild Astor, Emmett Walters, and Doug Delina, saxes; Johnny Norskog, drums; Howard Wagner, bass, and Gerbie Hase, guitar.

A chunk of the band is the property of Norskog, so he manages it on the road trips. Little has managed business for many years in the upper Midwest, and the outfit still carries the same essential wallop at the small priced halls. Art.

STERLING YOUNG ORCH (12)

With Allen Simms, Bobbie Ennis. Turner Casino, Lincoln, Neb.

Sterling Young was making his first stand in months in a ballroom when he came in here, but his adaptability found him hitting from

the first dance set. His hotel and intimate room library and volume was changed immediately to cope with the larger local and the steadier dancing patronage.

Locally, Young meant more than the average outfit because his records and transcriptions have been juiced and radioed considerably since the time of the year-end tour. The Turnpike too, found himself in the money, too, and comfortably on the three-day engagement.

Young is a violinist but uses it sparingly on dates of this kind. His band has four saxes—Max Walter, who is a soloist, and three others, Allen Simms, and Steve Stevenson; three brasses; Dick Dunne, Pete Lofthouse, and Abe; a female singer, Rose Robertson, bass; and Kenneth Coffey, drums.

The band's style is a blend of sophisticated sweetness, with a clear rhythm, and ability to grind a stomper here and there on the program. Brass department, with Pete Lofthouse's trombone the highlight, strutting backing for the four-reed line from.

Allen Simms is the male singer, and he packs up a good, straightforward, straight-ahead, no frills, no rance added. The gal, Bobbie Ennis, is a stop-light reaction on youthful dancers. She has a fine, fast, and only one type of number—novelty. Every time she gets to the mike, the floor traffic skids to a halt, to watch her eye, away, and make instant sale.

Good buy here for all types of music dispensaries. Art.

DICK SHELTON'S ORCH (13)

With Skip Farrell, Gloria Gilbert. Turnpike Casino, Lincoln, Neb.

Dick Shelton's band was swept into professionalization in 1939 during the summer 12-week stretch with unknown campus crews used by the profession. As yet, he hasn't hit big, but musically and showmanly the outfit has much—youth, distinction, energy, a bulging store of tunes, and individual and collective ambition to please.

Something of the band's ability to set solidly on short notice, the experience of H. Gaudy, who booked group, cold and on short notice into the Turnpike, Shelton's last night was last Friday. His second night was up to the par set by groups known in the territory, and his last night was a doozy. The word-of-mouth must have been good, because the moon was full all three nights, and the newspaper ads never veered in size.

Shelton's organization is rather oddly arranged, compared to the average band making this area. He has three saxes, Fred and Irving, Paul Paddock, and Ed Conaway, and two brasses (Wally Wenger and Bob Jensen). He has three drums (Jack Gordon and Nino Ravarino), and three rhythm (Ed Brody, piano; Ralph Allen, bass; and Dick Elliott, drums). With this instrumental gathering, Shelton weaves his way through any brand of music set before him. He can whip up a good juicy South American swayer, a traditional swingeroo, a sweetie, or a Strauss waltz which would ease the way for the most rheumatic. As able as this crew is, it can get away in ballrooms, or the more intimate hotel-casino-club bookings with equal effect.

It's vocally okay, too. Two full-throated demonstrators are made in the persons of Skip Farrell and Gloria Gilbert. Both are young, and both handle themselves with surprising poise. They do singles, and then gang up with Shelton into a trio. In the instrumental section, the light shines most on Fred and Irving, who lip a fancy clarinet. The arranger, who is versatile, indeed, is John Paddock.

Most of the boys are from the University of Illinois, look college age still, and have all the jump and fair on the bandstand that is common with youth. Shelton can go places, if properly shooed. Art.

JOHNNIE SCAT DAVIS ORCH (16)

With Julie Sherwin. Hotel Muehlebach, Kansas City, Mo.

Booking of this outfit into the Terrace Grill brings probably the largest crew to hold this bandstand in the year. It's something different for the Davis crew, too, which has been concentrating on theatre dates and ballrooms and proms. It means holding down for this confined room, but on opening night the soft and sweet playing was accomplished despite the contrast of full blasting in the Fox theatre, St. Louis, directly previous. Customers are evidently aware of the Davis rep built up by touring associations and screen work, and biz in the Grill was not bad, especially considering Good Friday.

With an instrumentation of 16 band registers with fullness that isn't usual in this room, there is little in the way of dance music that this outfit couldn't furnish. Theatre work stocks it with some unusual arrangements and a wealth of novelties and tricks that round out its presentation. These arrangements are the work of Nick Harper, violinist, and John Zaumeyer, saxist. Davis has had this crew under his wing less than a year, and end of their current touring will be in Hollywood, where brace of films are on the production schedule at Columbia.

Besides, his own work on torrid

Madison Square

(Continued from page 37)

possibilities as the second band with Goodman at the Garden.

Jimmy Dorsey's Slant

Thus far Max Apperly to be the one to band together with the Garden's plan. It's known that Jimmy Dorsey was approached last week through General Amus. (Tommy Rockwell) to go in with Goodman for the opening two weeks, but Dorsey turned it down politely by asking \$25,000 for two weeks. His top salary currently at the Strand is \$8,500, scaling down \$500 per week for the duration of his run. MCA has already had at least one serious run-in each with Paramount and Warner Bros., the latter last summer barring for a short time all MCA bands from its theatres when the ad agency initiated a simulated competition and then sold away Orrin Tucker's crew to the opposition Paramount and Horace Heidt to Loew's State.

This is not the first time that Paramount and WB have taken a stance against outside band competition. It appeared for a time last summer that both circuits would clamp down on the Danbury company at the N.Y. World's Fair, but they were cooled off when it was pointed out that the Fair's gate tax of 50c plus the 25c admission into the Campus, precluded the possibilities that potential theatregoers would be wooed into the Flushing Meadows strictly by the orchestras.

Goodman's Far Force-Out

Benny Goodman band, unable to get release from a string of one-nighters for which it previously been booked, will appear at the Foxmount theatre, New York, for a fourth week of Road to Zanzibar by Harry James. Latter band goes in next Wednesday (30) and is to be followed by the band of Alvin Karp and the King Sisters.

James will be doubling from the Lincoln hotel, N.Y., where he opens for three months Friday (25).

Kay Kyser

(Continued from page 39)

did it. Drowned Kay, "We don't want any of our old friends to think that we've gone high hat." That gesture cost Kyser and the band a few thousand bucks.

The kids, naturally, are Kyser's first concern. He values their opinions and doesn't miss a date that disappoints a writer for a college or high school paper. It's also fatal, Kyser believes, to cross up the autograph hounds.

When they crowd up to the stand or at the stage door for my autograph I try never to brush them off. At a dance I tell them that I'll sign their pads after intermission. Sometimes I've kept the stand much too long to suit the dancers but I told those kids I would give them my autograph and that's one promise I wouldn't go back on.

One of the side at a dance emphasized to me the importance of playing square with them. When I begged off with "I'll autograph after intermission" was mildly rebuffed with "oh, yes, that's what so-and-so told us when he was here and he didn't show up. We don't like him." They're not going to say that about the Those kids are my public.

Ever the showman, Kyser never lets escape the slightest detail to diffuse the crowd with his friendliness. On a jam-packed dance floor a slip of a girl was thrown and trampled. Kay rushed down from the stand and lifted her out of the surging mob to the stand. He let her sit by him while her wound was being dressed and she smiled through it all. That crowd gave Kyser the greatest ovation he ever drew.

trumpet and snappy vocals the apple-cheeked leader carries full force in the band. He is the Fox Sherwin. She works her deep throat on the more modern ballads and on the featured vocal quintet. Joe Martin puts down his fiddle for tuning up on lyric tenor vocals and Earl Randall comes out of the brass section for baritone. Personnel also lists Rip Crawley, Bill Lahey and Floyd Godbey in reeds, Art Davis and Bud Baker, besides Johnny Davis on trumpets; Jimmy Burton and Herb Harper, trombones; Jimmy Livingston, piano; Alvin "Duquesne" Norman, Selig, strinz bass; Tony Dee, Martin and Harper on

Some 12 years ago Davis played trumpet on this same bandstand as a member of Jimmy Joy's troupe, but this time he's out in front. Crew is set for a week's vaude appearance at the Tower, following a fortnight here in the Grill.

BRITAIN'S POST-WAR TELE THOUGHTS

British music publishers, with an eye to the future, and expecting that things in their homeland will soon resume their normal life, have asked American publishers to clarify their position on television as far as foreign rights are concerned. The issue will be presented to the board of directors of the Music Publishers Protective Association when it next meets.

The British pubs have discovered that their contracts as agents for American music men do not include television rights and they feel that some provision should be made for such rights. English television had achieved major commercial success until the outbreak of the war caused the British Broadcasting Co. to drop its experimental and regular broadcasts.

Woody Herman and Tommy Dorsey hooked up to play Ivy Ball of Pennsylvania. Hop scheduled for May 16 at Benjamin Franklin hotel, Philadelphia.

★ ★ ★ ★ ★

"HERE'S THAT BAND AGAIN!"

BUCK JURGENS

AND HIS ORCHESTRA

THE FAVORITE MILLIONS FROM COAST-TO-COAST
SIX YEARS OF SOLID AIR TIME—WGN-MBS-NBC

- ON TOUR—BEGINNING
- April 13—Appleton, Wis.
 - April 15—Rockford, Ill.
 - April 16—Deatur, Ill.
 - April 17—Moline, Wis.
 - April 18—Milwaukee, Wis.
 - April 19—Chase Hotel, St. Louis.
 - April 21—Columbia, Ill.
 - April 22—Chase Hotel, St. Louis.
 - April 23—Quincy, Ill.
 - April 24—Bacon, Wis.—Theatre.
 - May 1—St. Louis, Wis.—Theatre.
 - May 2—South Bend, Ind.
 - May 3—Columbus, Mich.
 - May 4—Muskegon, Ill.
 - May 5—Madison, Wis.—Theatre.
 - May 6—Manitowish, Wis.—Theatre.
 - May 7—Evanston, Ill.
 - May 8—Indianapolis, Ind.—Lyle Theatre.
 - May 9—St. Louis, Mo.—Fox Theatre.
 - May 10—Chicago—Chicago Theatre.
 - May 11—Milwaukee, Wis. Milwaukee Theatre.
 - June 6—One night to Calif.
 - June 15—15—Catalina Island.
 - July 12—12—One night to Denver.
 - July 28—August 1—Denver—Luxe.
 - August 13—13—One night to Chicago.
 - August 14—14—Chicago, Ill.—Argon Ballroom.

★
BEST SELLERS ON OKEH RECORDS

OUR THANKS TO MUSIC CORPORATION OF AMERICA FOR A SWEET TOWN

FRANKIE LESTER

And His Orchestra

Featuring
PHYLLIS MYLES, THE SWINGMASTERS
LOU HURST, THE MASTER'S VOICES

NOW IN 43rd WEEK

at the
HOTEL TAFT
New York

Broadcasting Daily NBC Red Network

Current OKEH Releases

DOLORES
FRIENDLY TAVERN POLKA

GOODBYE NOW
WE'RE IN THE ARMY NOW

FOR WANT OF A STAR
MY HEART AT THY SWEET VOICE

Personal Management
MICHAUD & PEPPE

730 Fifth Avenue New York

Dir.: MUSIC CORPORATION OF AMERICA

The Art of Dance Band Booking

The Experience of New York City

(This is the first in a contemplated series of special articles either by VARIETY staffmen, as with this first example, or by outsiders. The general purpose of the series is to see the whole problem of booking orchestras in realistic boxoffice focus. These articles will consider popularities and 'fan angles,' but only in relation to the business of selling dance music at a profit. Bookers and promoters as well as leaders, publishers, phonograph recorders and managers are invited to comment as to how this proposed series may be extended or made more useful to the orchestra industry.—Ed.)

New York City does not determine the musical taste of the nation. Broadcasters tell you that in many sections people actively resent New York dance style and arrangements. Nevertheless New York is the center of the band booking, of important publicity, of the big time. That can't be denied. Running a territorial band may be something else. An important something else, unique unto itself. Still the ballroom, the doubling, the prestige, the radio contracts and the glamour of Manhattan remain. So it's logical that any series on the art of booking dance orchestras begins with some comment on how it's done in the environs of Times Square.

Varieties of location, clientele and even weather play an important part in one of the last remaining phases of the amusement industry where personal judgment rather than standardization or statistics is the factor upon which operation rests.

The smart hotel band buyer tries to get bands on their way up, bands with something of a rep, of course, but not necessarily established among the leaders. New York hotels have alma matered some of the biggest name bands of record, for these are the spots where the stamp of popular approval gives a promising band the diploma which definitely shoots it into the big league.

IMPORTANT FOR PRESTIGE

Nearly every band in the country wants to play the New York hotels if only for the exploitation buildup and prestige. And the established bands need the hotels as a resting spot, between hideout bookings, so they will not drop out of important people's sight.

Paradoxically (to an outsider), big New York hostilities get topnotch bands cheaply. Virtually all of them are available at scale. The very best names, riding the crest of popularity, command fees only slightly higher than scale. Sometimes bands are paid scale plus 50% of the covers above \$1,500 to \$2,000.

Through the dance rooms of Manhattan hotels can be traced the cycles and individual ups and downs of virtually every dance band that ever hit the limelight. In the pre-prohibition era there were virtually no big name bands in the sense they are spoken of today. Bands then served only to accompany stars and specialties; were never featured. There were only brass bands and the wait, though a Negro jazz band gave a concert performance at Carnegie Hall in 1912.

REMEMBER PROHIBITION?

Prohibition forced bands to play in cramped quarters and resulted in development of an extemporaneous style of jazz. (Some jazzmen became 'reefers' and drunks due to demoral-

izing working conditions, long hours and a rough clientele.)

Radio developed many modern name bands—Lopez, Lombardo, Valle, Osborne and others. Phonograph records began to be important to bands in 1934-35 and the Dorseys, Goodman, Shaw, Miller, James have all been wax-hyped. Many present greats are the same jazzmen of the 1920-34 era who had been playing in the seamy in orchestra pits, working as side men in bands and in radio studios.

The big bands, spotted in large rooms with liquor on the tables, were developed following prohibition. As novelty of floor shows and open drinking wore off, competition killed the high cover spots along Broadway. Covers gave way to the minimum and then the location charges. The hotel band as a feature attraction followed.

The advent of the jitterbug is analyzed in band circles as nothing more than a dramatization of the fact that exciting music had come back. The jitterbug, the honky-tonk, dance in the theatre aisles and went generally berserk in fashion that provided countless thousands of columns of material for feature stories.

But the answer to band popularity was always the same—basic tastes never varied (talent, solid musicianship, regardless of peculiarities of style, were and are the factors that determine popularity).

AGE LEVEL AT N. Y.'S PENN

In Manhattan almost every hotel has band problems accentuated by location and transitory clientele. At the Cafe Rouge, Pennsylvania Hotel, no type of entertainment except band vocals is used. Some of the best floor entertainers have been tried here with disastrous results. It's strictly a kid audience that's on its toes all night and no rest is needed or wanted. Average age of dance-room patrons at a hotel such as the Pennsylvania has dropped from 40 to 18-21. The average check is estimated around \$2 a couple. As a result the comparatively conservative band—Vallee, Olsen, Lopez—formerly in vogue at the Pennsylvania is no longer suitable for this spot. In addition the socialite mob that frequented the Broadway hotel dance rooms has turned towards the East Side hostilities. The Penn has, in recent years, therefore been steering clear of what are designated as 'Broadway' bands. The college campus now determines band policy at the Penn.

Yet Rudy Vallee in his time hung up the biggest gross ever registered here. Most bands playing the Penn usually draw more in covers than they are paid and the Cafe Rouge shows a profit on operation. Figuring on this 18-21-year-old audience, Gene Krupa is being brought into the Cafe Rouge to make his New York hotel debut on April 21.

LOMBARDO THE PERENNIAL

Mutual benefits resulting from the band-hotel association are perhaps best illustrated at the Roosevelt. Just as Ben Bernie and later Guy Lombardo were bolstered by their hookup with the Roosevelt Grill, so the Grill became tagged with the names of those two bands. Lombardo is now in his 10th season at the Grill, probably the longest such connection on record. Hotel questionnaires filled out by patrons indicate that a great many of the Roosevelt customers come to stay because they like Lombardo in the Grill. Hotel men acknowledge that while they have built bands, some orchestras have helped build hotels.

Like the Penn the Roosevelt presents no entertainers with the band but for a different reason—it interferes with leisurely dining. The Grill has capacity of about 400 and sells covers at \$1 weekdays and \$1.50 for Saturdays and holidays. Individual tabs run quite high. Average age of

patrons frequenting the Roosevelt is in the neighborhood of 40-42. (Lombardo, who has been playing the Grill since September will continue through April and wind up there May 15.) Among other bands that have found acceptance with the 40-45-year-old trade are Orrin Tucker and Wayne King.

WHITEMAN'S 1932 TAKE

Bowman Room at the Biltmore, seating capacity about 350, is another sweet music room, with \$1 cover charge weekdays and \$1.50 Saturdays and holidays. Highest figure ever paid for a band at the Biltmore went to Paul Whiteman in 1932 when, legend tells, the leader drew \$180,000. Whiteman was also the biggest grosser the Biltmore ever booked. Biltmore now spends about \$160,000 annually for bands, including cost of house orch which it maintained throughout the year. Biltmore draws the older mob, over 40-year average, and individual checks run over \$4.

FOR BOTH YOUNG AND OLD

Hotel New Yorker and the Astor require bands that can easily adapt themselves to a change of pace since both aim to draw middle-age as well as the young crowd. Swing bands opening early in the season at the Astor will change their style and sweeten up until the older folks start leaving town. They open up again and get hot for the young summer trade.

About two years ago the Hotel New Yorker tried to lure the socialite mob back to the west side with Paul Whiteman but the East Side won.

Terrace Room, at the New Yorker, with about 400 capacity, has a 75c sweet cover and \$1.50 for Saturdays. Some 56 bands have played the hotel since it opened, among them Jimmy Dorsey, Tommy Dorsey, Henry Busse, Jan Garber, Al Donahue, Glen Gray, Ted Fiorito, Ozzie Nelson, Kay Kyser, Horace Heidt and Woody Herman.

At both Astor and New Yorker the versatile band is essential.

Average age of dance-room patrons at these two hotels is within the 20-28 category. Rudy Vallee was one of the biggest grossers ever booked into the Astor, and last year Bob Christberry would have booked him in again, except for the fact that Vallee had Coast and radio commitments. Astor Roof has a capacity of about 800 with 75c cover charge week days and \$1 holidays. Average individual check at Astor and New Yorker runs from \$2.50 to \$3.

Amount of coin spent on bands and entertainment in New York hotels runs into astronomical figures. Six of the leading hotels alone spend at the rate of approximately \$1,000,000 a year for dance bands and talent. Hotel New Yorker spends about \$300,000 annually on dance-room music and talent, with about two-thirds of this amount going to the bands. Some years the Astor Hotel management buys as much as \$250,000 worth of bands and entertainment. This figure, however, includes music bought for functions taking place in the hotel. On one night at the Astor there were seven name bands playing in various rooms, including Johnny Green, Eddy Duchin, Guy Lombardo, Tommy Dorsey and Rudy Vallee. Floor entertainers are strong at both the Astor and the New Yorker.

With hotels catering to the younger element location is important as many hotel rooms have been placed on restricted by private school heads. While there may be nothing objectionable about dance rooms which have been placed out of bounds for the high school-college contingent, the ban is on where rooms are close to some undesirable spot in the immediate vicinity.

Culturally Significant

Live in the Museum Of Modern Art, N. Y.

New personal management agency to handle talent of the 'pure swing' variety solely for concert bookings has been set up in New York by Louise Crane, 26-year-old member of the Crane paper manufacturing family, Femme, who acquired an enthusiasm in interludes for the culturally significant live feels there, a market for this type music among people who won't patronize the remote early morning spots where it prevails.

Miss Crane experimented with the idea in a series of concerts in Pitts-

field, Mass., and Hartford last fall. Success there has led her to arrange a series of 'demonstration' programs at the Museum of Modern Art, N. Y. Museum will be the nominal sponsor, with the concerts representing a switch in policy on its part. This is the first time it has ever offered musical sessions except as an adjunct of an art exhibit.

Admission will be \$1.50 per concert or \$7.50 for the series of six. With the auditorium seating only 500, it offers little chance of profit. Museum and a 'friend of the museum' are underwriting possible losses. Initial concert, with all Negro performers, will be held next Wednesday (30). Heard will be John Kirby's orch. The Sophisticados (three boys, and two girls in vocalizations of opera in swing) and Herman Chittillon, pianist recently back from Europe.

Except for the last concert, June 4, which reverts to the Harlem swing motif, the others will be variations. Second is 'Four Saints in Three Acts,' operic by New York Herald Tribune music critic Virgil Thomson and Gertrude Stein, with same cast as when originally presented on Broadway in 1933. Third session will be the Spanish equivalent to American swing, with flamenco singers, dancers and Spanish bagpipers.

Concert set for May 21 will star a colored evangelist, the Rev. Utah Smith, who brings his flock to salvation via swing. He'll be backed by a flock of quartets from various Negro churches in Brooklyn. Fourth program comprises South American swing, with Elsie Houston (a Brazilian despite the name) in top spot.

Les Brown orch. renewed at Mike Todd's Theatre Restaurant, Chicago, until May 24.

4, which reverts to the Harlem swing motif, the others will be variations. Second is 'Four Saints in Three Acts,' operic by New York Herald Tribune music critic Virgil Thomson and Gertrude Stein, with same cast as when originally presented on Broadway in 1933. Third session will be the Spanish equivalent to American swing, with flamenco singers, dancers and Spanish bagpipers.

Concert set for May 21 will star a colored evangelist, the Rev. Utah Smith, who brings his flock to salvation via swing. He'll be backed by a flock of quartets from various Negro churches in Brooklyn. Fourth program comprises South American swing, with Elsie Houston (a Brazilian despite the name) in top spot.

Les Brown orch. renewed at Mike Todd's Theatre Restaurant, Chicago, until May 24.

★

THE BAND THAT FIRST RECORDED 'INTERMEZZO' —IN— FOX TROT TEMPO ★

Direction

CLYDE LUCAS

AND THE CALIFORNIA DONS

THE ORCHESTRA FEATURING SEVEN SINGING VIOLINS

• CURRENTLY AT THE BILTMORE HOTEL, New York •

MUSIC CORP. OF AMERICA

JOE DAVIS PRESENTS TWO "NOCTURNAL" SONG HITS

NIGHTY-NIGHT

FOX-TROT BALLAD BY LESLIE BEACON

IN THE HUSH OF THE NIGHT

ADAPTED BY LESLIE BEACON FROM 'SHEHERAZADE' BY KORSAKOFF

BLUEBIRD	Record by	ALVINO REY
VICTOR	Record by	BARRY WOOD
DECCA	Record by	BOBBY BYRNE

DECCA	Record by	JIMMY DORSEY
COLUMBIA	Record by	RAYMOND SCOTT
BLUEBIRD	Record by	ART KASSEL
OKEH	Record by	JACK LEONARD
OKEH	Record by	FRANKIE MASTERS

BEACON MUSIC CO.

(JOE DAVIS, Owner)

1619 BROADWAY, NEW YORK CITY

On the Upeat

Dorothy Porter, formerly with Clyde Lucas, new vocalist with Joe Frassetto's band at WIP, Philly.

Bob Chester booked to open dance season at Kennyswood Park, Pittsburgh, May 16. He comes in for 10-day stay.

Herbert Fritschle back band into New Penn, Pittsburgh, for third engagement there this season, replacing Joe Mowry quintet.

Art Sable opened Monday (21) at Balconades, Pittsburgh, for four weeks, succeeding Phil Allweis outfit, which is slated for another stand there late in May.

Eddie Ufer and his five-man combination will start their sixth consecutive summer at Toledo Beach, on Lake Erie, on Decoration Day, May 30.

Arturo (and his Gay Caballeros) now at the Commodore Perry hotel, Toledo, O.

One-night engagements at the Coconut Grove Ballroom, Toledo: Bill Bardo, April 27; Will Osborne, May 4; and Johnny McGee, May 18.

Gene Austin's orch to be managed by Albert Zugsmith, Goes to Muehlebach hotel, Kansas City, for two weeks beginning May 9, followed by a week at Tower theatre there, set by Weems, Inc.

Honey Haynes, femme orch pilot, joins Star-Scamped Revue now touring army camps, to alternate in leading Johnny Hamp's orch.

Jack Denny, booked at Village Barn, N. Y., will play month of June at Roosevelt hotel, Jacksonville, Fla.

Henry Jerome renewed indefinitely Childs' Paramount restaurant, N. Y., airing over Mutual.

Andre Paris' electrical orch booked for the Blue Diamond at Newark, May 12.

Red Nichols plays a fast return engagement tonight (23) at Totem Pole Ballroom, Auburndale, Mass., due to being a good draw on Good Friday weekend (11-12).

Bobby Byrne will play Totem Pole Ballroom, Auburndale, Mass., immediately following his four-week

engagement at Meadowbrook, Cedar Grove, N. J. In addition, several one-nighters have been booked for the band in June throughout New England by Ray Galvin's Eastern Orchestra Service.

Mike Riley set for month of June at Henry Grady hotel, Atlanta.

Joe Bruce, sax player with Charles Jones' WJLB (radio) studio band, has been claimed by Army and replaced by Aaron Kelzick.

Penny Banks, formerly 'Penny Parker' with Vincent Lopez and Joe Reichman, replaced Linda Keene with Red Nichols band currently at Baymor Ballroom, Boston. Miss Keene returned to New York to rest in New York, recuperating from serious case of laryngitis.

Billy Thomson band current at Plantation, Niagara Falls, N. Y.

Tiny Bradshaw orch set for indefinite engagement at Club Lincoln, Columbus (O.) new deluxe black and tan niter.

Eddy Rogers orch opens Monday (23) at the Ritz of Desher, Wallack hotel, Columbus, for limited run. Replaces Cecil Golly.

Xavier Cugat shifts from the Waldorf-Astoria's Sert Room into the Starlight Roof May 14 with Miguelito Valdes, Lina Romay and Dean Murphy.

Joe Glaser's prize-winning champ Boston terrier dog called Bannion's Heliapoplin, winning blue ribbons.

Haliph Prieur orch into Colvin Gables outside Buffalo.

Glenn Garry booking at O'Henry Park, Chicago, April 23, has been picked up for six additional weeks at same spot.

Abe Lyman will be the last band into the Flatbush theatre, Brooklyn, this season. Down for May 1-4; theatre closes one day and opens May 6 with road show of legit 'Little Foxes.'

Edy Duchin cutting second album within eight months for Columbia Records. He's doing eight George Gershwin songs, including 'Embraceable You,' 'S Wonderful,' 'Someone to Watch Over Me,' 'Somebody Loves

Me,' 'They Can't Take That Away from Me,' 'Love Walked In,' 'Man I Love,' 'Summertime.'

Fletcher Henderson band signed for one year to record for Columbia 50c label.

Al Donahue and **Andrews Sisters** coupled for four week stay at Palladium, Hollywood, opening May 23. Woody Herman goes in July 18 for six weeks.

Red Norvo tees off Enna Jettick Park, Auburn, N. Y., season going in for nine days May 24. Johnny Messner is down for June 2-8; George Hall, 9-15; Bunny Berigan, 16-22.

Red Allen camebo recording for Okeh records. Made first date last week. Crew is at Cafe Society downtown.

Bud Freeman augmenting from seven piece to 10 plus a girl singer. Signed to Weems, Inc., Chicago agency.

Glenn Miller plays first date on return from Coast at Chicago, theatre, Chicago, week June 13.

Linda Keene taking vocalist spot with Charlie Barnett.

Gene Autry album of Okeh records is first book of 35a platters to be issued by Columbia Records.

Willie Moore, Jr., now arranging for Benny Goodman place of Fletcher Henderson, busy with own band.

Ray Scott cut first attempt at waltz tempo last week, making 'Band Played On.'

Potomac River Boatline reopens May 27 with Bunny Berigan band. River boats operate with name bands all summer.

Eddie Bradd continues at Seaside beachfront, Atlantic City, indefinitely.

Benny Goodman definitely will fulfill four weeks at Meadowbrook, Cedar Grove, N. J., opening Sept. 16.

Elliot Hoyt and eight piece orchestra will play at the Coconut Grove, Toledo, during the summer season, switching from the Triannon Ballroom on May 2 when the Coconut Grove will be open Wednesday, Friday, Saturday, and Sunday nights only.

Howard Leroy supplanted the Checkerboard Band at the Cascades Room, Hotel Ohio, Youngstown, April 21, coming from Hotel Miami, Dayton.

Senate May Pass World Copyright Pact Because Of 'Secret U. S. Needs'

Trade attendees at the hearing of the proposed International Copyright Convention before a Senate committee in Washington last week came away with the impression that the bill on its merits hasn't a chance of passage but if the State Department can convince the senators it needs this instrument for reasons it can't publicly disclose the outcome may be entirely different. The music motion picture, publishing and other industries were united in their opposition to the measure.

Another impression carried away by trade attendees was that the Shotwell Bill, which was under such discussion last week, may prove the enabling legislation which would be required to implement the convention in so far as the U. S. copyright law is concerned. Suspicion for that sort of a tieup is based on the circumstance that the strongest advocate for the international convention at the hearing was Dr. Waldo Leland as representative for the American Committee for Pan-American Intellectual Cooperation. It was this same committee that sponsored the Shotwell Bill.

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

Following is a totalization of the combined plugs of current tunes on NBC (WEAF and WJZ) and CBS (WABC) computed for the week from Monday through Sunday (April 14-20). Total represents accumulated performances on the two major networks from 8 a.m. to 1 a.m. (Dropped for some months, persistent trade demand prompted resumption of the plug's breakdown even though ASCAP tunes obviously can't be logged.)

TITLE	PUBLISHER	GRAND TOTAL
Amapol	Marks	30
It All Comes Back to Me Now	BMI	29
Walkin' by the River	BMI	28
Maria Elena	Southern	28
Do I Worry?	Melody Lane	25
High on a Windy Hill	BMI	25
Two Hearts That Pass in the Night	Marks	24
There'll Be Some Changes Made	Marks	22
Things I Love	Campbell	21
With a Twist of the Wrist	BMI	21
You Walk By	BMI	19
G'bye Now	BMI	18
South of North Carolina	Porlie	18
Wise Old Owl	BMI	18
Number 10 Lullaby Lane	Warren	17
Oh, Look at Me Now	Embassy	17
Georgia on My Mind	Southern	17
I Hear Rhapsody	BMI	16
Because of You	BMI	15
Let's Get Away from It All	Embassy	15
Time and Time Again	London	15
My Sister and I	BMI	14
Yours	Marks	14
The Hush of the Night	Beason	13
Perfidia	Southern	13
Song of the Islands	Marks	13
Frenesi	Southern	12
Rockin' Chair	Southern	12
I Do, Do	BMI	11
Keep an Eye on Your Heart	BMI	11
So You're the One	BMI	11
Let's Dream This One Out	BMI	10
Play Fiddle Play	Marks	10

Music Notes

Arthur Schwartz and **Al Dubin** are writing the songs for 'Navy Blues' at Warners.

Victor Young signed by Howard Hughes to do the musical score for 'The Outlaw.'

Eddie Cheerkose and **Jules Styne** clofing six ditties for 'Puddin'head' at Republic.

Paul Sawtell draws the scoring assignment on 'Hurry, Charlie, Hurry,' at RKO.

Bill Watters and **Howard Stelner** clefted 'Don't Kid Yourself,' to be sung in 'Redhead' at Monogram.

Frank Loesser and **Harry Barris** are writing the tunes for 'Henry for President' at Paramount.

Bronislaw Kaper has been assigned to do the musical score for 'Barnacle Bill' at Metro.

Jacob Gimpel recorded a special piano concerto written by Dr. Miklos Rozsa for Alexander Korda's 'Illusions.'

Fortunato Bonanno sings two of his own compositions in 'Blood and Sand,' at 20th-Fox. Songs are Spanish Gypsy and 'Flamenco.'

Frank Loesser and **Burton Lane** whittled a song, 'Don't Cry, Little Cloud,' to be sung in 'World Premiere' at Paramount.

Phil Ohman and **Foster Carling** wrote 'The Mocambo,' to be published in English, Spanish and Portuguese by Mills.

Campbell-Connelly has obtained the British rights to 'Who Am I?' and Morton Gould's 'Pavanne' from Mills Music, Inc.

Drops Pix Song Suit

Suit of Robert Brooker Wyatt songwriter, against 20th-Century-Fox, Harry Revel, Mack Gordon, and Leo Feist, Inc., was discontinued last week in N. Y. federal court. Action claimed plagiarism of plaintiff's song, 'In a Bassinet,' written in 1934, in 'This May Be the Night,' by Gordon and Revel, and used in 20th-Fox's 'My Lucky Star.'

An accounting of profits, injunction and damages have been asked against the picture.

Music War Sees Rise to 10 Per Mo. Of Would-Be Pubs

Albany, April 22.—Since the split between ASCAP and the major broadcasting interests Jan. 1 there has been an average of 10 applications a month filed with the Secretary of State for charters to conduct music publishing businesses in New York. During 1940, the average petitions of such nature was two a month.

One that came through the mill last week was Songs and Music, Inc., with Seymour L. Weinberger, of the Bronx, named as a director and Benjamin W. Winston, of New York, the Blue Stormer. There's an old established firm known as Words and Music, Inc., which is owned by Fred Waring and managed by Johnny O'Connor.

The World's Greatest Vibraphonist

LIONEL HAMPTON

And His 16 Men of Music

NOW 4th MONTH
New Grand Terrace
Chicago

Broadcasting Nightly
WBMM-12:30-1—C.S.T.

VICTOR RECORDS

Personal Management

JOE GLASER, Inc.
30 Rockefeller Plaza, New York
Circle 7-0862

A ROMANTIC GUY, I

Sensational New Rhythm Tune

featured by

LUCKY STRIKE HIT PARADE

FRED WARING

GUY LOMBARDO

LANNY ROSS

FRANKIE MASTERS and others

THE NIGHT WE MET IN HONOLULU

Litling Hawaiian Love Song

featured by

KATE SMITH

KENNY BAKER

GUY LOMBARDO

RAY KINNEY

and others

SOMEWHERE IN ENGLAND

New Song-Hit From England

WRITE or PHONE

NATIONWIDE SONGS, Inc.

366 Madison Ave. New York

Phone VAN. 4-8867

The Hilarious New Comedy Song

A Natural Get-Together Song With Lyrics that Pack a Wallop, There's a Laugh in Every Line.

"BLESS 'EM ALL"

Sensational Hit from England!

Partly of Extra "Punchy" Chorus... The Favorite Gang Song with the Boys in All Branches of the U. S. Sevens.

Published by SAM FOX PUBLISHING CO. • RCA Building, Radio City, New York • CLEVELAND CHICAGO LOS ANGELES

(Week ending April 19, 1941)

Amapola	.....	Marks
Walkin' by the River	.....	BMI
Number 10 Lullaby Lane	.....	Warner
Intermission	.....	Schub
Wise Old Owl	.....	BMI
Oh Look at Me Now	.....	Embar
My Sister and I	.....	BMI
*Dolores (Las Vegas Nights)	.....	Paran
I'll Be With You in Apple Blossom Time	.....	Broad
Do I Worry You	.....	Mel.
G'bye Now	.....	BMI
I Understand	.....	Feist
There'll Be Some	.....	Marky
Things I Love	.....	Camp
*Filimical	.....

Hollywood, April 22. Musicians union officials have finally accepted the ukelele as musical instrument.

Cliff Edwards, who has been strumming one for 22 years, had to join the A.F.M. before getting permission to pluck the gut for Warner 'Flight Patrol.'

Maxie Rosenbloom's Mugg Comedy Takes Edge Over Geo. White's Nitery

Dir.: William Morris Agency

THE THEATRES OF THE STARS

Marcus
LOEW
BOOKING AGENCY

GENERAL EXECUTIVE OFFICES
LOEW BUILDING ANNEX
140 W. 46th St., N. Y. C. - BRyant 9-7900

LOEW'S

J. H. LUBIN
GENERAL MANAGER
SIDNEY H. PIERMONT
BOOKING MANAGER

Peace Comes to Philly AGVA When Tom Kelly and Insurgents Rejoin

Philadelphia, April 22.—The warring factions in the actors' union held a 'Philly buried the hatchet' at a low level last Wednesday (16) at the first general meeting of the American Guild of Variety Artists since the rumpus of last August. Tom Kelly, who was ousted as executive secretary and set up as a union, announced he was returning to the AGVA fold. Kelly also declared he would urge the members of his indie outfit, the United Entertainers Assn., to rejoin AGVA.

All was sweetness and light at the meeting in the Hotel Commodore, a sharp contrast to the meeting last summer, when charges of election fraud were hurled at ex-national secretary Hoyt Haddock and fists flew. Kelly, invited to the session by local AGVA's present exec. sec., Dick Mayo, said his fight was never against AGVA, but against certain subversive elements in the union.

Now that these elements have been weeded out, I am offering my fullest cooperation toward the rebuilding of AGVA," he added.

Mayo announced he would appoint Kelly to the legislative and contract committees of the local, and both men, once bitter enemies, shook hands as the crowd cheered.

Gerald Griffin, national board chairman, urged that the local forget past bitterness. "As far as the national office is concerned," he said, "the past is past and should not be resurrected. I ask that all of you get behind your officers in their effort to build a strong union."

Bookers Pledge Support
Jimmy Loughran, newly elected president of the Entertainment Managers Assn. (bookers), and Ed Zwickler, member of the EMA board, pledged cooperation of the ten-per-centers. They promised that only holders of AGVA cards would get jobs.

Others who spoke were William Douglas, Deputy Secretary of Labor and Industry, and Anthony C. Sharkey and Margaret Burke, agents-in-charge of enforcement of the booking license. They also explained pending amendments to the law, which would put teeth in it and stamp out fly-by-night agents and those operating without licenses.

Nominations were held for new officers with elections to be held within 30 days. Those nominated were: President, Ben Perry, Jimmy Walker and Al Res; first vice-president, Bill-Ban, Danny Montgomery and Bob Mackay; second vice-president, Camp and Bill DeMayo; third v.p., Ed Schwartz and Frank Dowling; fourth v.p., Leonora Jaxon, Virginia Lee and Frank Herbert; fifth v.p., Jack Griffin and Bill Maples, and treasurer, Marty Wayne and William A. Jones.

Members of the executive board nominated (13 to be elected): Dick Jones, Buddy Cole, Tommy Rowe, Bill Frazer, Linda Lief, J. J. Jaxon, Bunny Leroy, John Patchen, Canfield Smith, Dave Stratton, Betty Bain, Vanfield, Hal Siler, Henry McKay, Lillian Russo, Allen Mayo, Dottie Winters, Erma Linn and Patty LaVerne.

NVA BALL DISAPPOINTS, GROSSES WEAK \$6,000

NVA's first entertainment-ball at 810 top at the Manhattan Centre, New York, Sunday night (20) was something of a disappointment at the box. Gross was around \$6,000, with the net about half that.

Heretofore, the NVA's annual benefits have been variety entertainments, usually at some legit house on Broadway. The last two of the Sunday legit performances, no theatre was available, so the show was taken to the 34th street spot, where there's no possibility of calling transient trade.

Show, insofar as names were concerned, was also disappointing. Those who showed were Chuck and Chuckles, Herlan Dixon, Mary Small, Welcome Lane, Charles King, Raye and Davis, Rags Garland, Don Zelly and the 13 'stiffs' from 'Arsenic and Old Lace.'

Ben Roberts' crop played the show, while Carlton James' crew played for the dancing, which started at midnight and wound up at 2 a.m.

Aerialist Hurt in Fall

St. Louis, April 22.—Irene Gibson, a member of the Hollywood Aerial Ballet currently appearing in the Police Circus at the Arena here, was injured in a 25-foot fall in rehearsal for the afternoon performance Friday (19). Miss Gibson, 25, was treated at City Hospital for severe cuts and bruises, and returned to the Arena to participate in her usual stint.

Police said the fall apparently was caused by the fouling of a rope on which she was descending.

TA NIXES PLAN OF HOTEL FOR SHOWFOLK

Plan of a group known as the Stagerafters Dinner Club, Inc., to raise funds whereby a hotel in New York could be purchased for the use of actors and others in show business, failed to get the nod of the Theatre Authority. Unless that body changes its attitude, the chances of the idea being consummated are doubtful. TA is representative of the various factions in the theatre, from managers to talent unions, and as the Stagerafters propose raising the coin by means of benefits throughout the country it has the power to okay the plan or the reverse.

General objection to the idea is that it would run counter to the various actor charities. The hotel named as the objective of the Stagerafters' public appreciation campaign is located in the 80's in Manhattan, which is considered too far removed from the theatrical district for those of limited means and many of the people such a venture would be supposed to aid. Hotel's value is \$250,000, but it is claimed possession could be obtained by the payment of \$50,000.

W. K.'s 'On Committee'

Latterhead of the Stagerafters is crammed with the names of well-knowns in show business supposed to be on the committee. Bill Edwards, who has been with the outfit for a number of years, is listed as welfare director. Billy Glason is executive secretary and John Keating, counsel. Ed Redmond and Jack Jaxon, who are being listed as campaign manager. Latter known as an occasional producer of legit shows, but has had none in some seasons and his function for the Stagerafters is promotional, judging from the mimeographed literature sent out.

Slogan of the proposed campaign is 'to secure the establishment of a permanent home in New York City for members of the profession.' Until now the principal activity of the Stagerafters has been to sell coupons calling for 50c dinners. These coupons are supposed to be distributed to actors and others who are fed gratis by the Stagerafters. Stipulated on the coupons, however, that the recipients must exchange them for dinner tickets at the outfit's office on 57th street.

It is believed that the flock of names on the latterhead are among the people who have bought dinner coupons, but whether they are subscribers to the hotel project is not definite. There appears to be doubt that the Stagerafters organization has been beneficial in helping feed any number of professionals who are or have been in distress, but it is the opinion of those in TA circles that it over-reached itself in the hotel plan.

TA's allotting some charity money to the outfit is recognition of its status, at least up to now. Maintenance of a hotel, however, is regarded as hazardous. During the past 10 years a number of organizations and clubs conducted along hotel lines were forced to suspend such activities.

Whiteman, Boles Head May 16 Chi Chez Show

Chicago, April 22.—New show for the Chez Paree coming in on May 16 will be headed by Paul Whiteman's orch and John Boles.

Also on the show will be Carmen Amaya, making her first appearance in Chicago, coming from the New York Beachcomber.

GROSSES N.G. ON CAMP ROUTE

Reports drifting back to New York are that grosses on first vaudeville units touring army camps are disappointing. 'Star Spangled Revue,' with Johnny Hamp orch, which started out at Fort Benning, Ga., April 12, has grossed under \$1,500, from accounts, in 10 days including two weekends.

Understood that 'Revue' needs \$3,000 weekly to break even.

Daylight Savings Gives Pitt Nitery Ops, Hurt By Curfew, Some Hope

Pittsburgh, April 22.—Although local nitery and hotel owners have abandoned all hope of getting a 2 a.m. Saturday closing hour for booze sales through the daylight this session, arrival of daylight savings time this weekend, giving them a 1 a.m. curfew on Saturdays, and combination of industrial boom and plenty of loose money has the cafe crowd looking forward to summer season hungrily. Immediate upswing following end of Lent was in evidence everywhere and operators are generally expecting a bonanza during warm months. As evidence of this, town's newest nitery, El Chico, rhumba spot, is getting ready to shell out \$5,000 for a cooling plant. Yacht Club will spend as much to equip an up-to-date outdoor barge and El Chico Hotel is planning to operate its summer spot, Urban Roof, again for first time in several seasons. Merry-Go-Round, another newcomer to nitery scene, is enlarging and adding an outdoor dancing pavilion and Bill Green is plotting to increase capacity of his open-air place by several hundred.

At same time, Villa Madrid is going in for air-conditioning; Nixon Cafe already has a plant and couple of spots, Willows and Riviera, which have been in-and-out operations for years, are being slicker for a number of operators. New Penn, another big roadhouse spot, is announcing increased budget for music and shows for summer.

BUFF. 'WATER FOLLIES' FAIR 34G IN 5 DAYS

Buffalo, April 22.—Ismalia Shrine 'Water Follies,' which this year replaced perennial Shrine Circus here, showed to disappointing gross for five days, including three matinees, April 14-19. Performance was made up of tank aquadance, vaude specialties and three name bands—Ben, Bernie, Harry James and Red Norvo, each playing two days. Tally for the session hit shade over fair \$34,000.

Me. House Runs Short Of Films, Trying Vaude

Portland, Me., April 22.—Maine Civic theatre, erstwhile stock house and formerly a flimery, will try vaude the week starting April 22. A. B. Marcus unit is coming in on that date.

Introduction of stage policy is laid to temporary shortage of film product.

William Green Spanked by Four A's In Refusal of 'Suggestion to Appoint Whitehead As Nat'l AGVA Organizer

Lounge Date for Millers

Chicago, April 22.—Mills Bros. (5) who previously appeared only at theatres in Chicago, came to town this week for date in the Capitol cocktail lounge.

It marks a continuation of the trend of cocktail lounges in Chi to use bigger names.

GRIFFIN PREPS CHARGES VS. WELLS

Gerald Griffin, administrator pro tem of the American Guild of Variety Artists, is preparing charges against Peter Wells, Chicago, for expulsion from the union of the former president of the N. Y. local. Griffin will charge (1) defamation of character, (2) conduct unbecoming a member and (3) causing the membership to lose confidence in the executive.

It's all based on a letter Wells wrote to the Associated Actors and Artists of America charging Griffin with using his position with AGVA to get advertising, or collect bills, for the N. Y. Sunday Inquirer, published by his brother, William Griffin, and for which Gerald Griffin writes a night club column. Wells also sent a letter to a trade paper (not Variety), but the missives were not exactly the same.

The executive committee of AGVA last week held a hearing on Wells' charges and completely exonerated Griffin, recommending to the Four A's executive committee that there is no cause for action against Griffin. It is also disclosed that Griffin, who had been working without salary from AGVA, up to now, was getting \$75 per week for the length of time he held the administrative chair, which will probably be up until mid-May, when the national election ending May 3 will have decided a new national board and the latter will have a permanent executive secretary.

Wells a Haddock Booster
Wells is of the faction which supported Hoyt Haddock, dismissed as executive secretary last couple of months ago. Haddock is still getting 'radical' support, some of those identified as Reds or fellow travelers trying to elect themselves onto the national board and thus attempt to have Haddock reinstated. Among those who have been nominated are Wells and Elton Rica. The election which sets Wells as proxy of the N.Y. local board is being delayed, in part because of the 'maneuverings' of the radical group.

Haddock, incidentally, wrote AGVA early last week taking exception to the cancellation of his membership in the organization. According to Griffin, Haddock's letter was abusive 'in some ways.' The matter was placed before the national board, which relegated its former stand, cancelling such memberships of employees who are not and never have been performers. Haddock has thus far refused to return his card, nor has he cashed the check which was sent him in return for the coin he paid into AGVA as dues and initiation fee.

It was also disclosed that the voting of a salary to Griffin does not negate his nomination for the national board. Ruling is that Griffin will have to make a choice should he be elected. Should he desire to remain an administrator he must resign from the national board, or quit the salaried post of the board membership.

Ben Yost Expanding

Expansion of his organization is planned by Ben Yost, producer of singing groups, who is branching out into the general entertaining field. Heretofore, Yost has exclusively sold his own choral units.

Buck Warnick, Shubert manager, has joined Yost head of an enlarged music setup.

Washington, April 22.—William Green, president of the American Federation of Labor, stuck his chin out two weeks ago and it was soundly whacked by the Associated Actors and Artists of America, which was in conflict with Green two years ago. Green, it's just been learned via a letter to AFL v.p. Matthew W. Ward and by the latter at Green's request before a Four A's meeting, strongly urged the appointment of Ralph Whitehead as national organizer of the American Guild of Variety Artists. The Four A's representatives unanimously turned down Green's suggestion.

It was Whitehead, whom the Four A's discredited as executive secretary of the American Federation of Actors at the same time it disfranchised the AFA, who pulled the trigger on a near-shoot show his strike in 1938 when he attempted to take the actors under the yawning wing of George Browne's International Alliance of Theatrical Stage Employees (stagehands). Whitehead had the support of Green and William Padway, AFL's counsel, and a bitter, costly battle raged for a couple of months before Browne capitulated, on the eve of the AFL's strike, to the demands of Willie Bioff, LATSE's Coast rep, who was then fighting an old Chicago conviction for pandering.

Hears AGVA 'Tettering'

Green, in broaching Whitehead, started in his letter that Wells had been brought to his attention that AGVA was 'tettering' because it was being managed by persons 'unfamiliar' with union affairs. He suggested that Whitehead be made national organizer, and stated that the AFL would pay Whitehead's salary. Later for some time has been heard of the matter, but his last work presumably being as organizer of dog-track workers. He was supposed to get a franchise to organize circus workers, but the AFL gave the franchise to the roustabouts themselves.

The Four A's, after turning down Green's request, could, then, decided to let the matter drop, presumably to save the AFL's public moral embarrassment. But matter leaked out elsewhere.

BEN BLUE WINS \$300 PAY CLAIM FROM WHITE

Complaint by Ben Blue against George White to the American Guild of Variety Artists was settled in New York last week by a sole arbitrator at the American Arbitration Society in Blue's favor. The performer was awarded \$300, which Blue claimed was deducted from his salary in White's tab 'Scandals' when it folded in Chicago.

According to Blue, White deducted the \$300 because Blue had refused to take a cut in salary.

White put in no defense at the hearing. He asked that Saturday sent a copy of the decision to White with a request for payment, but thus far has not heard from the producer, now operating the Gay White Way, Broadway nitery.

Veloz-Yolanda Concert Big \$3,300 in Seattle

Seattle, April 22.—Veloz and Yolanda's dance concert at the Music Hall on Saturday night (19) grossed estimated big \$3,300. House seats 2,200 and was scaled to \$2.56, with balcony early sellout at \$1 and higher seats moving late.

Critics praised the concert as a novelty. It was sponsored here by the Cornish School of Dance.

N. Y. Agent Group Meets

Artists Representatives Assn., N. Y. agent group, has called a membership meeting for today (Wednesday) at the Edison hotel annex.

General business will be the agenda.

Cuban Singer for N. Y.

Havana, April 22.—Sofia Alvarez, songstress, is reported to have been booked through Wallace Downey to appear at Monte Proser's Copacabana, N. Y., nitery.

STATE, N. Y.

Clyde McCoy, Orch. (13) with Bennett Sisters (3), Dick Lee, Kanawha Troupe (4), Stone and Lee, Sims and Bailey, Dean Murphy, and E. J. Sullivan's House Orch. 'Lucky' (Par.)

Entirely too long a session for the entertainment value it packs. State layout allows 75 minutes or so to a lineup that drags often and comes off as sporadically interesting. The turns on the bill are Dean Murphy's imitations and the work of Lee Sims and Ileana Bailey. Kanawha Troupe of risley workers opens with nicely attuned routine of barrel and body toasting. Quartet accounts for a considerable yield of giggles and appreciative nods for their footwork juggling. Finale has one number that is as like a pinwheel on the heels of another, abruptly snapping into a foot-to-foot stand. Good dancing good as Stone and Lee drop the pace considerably. Stone tees it off with a version of so-called gags, none of which are particularly progressive to wit: her partner becomes a pest. Act doesn't begin to warm the holders until the second standard line begins to shine. Turn then begins going downhill again with Stone's trombone. A combination of the gal and horn tooting with pit accompaniment.

Miss Bailey get over solidly. Pair clicks easily with such tunes, all earbally arranged, as 'I'm Rhapsodic' and 'The Goodbye Blues' (both by Miss Bailey as a sentimental gesture to the initial meeting of the two, now in their second anniversary). Opening, 'Boon', is a rather weak bit of music. Bowoff but gives a note to the Greco. McCoy's band does what Miss Bailey does in the native tongue.

Unmistakably endless string of vocal imitations streams from Murphy. Audience liked his neat style of presentation. It is hope that his outstanding personality to another in rapid fashion and manages to get in almost 20 different vocal guises. All of course, aren't as good as the ones of Eleanor Roosevelt or F.D.R. himself, but each is recognizable and amusing.

'Tear It Down', one of his own compositions and used here before, sends Clyde McCoy's band down the commercial highway. Band amounts to a commercial combination of three trumpets, one trombone, four saxophones, and a rhythm section. McCoy's sugary horn work. Its stuff is based on puncheater arrangements. McCoy set up with a good background for the leader's trumpeting. It sells, however, 'Sugar Blues' of course, and highlights the band's work. Before going into it McCoy states that the recording of the tune has sold over 500,000 copies. The band, provide weak harmonizing effects on 'Rhubarb' and a particularly 'You're a Heartbreaker' (both by Smith). They do a union soft-shoe steps after the last named. Dick Lee exercises his character as a comedian. It All Comes Back To Me Now with ordinary results.

Somewhere along the line McCoy peep with a number of original designed to whet audience appetite for his trumpeting. It's called 'Man Horn' during which he plays a netts voice. Finale is a conga interpretation of 'Six Lessons from Madame LaZonga' by the band. A pair of musicians and singers serpentine their way around the apron.

Bill air at supper show opening night (Thursday). Wood.

MICHIGAN, DETROIT

Harry James Orch. (18) with Vic Haines, Kitty Carlisle, Eddie Bracken, Ileana Bailey, and E. J. Sullivan's House Orch. (14): 'Reaching for the Sun' (Par.)

House is putting the emphasis on Eddie Bracken, whose vocal appearance ties up neatly with 'Reaching for the Sun' (in which he's playing the part of a man). The original title of 'F.O.B. Detroit' Michigan has come up with a hotter show than ever. McCoy's band is doing a bang-bang picking up most of the honors.

Instead of outpouring of music to see if the film had done right by them, audiences have been taken over by the jitterbug and James' band has been beating time.

House gets out of the way quickly after a few minutes of the termaze, which gives house maestro Phil Brestoff a nice violin-sopping for a conventional concert. James' outfit takes over at stage. James pours out plenty of hot brass with 'You Walked By for an opener, bringing in Vic Haines, who sings vocals on 'Dolores' and 'All or Nothing at All.' Moke and Pops, colored, take their spot with lively and hilarious stepping.

Bracken, unassuming and in-giving, makes a good name for the names on the bill, bringing in the crowd. Jewell, whose turn consists of solo skit on the tear-jerker side about a

waitress cast off by her man. Oddly enough, it registered well despite sudden change of pace from generally light proceedings.

Kitty Carlisle moves in with a waltz song, 'The Love of a Lifetime', keeping her work through 'Last Time I Saw Paris' and a revival of 'I Guess I'm a Yankee Doodle Boy' (Par.). Her clicks are usual.

Bracken's spot consists of a bit he did in an 'Aldrich' picture, how to be a character actor, the plot of a baseball pitcher whammed out by a base and a prize fighter catching. All goes off very kept in the 'Last Time I Saw Paris' and 'I Guess I'm a Yankee Doodle Boy' (Par.).

Bracken is in lobby at Sunday (20), 8 p.m. show. Pool.

APOLLO, N. Y.

Earl Father Hines Orch. with Madeline Green, Billie Eckstein, Leroy Harris, Violante Four, Rudy Brown, and E. J. Sullivan's House Orch. (14): 'The Love of a Lifetime' (Par.)

It looks like a good week for the Apollo. Earl Father Hines' band is out front, and it's a show with plenty of soul once Hines' band emerges from behind the scrim, where it hides out strictly for an accompaniment during the first half of the stage show. Long, drawn-out, and a little bit of a bore, the band comes to the fore sends the audience into the doldrums for long spells. It's an all-colored production.

Hines' aggregation is a knockout all the way, with Madeline Green and Billie Eckstein, vocalists, going over big. Solo and Violante Four, boys from the band, Miss Green whams over one smash number after another. The Eckstein and Hines' band, with 'Walking by the River', cashing in on recording and other fame. Follows it up with several other side tunes for strong returns.

Hines at the keyboard and Rudy Brown on the drums, with the band, with the Harlemites being given a jam session treat as sax and clarinet soloists. Hines' band is a couple of brief, quick numbers.

Clyde McCoy's band down the line. Adequate. Art La Fleur, acrobat, clicks with a swirling routine. For 'Boris' comes a series of indifferent burlesque skits. Intervened with vocal and hooking routines. Avon Brown, a soloist, sings 'The Love of a Lifetime' and 'The Love of a Lifetime' (Par.).

Billie Eckstein, vocalists, going over big. Solo and Violante Four, boys from the band, Miss Green whams over one smash number after another. The Eckstein and Hines' band, with 'Walking by the River', cashing in on recording and other fame. Follows it up with several other side tunes for strong returns.

Hines at the keyboard and Rudy Brown on the drums, with the band, with the Harlemites being given a jam session treat as sax and clarinet soloists. Hines' band is a couple of brief, quick numbers.

Clyde McCoy's band down the line. Adequate. Art La Fleur, acrobat, clicks with a swirling routine. For 'Boris' comes a series of indifferent burlesque skits. Intervened with vocal and hooking routines. Avon Brown, a soloist, sings 'The Love of a Lifetime' and 'The Love of a Lifetime' (Par.).

Billie Eckstein, vocalists, going over big. Solo and Violante Four, boys from the band, Miss Green whams over one smash number after another. The Eckstein and Hines' band, with 'Walking by the River', cashing in on recording and other fame. Follows it up with several other side tunes for strong returns.

Hines at the keyboard and Rudy Brown on the drums, with the band, with the Harlemites being given a jam session treat as sax and clarinet soloists. Hines' band is a couple of brief, quick numbers.

Clyde McCoy's band down the line. Adequate. Art La Fleur, acrobat, clicks with a swirling routine. For 'Boris' comes a series of indifferent burlesque skits. Intervened with vocal and hooking routines. Avon Brown, a soloist, sings 'The Love of a Lifetime' and 'The Love of a Lifetime' (Par.).

Billie Eckstein, vocalists, going over big. Solo and Violante Four, boys from the band, Miss Green whams over one smash number after another. The Eckstein and Hines' band, with 'Walking by the River', cashing in on recording and other fame. Follows it up with several other side tunes for strong returns.

Hines at the keyboard and Rudy Brown on the drums, with the band, with the Harlemites being given a jam session treat as sax and clarinet soloists. Hines' band is a couple of brief, quick numbers.

Clyde McCoy's band down the line. Adequate. Art La Fleur, acrobat, clicks with a swirling routine. For 'Boris' comes a series of indifferent burlesque skits. Intervened with vocal and hooking routines. Avon Brown, a soloist, sings 'The Love of a Lifetime' and 'The Love of a Lifetime' (Par.).

Billie Eckstein, vocalists, going over big. Solo and Violante Four, boys from the band, Miss Green whams over one smash number after another. The Eckstein and Hines' band, with 'Walking by the River', cashing in on recording and other fame. Follows it up with several other side tunes for strong returns.

Hines at the keyboard and Rudy Brown on the drums, with the band, with the Harlemites being given a jam session treat as sax and clarinet soloists. Hines' band is a couple of brief, quick numbers.

Clyde McCoy's band down the line. Adequate. Art La Fleur, acrobat, clicks with a swirling routine. For 'Boris' comes a series of indifferent burlesque skits. Intervened with vocal and hooking routines. Avon Brown, a soloist, sings 'The Love of a Lifetime' and 'The Love of a Lifetime' (Par.).

Billie Eckstein, vocalists, going over big. Solo and Violante Four, boys from the band, Miss Green whams over one smash number after another. The Eckstein and Hines' band, with 'Walking by the River', cashing in on recording and other fame. Follows it up with several other side tunes for strong returns.

Hines at the keyboard and Rudy Brown on the drums, with the band, with the Harlemites being given a jam session treat as sax and clarinet soloists. Hines' band is a couple of brief, quick numbers.

Clyde McCoy's band down the line. Adequate. Art La Fleur, acrobat, clicks with a swirling routine. For 'Boris' comes a series of indifferent burlesque skits. Intervened with vocal and hooking routines. Avon Brown, a soloist, sings 'The Love of a Lifetime' and 'The Love of a Lifetime' (Par.).

Billie Eckstein, vocalists, going over big. Solo and Violante Four, boys from the band, Miss Green whams over one smash number after another. The Eckstein and Hines' band, with 'Walking by the River', cashing in on recording and other fame. Follows it up with several other side tunes for strong returns.

Hines at the keyboard and Rudy Brown on the drums, with the band, with the Harlemites being given a jam session treat as sax and clarinet soloists. Hines' band is a couple of brief, quick numbers.

Clyde McCoy's band down the line. Adequate. Art La Fleur, acrobat, clicks with a swirling routine. For 'Boris' comes a series of indifferent burlesque skits. Intervened with vocal and hooking routines. Avon Brown, a soloist, sings 'The Love of a Lifetime' and 'The Love of a Lifetime' (Par.).

Billie Eckstein, vocalists, going over big. Solo and Violante Four, boys from the band, Miss Green whams over one smash number after another. The Eckstein and Hines' band, with 'Walking by the River', cashing in on recording and other fame. Follows it up with several other side tunes for strong returns.

Hines at the keyboard and Rudy Brown on the drums, with the band, with the Harlemites being given a jam session treat as sax and clarinet soloists. Hines' band is a couple of brief, quick numbers.

Clyde McCoy's band down the line. Adequate. Art La Fleur, acrobat, clicks with a swirling routine. For 'Boris' comes a series of indifferent burlesque skits. Intervened with vocal and hooking routines. Avon Brown, a soloist, sings 'The Love of a Lifetime' and 'The Love of a Lifetime' (Par.).

Billie Eckstein, vocalists, going over big. Solo and Violante Four, boys from the band, Miss Green whams over one smash number after another. The Eckstein and Hines' band, with 'Walking by the River', cashing in on recording and other fame. Follows it up with several other side tunes for strong returns.

Hines at the keyboard and Rudy Brown on the drums, with the band, with the Harlemites being given a jam session treat as sax and clarinet soloists. Hines' band is a couple of brief, quick numbers.

Clyde McCoy's band down the line. Adequate. Art La Fleur, acrobat, clicks with a swirling routine. For 'Boris' comes a series of indifferent burlesque skits. Intervened with vocal and hooking routines. Avon Brown, a soloist, sings 'The Love of a Lifetime' and 'The Love of a Lifetime' (Par.).

Billie Eckstein, vocalists, going over big. Solo and Violante Four, boys from the band, Miss Green whams over one smash number after another. The Eckstein and Hines' band, with 'Walking by the River', cashing in on recording and other fame. Follows it up with several other side tunes for strong returns.

Hines at the keyboard and Rudy Brown on the drums, with the band, with the Harlemites being given a jam session treat as sax and clarinet soloists. Hines' band is a couple of brief, quick numbers.

Clyde McCoy's band down the line. Adequate. Art La Fleur, acrobat, clicks with a swirling routine. For 'Boris' comes a series of indifferent burlesque skits. Intervened with vocal and hooking routines. Avon Brown, a soloist, sings 'The Love of a Lifetime' and 'The Love of a Lifetime' (Par.).

Billie Eckstein, vocalists, going over big. Solo and Violante Four, boys from the band, Miss Green whams over one smash number after another. The Eckstein and Hines' band, with 'Walking by the River', cashing in on recording and other fame. Follows it up with several other side tunes for strong returns.

Hines at the keyboard and Rudy Brown on the drums, with the band, with the Harlemites being given a jam session treat as sax and clarinet soloists. Hines' band is a couple of brief, quick numbers.

Clyde McCoy's band down the line. Adequate. Art La Fleur, acrobat, clicks with a swirling routine. For 'Boris' comes a series of indifferent burlesque skits. Intervened with vocal and hooking routines. Avon Brown, a soloist, sings 'The Love of a Lifetime' and 'The Love of a Lifetime' (Par.).

Billie Eckstein, vocalists, going over big. Solo and Violante Four, boys from the band, Miss Green whams over one smash number after another. The Eckstein and Hines' band, with 'Walking by the River', cashing in on recording and other fame. Follows it up with several other side tunes for strong returns.

Hines at the keyboard and Rudy Brown on the drums, with the band, with the Harlemites being given a jam session treat as sax and clarinet soloists. Hines' band is a couple of brief, quick numbers.

Clyde McCoy's band down the line. Adequate. Art La Fleur, acrobat, clicks with a swirling routine. For 'Boris' comes a series of indifferent burlesque skits. Intervened with vocal and hooking routines. Avon Brown, a soloist, sings 'The Love of a Lifetime' and 'The Love of a Lifetime' (Par.).

Billie Eckstein, vocalists, going over big. Solo and Violante Four, boys from the band, Miss Green whams over one smash number after another. The Eckstein and Hines' band, with 'Walking by the River', cashing in on recording and other fame. Follows it up with several other side tunes for strong returns.

Hines at the keyboard and Rudy Brown on the drums, with the band, with the Harlemites being given a jam session treat as sax and clarinet soloists. Hines' band is a couple of brief, quick numbers.

Clyde McCoy's band down the line. Adequate. Art La Fleur, acrobat, clicks with a swirling routine. For 'Boris' comes a series of indifferent burlesque skits. Intervened with vocal and hooking routines. Avon Brown, a soloist, sings 'The Love of a Lifetime' and 'The Love of a Lifetime' (Par.).

Billie Eckstein, vocalists, going over big. Solo and Violante Four, boys from the band, Miss Green whams over one smash number after another. The Eckstein and Hines' band, with 'Walking by the River', cashing in on recording and other fame. Follows it up with several other side tunes for strong returns.

Hines at the keyboard and Rudy Brown on the drums, with the band, with the Harlemites being given a jam session treat as sax and clarinet soloists. Hines' band is a couple of brief, quick numbers.

Clyde McCoy's band down the line. Adequate. Art La Fleur, acrobat, clicks with a swirling routine. For 'Boris' comes a series of indifferent burlesque skits. Intervened with vocal and hooking routines. Avon Brown, a soloist, sings 'The Love of a Lifetime' and 'The Love of a Lifetime' (Par.).

Billie Eckstein, vocalists, going over big. Solo and Violante Four, boys from the band, Miss Green whams over one smash number after another. The Eckstein and Hines' band, with 'Walking by the River', cashing in on recording and other fame. Follows it up with several other side tunes for strong returns.

Hines at the keyboard and Rudy Brown on the drums, with the band, with the Harlemites being given a jam session treat as sax and clarinet soloists. Hines' band is a couple of brief, quick numbers.

Clyde McCoy's band down the line. Adequate. Art La Fleur, acrobat, clicks with a swirling routine. For 'Boris' comes a series of indifferent burlesque skits. Intervened with vocal and hooking routines. Avon Brown, a soloist, sings 'The Love of a Lifetime' and 'The Love of a Lifetime' (Par.).

ROXY, N. Y.

Johnny Howard, Three Pitchmen, Estelle and LeRoy, Mays and Brach, Margery Duse, mixed ensemble (12): 'The Love of a Lifetime' (Par.)

The Jack Partington-Gee Foster-Jesse Kaye combination comes up with a snappy production this week, and the most authentic looking cafe in the city. The show is a house show in years. This affords a neat background for what is purely a light and airy production. The production is a full and full entertainment.

Johnny Howard, versatile m.c. out of the Hotel St. Moritz, excellently handles the ringmaster chore on the mammoth stage. On his own he is an up-and-coming personality, a good character singer and delivering one line whistling bit. There's nothing brash about Howard and that's to his credit; he brings 'em on with an ingratiating manner and then leaves it up to the band to do the rest of the number rather than a phoney buildup.

All the turns are good. Mays and Brach, with their juggling and ball-tossing, are a crowd-pleasing act. The three are a good mix of talent. Estelle and LeRoy, ballroom team, do nicely in two routines. The dance team is more studied than graceful, while Margery Duse's contortion acrobatic dancing is socky from start to finish. The show is a house show in years. This affords a neat background for what is purely a light and airy production. The production is a full and full entertainment.

Johnny Howard, versatile m.c. out of the Hotel St. Moritz, excellently handles the ringmaster chore on the mammoth stage. On his own he is an up-and-coming personality, a good character singer and delivering one line whistling bit. There's nothing brash about Howard and that's to his credit; he brings 'em on with an ingratiating manner and then leaves it up to the band to do the rest of the number rather than a phoney buildup.

All the turns are good. Mays and Brach, with their juggling and ball-tossing, are a crowd-pleasing act. The three are a good mix of talent. Estelle and LeRoy, ballroom team, do nicely in two routines. The dance team is more studied than graceful, while Margery Duse's contortion acrobatic dancing is socky from start to finish. The show is a house show in years. This affords a neat background for what is purely a light and airy production. The production is a full and full entertainment.

Johnny Howard, versatile m.c. out of the Hotel St. Moritz, excellently handles the ringmaster chore on the mammoth stage. On his own he is an up-and-coming personality, a good character singer and delivering one line whistling bit. There's nothing brash about Howard and that's to his credit; he brings 'em on with an ingratiating manner and then leaves it up to the band to do the rest of the number rather than a phoney buildup.

All the turns are good. Mays and Brach, with their juggling and ball-tossing, are a crowd-pleasing act. The three are a good mix of talent. Estelle and LeRoy, ballroom team, do nicely in two routines. The dance team is more studied than graceful, while Margery Duse's contortion acrobatic dancing is socky from start to finish. The show is a house show in years. This affords a neat background for what is purely a light and airy production. The production is a full and full entertainment.

Johnny Howard, versatile m.c. out of the Hotel St. Moritz, excellently handles the ringmaster chore on the mammoth stage. On his own he is an up-and-coming personality, a good character singer and delivering one line whistling bit. There's nothing brash about Howard and that's to his credit; he brings 'em on with an ingratiating manner and then leaves it up to the band to do the rest of the number rather than a phoney buildup.

All the turns are good. Mays and Brach, with their juggling and ball-tossing, are a crowd-pleasing act. The three are a good mix of talent. Estelle and LeRoy, ballroom team, do nicely in two routines. The dance team is more studied than graceful, while Margery Duse's contortion acrobatic dancing is socky from start to finish. The show is a house show in years. This affords a neat background for what is purely a light and airy production. The production is a full and full entertainment.

Johnny Howard, versatile m.c. out of the Hotel St. Moritz, excellently handles the ringmaster chore on the mammoth stage. On his own he is an up-and-coming personality, a good character singer and delivering one line whistling bit. There's nothing brash about Howard and that's to his credit; he brings 'em on with an ingratiating manner and then leaves it up to the band to do the rest of the number rather than a phoney buildup.

All the turns are good. Mays and Brach, with their juggling and ball-tossing, are a crowd-pleasing act. The three are a good mix of talent. Estelle and LeRoy, ballroom team, do nicely in two routines. The dance team is more studied than graceful, while Margery Duse's contortion acrobatic dancing is socky from start to finish. The show is a house show in years. This affords a neat background for what is purely a light and airy production. The production is a full and full entertainment.

Johnny Howard, versatile m.c. out of the Hotel St. Moritz, excellently handles the ringmaster chore on the mammoth stage. On his own he is an up-and-coming personality, a good character singer and delivering one line whistling bit. There's nothing brash about Howard and that's to his credit; he brings 'em on with an ingratiating manner and then leaves it up to the band to do the rest of the number rather than a phoney buildup.

All the turns are good. Mays and Brach, with their juggling and ball-tossing, are a crowd-pleasing act. The three are a good mix of talent. Estelle and LeRoy, ballroom team, do nicely in two routines. The dance team is more studied than graceful, while Margery Duse's contortion acrobatic dancing is socky from start to finish. The show is a house show in years. This affords a neat background for what is purely a light and airy production. The production is a full and full entertainment.

position of the band on the stage. Lester Harding, m.c., also makes the presentation present-day. Glamour Girls line, which has been at-mosphering the Tower's shows for some time, are absent this week as part of a month's vacation as result of unit and band bookings.

Headliner is m.c. Royce, the doer and singer-dancer. Her eight-minute turn closes the show. She begins and ends it on a small platform in the center of the stage. In the middle of the show, she is introduced to the show, but adds little to the act thereby.

Show opening is assigned to the street show band, which opens with a medley of several international songs of this and recent years. Those are Warren and Phillips, who follow a standard variation of dance routines, including: duo work, solos and challenge steps. In the middle of the show, Kimball, in robe character, getting into such such gadgets as spray gun, drain pipe, garden hose, wooden mixing bowl, and a small table. The amateur contest entry is a ballet toe pat contributed by young Rosemary and a young man, who are standard. Fenwick and Cook then reel off a round of slapstick acrobatics, monkey clowning and their Tyn-Tyn Tyn comedy from 'White Horse Inn'.

Harding precedes the Royce appearance with his own vocal. The show is a house show in years. This affords a neat background for what is purely a light and airy production. The production is a full and full entertainment.

Johnny Howard, versatile m.c. out of the Hotel St. Moritz, excellently handles the ringmaster chore on the mammoth stage. On his own he is an up-and-coming personality, a good character singer and delivering one line whistling bit. There's nothing brash about Howard and that's to his credit; he brings 'em on with an ingratiating manner and then leaves it up to the band to do the rest of the number rather than a phoney buildup.

All the turns are good. Mays and Brach, with their juggling and ball-tossing, are a crowd-pleasing act. The three are a good mix of talent. Estelle and LeRoy, ballroom team, do nicely in two routines. The dance team is more studied than graceful, while Margery Duse's contortion acrobatic dancing is socky from start to finish. The show is a house show in years. This affords a neat background for what is purely a light and airy production. The production is a full and full entertainment.

Johnny Howard, versatile m.c. out of the Hotel St. Moritz, excellently handles the ringmaster chore on the mammoth stage. On his own he is an up-and-coming personality, a good character singer and delivering one line whistling bit. There's nothing brash about Howard and that's to his credit; he brings 'em on with an ingratiating manner and then leaves it up to the band to do the rest of the number rather than a phoney buildup.

All the turns are good. Mays and Brach, with their juggling and ball-tossing, are a crowd-pleasing act. The three are a good mix of talent. Estelle and LeRoy, ballroom team, do nicely in two routines. The dance team is more studied than graceful, while Margery Duse's contortion acrobatic dancing is socky from start to finish. The show is a house show in years. This affords a neat background for what is purely a light and airy production. The production is a full and full entertainment.

Johnny Howard, versatile m.c. out of the Hotel St. Moritz, excellently handles the ringmaster chore on the mammoth stage. On his own he is an up-and-coming personality, a good character singer and delivering one line whistling bit. There's nothing brash about Howard and that's to his credit; he brings 'em on with an ingratiating manner and then leaves it up to the band to do the rest of the number rather than a phoney buildup.

All the turns are good. Mays and Brach, with their juggling and ball-tossing, are a crowd-pleasing act. The three are a good mix of talent. Estelle and LeRoy, ballroom team, do nicely in two routines. The dance team is more studied than graceful, while Margery Duse's contortion acrobatic dancing is socky from start to finish. The show is a house show in years. This affords a neat background for what is purely a light and airy production. The production is a full and full entertainment.

Johnny Howard, versatile m.c. out of the Hotel St. Moritz, excellently handles the ringmaster chore on the mammoth stage. On his own he is an up-and-coming personality, a good character singer and delivering one line whistling bit. There's nothing brash about Howard and that's to his credit; he brings 'em on with an ingratiating manner and then leaves it up to the band to do the rest of the number rather than a phoney buildup.

All the turns are good. Mays and Brach, with their juggling and ball-tossing, are a crowd-pleasing act. The three are a good mix of talent. Estelle and LeRoy, ballroom team, do nicely in two routines. The dance team is more studied than graceful, while Margery Duse's contortion acrobatic dancing is socky from start to finish. The show is a house show in years. This affords a neat background for what is purely a light and airy production. The production is a full and full entertainment.

Johnny Howard, versatile m.c. out of the Hotel St. Moritz, excellently handles the ringmaster chore on the mammoth stage. On his own he is an up-and-coming personality, a good character singer and delivering one line whistling bit. There's nothing brash about Howard and that's to his credit; he brings 'em on with an ingratiating manner and then leaves it up to the band to do the rest of the number rather than a phoney buildup.

All the turns are good. Mays and Brach, with their juggling and ball-tossing, are a crowd-pleasing act. The three are a good mix of talent. Estelle and LeRoy, ballroom team, do nicely in two routines. The dance team is more studied than graceful, while Margery Duse's contortion acrobatic dancing is socky from start to finish. The show is a house show in years. This affords a neat background for what is purely a light and airy production. The production is a full and full entertainment.

Johnny Howard, versatile m.c. out of the Hotel St. Moritz, excellently handles the ringmaster chore on the mammoth stage. On his own he is an up-and-coming personality, a good character singer and delivering one line whistling bit. There's nothing brash about Howard and that's to his credit; he brings 'em on with an ingratiating manner and then leaves it up to the band to do the rest of the number rather than a phoney buildup.

STATE-LAKE, CHI

Chicago, April 20. Shep Fields Orch. (18) with Dorothy Allen, Bob Evans, Buster West with Lucille Page, Betty Haines, and Lory Nell, 'Doomed Caravan' (Par.)

Primarily a band presentation, this week's show offers plenty of talent and reveals a new musical trend. Fields' amazing new band. (Band Review)

Show gets under way with band rendition of 'Amnapola', followed by Fields introduces his vocalist, Dorothy Allen. Tall and attractive, she sings 'Doomed Caravan'.

Bob Evans, young ventriloquist who is something of a local favorite, comes out for a socko turn which could be made even better by the elimination of a few moth-eaten gags. Evans delivers a good song and takes it up enough to get the dummy to sell it to even the most rabid Edgar Bergen fans. Had to be out.

Medley of Irving Berlin hits by the band and some vocal renditions by the personable Lory Nell are well received. Lucille Page, a swing version of 'Anvil Chorus' has a fine little bit of stomping their feet and yelling for more.

Repeater West takes over the stage for a period of tomfoolery, though the material is weak. The dancing of West and Lucille Page is not very good. West, the act, a young fellow, unbelied is not a good actor. West would do better if he had a little more to hoofing and leave the vocalizing to the band.

Betty Atkinson, youthful tap dancer, gets in a lot of taps but that's about all. The band's noticeable lack of stage presence prevent her from doing as well as she could.

The band finishes with an arrangement of tunes wherein all of the band members take part. An appropriate curtain speech, thanking the audience for accepting his new band, and everybody goes away.

Business great at third show Saturday (19). Gold.

LYRIC, INDPLS.

Indianapolis, April 18. 'WLW Boone County Jamboree with Lucille and Scotty, Larry Jim Day, Girl, and a band of 'Happy' Hal O'Halloran, Buccanera, Hugh Cross and Radio Pals, Curly Fox, Fred Roy, Grandpa Doolittle, Bill and Eudine, Natchez, Bud Barton, Hoosier Coeds; 'Ride On, Vagabond' (30th).

Along about this time of the year, when the 'back forty' has been plowed and planted, and the spring rains have begun to fall, the Lyric sends its Boone County troupe up from Cincinnati to fill a week's engagement at the Lyric. With the arrangement of a five-day stay, the Lyric in display adds within a 60-mile area of the city in small town papers. The Lyric's troupe, which includes ratters and prepare to come to town to see their radio favorites, which they list as: 'Ride On, Vagabond' in a half-hour-stanza and every morning at 5:30.

It's actually a radio show for intimate friends of the Boone County family only. On the stage, guitars come out like nightwarblers after they list as: 'Ride On, Vagabond' in a half-hour-stanza and every morning at 5:30.

Each introduction was a hand for the performer before he went into his turn, showing audience familiarity with the radio personality. Gags and jokes were heard from the Lyric's troupe, which includes ratters and prepare to come to town to see their radio favorites, which they list as: 'Ride On, Vagabond' in a half-hour-stanza and every morning at 5:30.

Each introduction was a hand for the performer before he went into his turn, showing audience familiarity with the radio personality. Gags and jokes were heard from the Lyric's troupe, which includes ratters and prepare to come to town to see their radio favorites, which they list as: 'Ride On, Vagabond' in a half-hour-stanza and every morning at 5:30.

Each introduction was a hand for the performer before he went into his turn, showing audience familiarity with the radio personality. Gags and jokes were heard from the Lyric's troupe, which includes ratters and prepare to come to town to see their radio favorites, which they list as: 'Ride On, Vagabond' in a half-hour-stanza and every morning at 5:30.

Each introduction was

Easter Wk's B'way B.O. Disappointing; Warm Weather Has Sunday Reaction

Broadway's expectations of good business during Easter week, based on advance sales, were distinctly disappointing. Instead of a comeback after the lows of Holy week, attendance was just so-so. Some grosses did pick up chiefly because of the matinees, but they were complaining by most managements. Showmen aren't predicting this week's business after the fizzle of the holiday, but there are always expectations—this time that more people are registered in the hotels.

Perfect baseball weather prevailed throughout the week, which may have been the factor, yet the ball parks did only mild business, while the Ringling circus, at Madison Square Garden cleaned up. It is accounted for principally by the school holidays. Early this week New York was still sunny, predictions of rain on several previous days being wrong. Tuesday was cool.

There were two days when the temperature was around 85 degrees and house managers prepared to operate the cooling systems. Ice companies, however, had not assembled crews for delivery. There was a little complaint, through, from customers.

Sunday Mats Drop

Since mild weather arrived there has been a sharp change in attendance at legit shows on Sundays. The last Sunday afternoon business dropped down while night attendance perked up, and it is figured that the same reaction will continue to apply in fair weather. Some shows which credit the Sabbath for their holding on, claim the best grosses of the week have been registered at the matinees, with Sundays accounting for nearly 50% of the weekly gross. Under Equity arrangement Sunday performances are to continue until the end of June, but it is expected that extension beyond that date will be conceded only if business o. its members and the managerial report will probably prove that this has been the result.

"My Fair Ladies" was suddenly in the limelight Saturday (22) having been an also ran from its start. "Flight to the West" will close this Saturday (26) at the Royale; also far in the red. "Old Acquaintance" will announce its closing another week with a moderately good record. It recently moved from the Morocco to the Broadhurst and may, along, provide business improvement. "The Hot Chick" has a sibility at the Millie next midweek.

Indie-Opera Co. Runs Into Money Troubles At Start of N. Y. Date

There are several independent outfits, one of which, called the Monte Carlo Opera Company, slipped into the Majestic, N. Y., Saturday (19) with Frank Salerno named as the presenter. Outfit immediately ran into bankroll trouble when several unions demanded that they pay per unit on the line in advance. Understood there was a partial performance Saturday evening, but Sunday night the cops were called out around 380 persons, and their money back when the doors did not open.

Theatrical Managers and Agents was turned down when that organization sought to have a manager with the show, though a press agent was not required. TMA picketed the house, teamsters and stagehands refused to pass the picket line. Salerno promised to pay for a manager and the picket was withdrawn. Stagehands and musicians unions wanted their wages protected and the show was called off after it was learned that there was only a bit over \$500 in the boxoffice, though \$3,000 had been expected. Majestic is operated by the Shuberts, who also wanted coin, adding to the troubles of the Salerno bunch.

Coast Coin Scramble For 2 Colored Revues

Los Angeles, April 22. Two all-Negro revues are in various stages of preparation for pitch next month, with sufficient bankrolling the only unknown quantity. Joe Pasternack, Universal film producer, has a wad of coin in "Jump For Joy," which last week signed Duke Ellington's band. Opening dates hinge largely on how fast the wherewithal accumulates.

5 Michigan Tent Cos. Again Prep To Tour Sticks

Detroit, April 22. Having pulled to 600,000 persons last year, Michigan's five tent shows are ready to roll out again on the kerosene circuit earlier than usual because of an unseasonal spring. While Broadway producers lament second decline of the road, the five touring tent companies, which have whacked the State up into five districts and tour from early spring until the snow flies, see each year better and better stage box office back mightily in the whistle stops.

Jack Kelly Co. and Caldwell's Comedians divide the northern part of Michigan, while the Skippy LaMore company and the Norma Ginnivan and Frank Ginnivan troupes (brother and sister companies) live right off the heavier population in lower Michigan. "Tact" agreement exists among the companies not to poach on each other's territory. Each, therefore, can cultivate its own following.

Companies travel in trailers, setting up own town in the wake of the five trucks, who go through ahead for the nine-hours setup time required. First truck carries the tent; second, the stage props, wardrobe, piano; third, tent chairs and seats; fourth, all the stage equipment and the fifth—the trouble shooter—carries lighting equipment and tools. LaMore, oldest tent operator in these parts, contends the tent show isn't a summer business but a year around affair, since owners use the winter time for sitting up, furnishing and getting new sets, mapping tours, etc. while the troupes, called upon only for street clothes, work similar shows in the south.

Last winter LaMore read through approximately 100 plays to find the right seven for this season's tour, falling back chiefly on old standbys. "We know what patrons like and they don't change," he said. "They want the hero to marry the heroine, the villain to get what's coming to him, and plenty of comedy mixed in."

Geo. J. Nathan's \$150,000 Claim on King Features

George Jean Nathan, the drama critic, filed a \$150,000 action against King Features Syndicate in the supreme court, charging breach of contract.

Nathan had contracted in February, 1936, to write a series of articles for the N. Y. Times-American and the Chicago Evening American, at \$200 per article. He says he wrote 107 articles between 1936-40, but the defendants violated the contract by selling the articles to other magazines and newspapers.

N.O. in St. Loo June 5

Hollywood, April 22. "New Orleans," the big-budget Rumba-Oce, Hammerstein 21 play with music, is set for an at fresco premiere by the Civic Opera group in St. Louis June 5. Hammerstein returned to New York here on the piece for three weeks with Romberg.

'Gently' Folding

'Treat Her Gently,' new play starring Ruth Chatterton, which she opened in Austin, Tex., after touring in "Pygmalion," will close Saturday (26) in Louisville, Ky. Stated that while business was fair, big jumps involved too much in transportation costs to continue further. Elaine Ellis, daughter of Harry Orlin, attorney, interested in "Tobacco Road," joined "Gently" after it opened.

MASS. BILL HITS SHUBERT AGCY. CONNECTION

Boston, April 22. Massachusetts state legislative committee on mercantile affairs has reported favorably on a bill that would prohibit any connection of theatres with ticket brokerage companies.

Apparently directed at the Shubert-Brick situation, here, the measure, if made a law, would make it illegal for any theatre to be in any way directly or indirectly connected with any theatre ticket agency selling tickets at a premium. It further stipulates that 'no theatre shall sell any ticket at any other price than that established by the boxoffice price.'

Gert Lawrence's Illness Darkens 'Lady' for 3 Shows; No Ins. Payoff

When Gertrude Lawrence had an attack of grippe that postponed the premiere of the front-running "Lady in the Dark" at the Alvin last winter, Sam H. Harris, the show's producer, took out insurance on her health. Last week the star worked under difficulties, her vocal chords were so irritated that she lost her voice during Thursday (17) evening's performance. Hysterics over. As war reverses aggravated her condition. Final three performances of the week were cancelled, but the rescheduled appearances Monday (21).

The protective insurance did not apply to cancellations. The policy, issued by Lloyd's of London, stipulated that unless four consecutive performances are cancelled because of illness of Miss Lawrence, no damages are collectible. Policy calls for reimbursement to the manager at the rate of \$1,500 per performance if more than four times are missed. The sum does not cover the cost of laying off the show. The three missed performances meant about \$11,000 off the normal gross of "Lady," which had been getting, between \$31,500 to \$32,000 weekly.

Decision to layoff of "Lady" was not known on Broadway until noon on Friday and caused considerable confusion, particularly in ticket agency circles. The agency attempted to inform their patrons that the show was off, but could not reach all. Long distance calls were made to out of town customers, some of whom were on their way to New York.

Norman Pincus, manager of the Alvin, quickly arranged to make reverts to those not aware of the star's illness. Matter of exchanging tickets for subsequent performances was problem too, because of the show's strong advance sale.

Abbott's Q.T. Auditions For New Holm Musical

George Abbott and John Cecil Holm are auditioning tunesmiths and talent at the Barrymore, N.Y., for "And One for the Road," musical which Abbott hopes to produce in September. Book is by Holm, he is written from a straight play he scripted some years ago, "undercover" at the announcement having been made of it, and Abbott and Holm are listening only to especially-recommended people. RKO is going the o.o. to the "road" in the possibility of backing the legit production. Columbia is likely to do the financing if RKO doesn't.

Shumlin-Inspired Move Opposing Suit Vs. Authors, But No Rift in League

Crouse, the Jailer

One of the a.k. extras in "Arsenic and Old Lace," at the Grand, Chicago, was too slow in getting across the stage for the special comedy curtain call, so co-producer Russell Crouse kept him on the payroll as an alternate extra. Guy turned out to be stage-struck, however, and slipped into the line at the curtain opening performance in Chicago, despite instructions to the contrary. He was warned, but did it again the next night. As that made one more 'corpse' than called for in the script, the management now locks the over-eager extra in basement room every night.

UBO Reprisal Vs. Fields on Cornelia Skinner Routing

Feeling over William Fields by the Erlanger-Shubert controlled United Booking Office cropped up again last week, when the booking outfit is alleged to have refused to do business with him in arranging dates for Cornelia Otis Skinner next season. UBO is said to have been aroused against Fields because of his activities in routing "Life With Father" independently. He is general representative for the Playwrights Co., but took over the "Father" assignment at the request of its producer, Oscar Serlin. He has been Miss Skinner's business manager for some time. Fields has frankly questioned some UBO methods.

Miss Skinner is presently starring in "Theatre," being tried out by John Golden, and that show is in no way involved in the controversy. The same arose when Fields sought sole dates for Miss Skinner, such engagements usually being arranged a year in advance. Her husband, Alden S. Blodgett, was reported to have been told UBO that they would make no bookings for the star through Fields. Blodgett's reply was that "William Fields is my wife's manager, in which case I have the most implicit confidence, he being our fully authorized representative. In reference to your attitude towards our business, which will continue to be handled by Mr. Fields, you will have to use your own judgment."

Fields charges that the UBO stance is a pressure trick used by some of the managers. He regards it as a threat against him and others who oppose them through "ultimatums" directed at their employers.

Showdown may come soon when Fields seeks a next season's route for "There Shall Be No Night" (Lunts). He will act for the Playwrights and Theatre Guild, and if UBO refuses to recognize him it may result in the show being independently booked, regardless of a contract the show has with UBO.

Zeggy Girls Reprise Old Show Numbers At Annual N. Y. Ball

Sixth annual entertainment-ball of the Ziegfeld Club, whose membership is made up mostly of former "Follies" stars, will held at the Waldorf-Astoria Monday (21), one quarter of the proceeds for the British War Relief fund. Ned Wayburn was in charge of the show, principally tableau and numbers reminiscent of Ziegfeld shows.

In addition, Wayburn staged a lace fashion show billed as "Selecting the Trouseau" and "Honeymoon to the South." For that part of the show, models were on view and the gowns were auctioned, bringing from \$200 to \$300 each. Settings were supposed to have been done by Ben Ali Haggin, who stood out in the Ziegfeld show business as a model of the unusuals, but Cheney Johnson replaced. The Ziegfeld girls went into action when the members from the pro-

A split in the League of New York Theatres was threatened over the suit started by the managerial body against the Authors League and Dramatists Guild on the grounds that certain features of the revised contract tend to make the Guild monopolistic. A special meeting at the League's offices was held Monday (21) to discuss a situation which arose with the filing of a petition by certain theatres demanding the withdrawal of the court proceeding.

After considerable discussion, wording of the petition was modified. One resolution was added to the effect that friendly relations with the authors be maintained. Also that the Guild agree to meet with the managers to talk over the disputed points. Court will be asked to further reserve decision on a Guild motion and if authors decide to talk it over by next Monday (28) the suit will be discontinued.

The petition was inspired by Herman Shumlin, who obtained the support of others. Previously most of author-managers in the League resigned. In filing the protest, Shumlin, an actor-manager from Sam H. Harris and Max Gordon, both out of the city, who supported his action. Those who signed the Shumlin petition are Arthur Hopper, John C. Winton, John Wharton, Martin Gabel, Lester Meyer, Harry Sommers, Sam Byrd and Louis Lottio.

Contention is that some of the board of authors tend to be primarily theatre managers and not producers, but the same thing applies to the status of the petitioners. Sommers is put in the position of having opposed the court test as a member of the League's board and now petitioning for its withdrawal. He is co-manager of the National, where Shumlin's "The Corn is Green" is running. Lottio is manager of the Martin Beck, conducting the house for Beck's widow. "Watch on the Rhine" is playing there, it being another Shumlin hit. Meyer is also a theatre operator ("Empire," "Life with Father"). Authors of play, Howard Lindsay and Russell Crouse, resigned from the League when the suit started. Wharton's husband is one of the Playwrights, which outfit quit the League when the suit started.

As stated before, there are a number of producers who have always favored Shumlin but they are not the sources of material without which the manager cannot function. Shumlin is quoted saying: "This suit is one of the worst things to happen around the theatre in many years because we exist by virtue of playwrights."

Helman 'Neutral' Petition for force pressed to Marcus Helman, president of the managers association, who said he was neutral in the controversy. Helman is associated with the Erlanger Inter-Am, a primary theatre operators, but is also a backer of Gordon's productions. Position of James F. Reilly, executive secretary of the League, is one that must be neutral in the situation.

It is not the first time that divergent interests in the League have cropped up, it being an organization of theatre managers and producers whose aims are not always along common lines. Wording of the petition states that the legal proceeding is "against the best interests of the theatre and theatrical profession in general."

Brentano Staging 'Bride'

Felix Brentano has been signed to direct and stage "The Bartered Bride" based on his own version of the Smetana opera, for opening in Seattle May 22. Theatrical profession in general.

Jarmila Novotna, of the Met opera, will sing the title role, while Norman Cordon and John Carter, also from the Met, will appear in the cast. Producer's shows were presented. Peggy Wood opened the show with "The St. Louis Blues" and a patriotic finale had Ann Mac, posed as the "Ziegfeld Girl of 1941." She is the daughter of Annette Mac, former show girl. Among those who stood out in the Ziegfeld show business are Irving Fisher, John Steiner, Gus Van. Irving Fisher, John Steiner, James Adler, Vivienne Segal, Larry Adler, Harry Richman and Hal Leroy.

Fewer Strawhats This Summer

(Continued from page 1)

policy of touring units. Such shows carrying a name lead and a full supporting company, played many of the leading strawhats last summer. It was rated as profitable for the stars and for the managers of the units, but didn't work out for the theatre managements. Word has consequently gone out from strawhat operators that no units will be booked and no agents are known to be submitting any.

However, the guest star policy is expected to continue as before, but most places now demand top names capable of giving a star performance. Plenty of Broadway players are said to be available, but few of them are deemed strong enough legit actors for audiences accustomed to Broadway standards in the winter. As before, it appears that the regular contingent of legit names will carry the main brunt of the guest-star policy at the leading houses.

\$1,000 Salaries for Names

Asking prices are said to be about \$1,500 a week for the top names, but the former figure of \$1,000 will probably be the agreed amount. As always, the most popular plays will be the recent Broadway players, particularly, as in the case of 'Male Animal,' George Washington Slight Here, 'Little Foxes,' 'Ladies in Retirement' and 'Man Who Came to Dinner,' where they haven't yet been filmed.

Tentative list of strawhats, as currently figured, follows:

Probleable Strawhats
Abingdon, Va.—Theatre: Robert Porterfield will be director this summer.

Amherst, Mass.—Amherst college. Will be: Clark this summer. Harold J. Kennedy, last year's manager, will have a spot at Springfield, Mass., this summer.

Ann Arbor, Mich.—Ann Arbor Drama festival. Valentine B. Windt to direct the short season again this year.

Ardent, Del.—Robin Hood theatre. Robert C. Schnitzer expected to be manager-director again.

Bradock Heights, Md.—Mountain House, Haskett Coffin and James Decker are expected to resume as directors.

Brantford, Conn.—Monteville playhouse. Lydia B. Noble will again operate the spot. Brattleboro, Vt.—Brattleboro playhouse. Harry L. Young will once more be managing director.

Cambridge, Mass.—Brattle hall. Not known whether John Huntley and Miriam Battista will have the spot again.

Cape May, N. J.—Cape theatre. T. C. Upham will manage the place again.

Cedarhurst, L. I.—Cedarhurst playhouse. Not known whether Leo Bulgakov plans another season as director.

Central City, Col.—Opera house. Will resume for 10th season. Grand, Mass.—Monomoy theatre. Mary B. Winslow will again be managing director.

Clenton, Conn.—Players theatre. Plans not known. Alexander Kirkland had it last season.

Cohasset, Mass.—South Shore players. Mrs. Alexander Dean and Fred Burleigh expected to resume operation of the place.

Cragmoor, N. Y.—Cragmoor players. Hugh Nevill will probably relight it.

Deer Lake, Pa.—Deer Lake theatre. Plans unknown. John Kenley has the spot last season.

Del Monte, Cal.—Del Monte theatre. To have a summer season, but management is unknown.

Dennis, Mass.—Cape playhouse. Richard Aldrich to have the spot again.

Denver, Col.—Elitch's Garden. Arnold Gurler will be manager again this summer.

Filadelfia, Pa.—Hilltop theatre. Don Swann was manager last summer, but his plans are unknown.

Fitchburg, Mass.—Lake Whalom theatre. Guy Palmerton will be back again, besides the stock company at Portland, Me.

Gloster, Mass.—Bass Rocks theatre. Martin E. Manulis will resume as director.

Great Neck, L. I.—Chapel theatre. New management reported planning a season.

Gulfport, Conn.—Channel playhouse. Justus Addis and Hayden Roke may have the spot again.

Hartford, Me.—Deerfield theatre. Ben Blau, who had the spot the last two seasons, died during the winter. Not known if anyone else has ob-

tained the theatre, though several have been trying.

Harvey's Lake, Pa.—Harvey's Lake players. Nothing known about plans for this year. Edward Ray Downes operated it last summer.

Holyoke, Mass.—Mountain Park Casino. Group of actors has announced a co-operative management scheme.

Ivoryton, Conn.—Ivoryton playhouse. Ivoryton Studio will have the spot for a 13th season.

Jenness, Pa.—Mountain playhouse. John Gordon Gage and Frederick Walker may again operate the spot.

Jordan, N. J.—Hunterson Hills playhouse. Strawhat folded last summer, and nothing has been announced for this season.

Keene, N. H.—Keene Summer theatre. Freeman Hammond will direct again.

Lake Pleasant, N. Y.—Tamarack playhouse. Malcolm Atterbury will manage the spot again.

Litchfield, Conn.—Litchfield Hill theatre. Nothing announced for this season. Randolph Preston had it last year.

Leont Valley, L. I.—Red Barn theatre. No plans announced. Stewart Chase and Arthur Hanna operated it last season.

Malden, N. C.—Roanoke Island. Paul Green's 'Lost Colony' will be given for the fifth season.

Maplewood, N. J.—Maplewood theatre. Charles Crawford and John Wildberg will again offer a guest-star season.

Marble Dale, Conn.—Theatre-in-the-Dale. Louis Townsend has built a new theatre for the winter.

Marblehead, Mass.—North Shore players. Arthur Pierson will again direct, with Hope Newcombe business manager.

Marion, Mass.—Harbour playhouse. Nothing known about plans for this summer.

Massachusetts, L. I.—Theatre-by-the-Sea. Plans for this season not known.

Me. Gretna, Pa.—Me. Gretna plays. A. E. Scott and Margaret Mansfield expected to resume operation of the spot.

Midvale, N. Y.—Westchester playhouse. New group reported planning to take over operation of the spot, which De Tuerckheim, Richard Skinner have previously managed.

Nantucket Island, Mass.—Sconset Casino. Not known whether Morgan Farley and Bertman Farborough have any plans for this season.

New Hope, Pa.—Bucks County playhouse. Theodor Bamberger and Kenyon Nicholson will have the theatre again this summer.

Newport, R. I.—Casino Civic theatre. Mary Louise Elkins is expected to manage the spot again.

Norfolk, Pa.—Grove theatre. Royal C. Stout will relight the house this season.

Oak Bluffs, Mass.—Vineyard players. Nothing known about plans.

Oconomowoc, Wis.—Coach House theatre. Thoda Crocetti is expected to have the strawhat again.

Ogunquit, Me.—Ogunquit playhouse. Miss Walter H. McGee will manage the spot and Wes McKee will direct.

Pawling, N. Y.—Starlight theatre. Having settled down difficulties with Equity, Maryvonne Jones will resume operation of the house.

Peterborough, N. H.—Peterborough players. Edith Bond Stearns to resume operation.

Portland, Me.—Civic theatre. Guy Palmerton will again have his stock company, besides having a strawhat at Fitchburg, Mass.

Princeton, N. J.—McCarter theatre. No plans announced for the spot, operated last year by Warren P. Cleveland. His wife is reported to be going to have a theatre near Washington this season.

Richmond, Va.—Lyric theatre. Hal Shelton again expected to have a summer season at this road show house.

Ridgely, Conn.—New England playhouse. Several people reported dickering for the house, but nothing definite known.

Ridgewood, N. J.—Glen Rock playhouse. John Triggs will open the spot.

Rye Beach, N. H.—Farragut players. Berilla Kerr and Sydney Carter will again operate the strawhat.

St. Louis.—Municipal Opera. Robert Ross to direct the regular summer season, with Richard Berger again as business manager.

Saltbury, Conn.—Town hall. Greg Mooney is expected to be manager for a second season.

Saratoga, N. Y.—Spa theatre. Nothing known about plans for the spot.

Schenectady, N. Y.—Mohawk drama festival. Cancelled for this season because of plans for engi-

Shows in Rehearsal

'Somewhere in France' (The Last Round)—Theatre Guild. Ephraim.

'The Happy Days'—Raphael Hakim.

'Not in Our Stars'—Experimental.

neering. Skaneateles, N. Y.—Skaneateles theatre. Walter Davis and Virginia Franke are expected to return for another season.

Skewegon, Me.—Lakewood theatre. Melville Strake to operate this veteran spot again.

Southampton, L. I.—Parrish Memorial hall. Not expected to relight this season.

Springfield, Mass.—Union House. Harold J. Kennedy planning to debut a strawhat here.

Spring Lake, N. J.—Community theatre. Watson B. May again manage the house, though not with Victor Payne-Jennings this time.

Stamford, Conn.—Community theatre. Nothing known about plans for the house this summer.

Stockbridge, Mass.— Berkshire playhouse. William B. Miles will again have this key spot.

Stony Creek, Conn.—Stony Creek players. Ronald T. Hammond to be back again this season.

Sufters, N. Y.—County theatre. Reported plan for Nate Beers to manage, Edward P. Goodnow to direct, and Alvin Johnson as business manager, has fallen through. Group seeking another spot. Jean Muir and Sanford Meisner to operate this strawhat.

Tamworth, N. Y.—The Barnstormers. Will be in Cleveland and will operate the company again.

Washington, Warren P. Munsell, Jr., planning a strawhat here.

Westboro, Mass.—Town Hall playhouse. Alan Clark and John Backing expected to manage the spot again.

Westboro, Mass.—Red Barn theatre. New management reported planning a season.

Westport, Conn.—Country playhouse. Lawrence Langner and Armina Marshall to be producers, with Richard Skinner business manager and Jose Ferrer director.

White Plains, N. Y.—Bridgeway theatre. Dorothy and Julian Olney will have the spot again.

Whitefield, N. H.—Chase Barn playhouse. Gregory McKinnon reported planning another season.

Woodstock, N. Y.—Woodstock playhouse. Robert Elwyn expected to return this summer.

Current Road Shows

(April 23-May 3)
 'Accent on Youth' (Sylvia Sidney) Empire, Syracuse, N. Y. (2-3).

'Arsenic and Old Lace' (Erich von Stroheim, Laura Hope Crews) Cleveland, Cleveland (23-3).

'Blossom Time' (Everett Marshall) Springfield, Springfield (23-3).

(33); Bushnell aud. Hartford, Conn. (24); Shubert, New Haven (26-26); Forrest, Philadelphia (23-3).

'Boys and Girls Together' (Ed Wynn)—Selwyn, Chicago (23-26).

'Cabin in the Sky' (Ethel Waters) Cleveland, Cleveland (23); Eng. Wash, Indianapolis (24-26); American, St. Louis (28-3).

'DuBarry Was a Lady' (Berl Lahr)—Tat, aud. Cincinnati (23-26); Paramount, Toledo (23); Music hall, Cleveland (23-26).

'Hellzapoppin'—Mun. aud. Kansas City, Mo. (23-24); Orpheum, Sioux City (25); Coliseum, Sioux Falls, S. D. (26); Shrine aud. Des Moines (27); Iowa, Cedar Rapids (28); Orpheum, Davenport (29); Lyceum, Minneapolis (30-3).

'Hope for a Harvest' (Fredric March, Florence Eldridge)—National, Washington (23-26); Nixon, Pittsburgh (28-3).

'Life With Father' (Lillian Gish)—Blackstone, Chicago (23-3).

'Life With Father' (Dorothy Gish)—Walnut, Philadelphia (23-3).

'Man Who Came to Dinner' (Alexander Woolcott)—Branger, Chicago (23-26); His Majesty's, Montreal (28-30); Plymouth, Boston (28-30).

'Merry Widow'—Mason, Los Angeles (23-26).

'My Sister Ellen'—Harris, Chicago (23-3).

'Night of the Needle'—Mead, aud. Louisville (33); Pantheron, Vincennes, Ind. (24); Hippo, Terre Haute, Ind. (25); Coliseum, Evansville, Ind. (26);

Inside Stuff—Legit

Two Broadway war dramas pend: One, 'We Fought at Arques,' is described as calling for three acts and a lot of noise. The other is 'R.A.F.,' which also will be accompanied by plenty of explosion sound effects off stage. 'Arques,' which Metro is to produce, may originate on the East coast, it being figured too heavy for Broadway at this time of the season. Play by Frederick Hazlett Brennan is budgeted for \$40,000. Plan calls for showing it in San Francisco and other California cities, and then brought to Broadway early in the fall, but the author originally sought immediate presentation in N. Y. Action takes place in London's East End during a Nazi air raid. Last act will probably be revised and Brennan, being on the Coast, is another reason for starting it there.

'R.A.F.' will go into production at once. Play was in the hands of Gilbert Miller, but he had a different opinion of the play than the producers of the showman and Guy Bolton and Ben Hecht over their rewriting of William Gay's original. Rights thereupon passed to Alfred de Ligne, Jr., and it is understood that Miller is out entirely. Last week the drama was fully cast with the exception of the leading man.

Lodewick Vroom, manager of the Miller, N. Y., and George W. Butler, lost a suit against the National Broadcasting Co. last week, judgment of \$134 being filed against them. Plaintiffs averred they had a verbal contract in the matter of 'Understudy Hour,' a radio program which they originated with WMCA, and alleged NBC used the idea without remuneration to them. Court ruled their evidence was not substantial enough. Notice of appeal was made.

Vroom is now general manager for Raphael Hakim, who is making his legit managerial debut with 'The Happy Days,' due into the Miller, Hakim, who built from the fall, but the author originally sought immediate presentation in N. Y. Action takes place in London's East End during a Nazi air raid. Last act will probably be revised and Brennan, being on the Coast, is another reason for starting it there.

Theatrical Managers & Agents union still awaits a ruling from the American Federation of Labor as to its status under New York, but has around 60 house managers working in other stands who are said to be in good standing. While TMA is not in the position of enforcing its regulations outside the state, all legit shows originating in N. Y. must have some management and agents in the members. When shows starting elsewhere come to Broadway, TMA people must be engaged if the shows are not already so staffed.

At the time the union was hyped by the boxoffice people joining, there was a drive for membership that extended to the Coast. After the treasurer, who had been elected, died, the union members were told that the union, the out-of-town ticket members just forgot that matter. Union had been instructed by the A.F.L. to discontinue out-of-town proselytizing.

Oscar Serlin, whose 'Life With Father,' one of the top money-getters in general, was derived from a book, is looking to start source for future production material rather than original scripts. Youth showman has acquired the stage rights to four books, 'Ninjinsky,' 'Dutch Vet,' 'AP' and 'The Family,' latter pair his most recent purchases. 'Family' is a novel by Nina Fedorova and won last year's Atlantic Monthly prize of \$10,000. 'Father' originally appeared as a series in the New Yorker. 'AP' by Oliver Gramling, may be Serlin's first production next season. William A. Kinney aided in writing the story of the Associated Press.

Another book, 'The Snark Was a Boojum,' by Richard Shattuck, described as a comedy mystery yarn, is also aimed for the stage. The rights have been acquired by Alex Yoko and Ed Friedlander of Danians. 'Ninjinsky' was never dramatized, Clifford Odets, who had the assignment, being 'temperamentally upset.' No playwrights for the four books have been set.

'It Happens on Ice,' which recently resumed at the Center, Radio City, started the repeat engagement mildly despite a speedier performance than the original version. Press was uniformly better than when the rink show first opened, but the re-entry was late in Lent and Holy Week attendance was the lowest at any time since 'Ice' opened. Fact that the show paid out of town and returned and returned without Joe Cook may explain why the revue has been slow in winning back audiences.

Last week, second full week of 'Ice,' there was an improvement, gross being around \$26,000. That level was reached because of extra matinees, there being 13 performances in all. Based on the heavy draw of the show during New Year's week, it was hoped, it was hoped, Easter week, but business was away under that volume. 'Ice' is not under equity regulations, so no extra pay applied to the company.

'The Night Before Christmas,' which opened doubtfully at the Morocco, N. Y., was budgeted for \$25,000, four houses investing \$2,500 each. They are Courtney Burr, who presents the comedy; Howard Culman, Robert Lehman (kin of the governor) and Paramount. After playing a week in Boston the show arrived on Broadway with the production outlay totaling \$100,000. In addition to that there was around \$5,000 cash-on-hand and \$300,000 in equity to be paid to the company.

Understood that several picture companies are interested in bidding for the film rights, those mentioned being RKO, Fox and 20th-Fox.

Kenneth Hyatt, former managing director of the Center, Radio City, N. Y. is now in the army service. He is in charge of one of the largest military projects under construction, located in the middle west.

Hyatt was once a naval lieutenant. After the Center assignment he was with the Radio City realty department, but resigned about the first of the year.

Davidson, Milwaukee (27-3).

'Rose-Marie'—Shubert, Boston (28-3).

'San Carlo Opera'—Indiana U. aud. Indianapolis (23-24); Syria, Louisville (26-26); Royal, Alexandria, Toronto (28-3).

'Somewhere in France' (Dudley Digges, Karen Morley)—National, Washington (28-3).

'Student Prince'—Cass, Detroit (23-26); Ford's, Ford's, Baltimore (28-3).

'Theatre' (Cornelia Otis Skinner)—Plymouth, Baltimore (23-26); Plymouth, Boston (28-30).

'There Shall Be No Night' (Alfred Lunt, Lynn Fontanne)—Forrest, Philadelphia (23-26); Community, Hershey, Pa. (28); Rajah, Reading, Pa. (29); Pittsburgh, Pittsburgh (28-30); Klein aud. Bridgeport, Conn. (1); Shubert, New Haven (2-3).

'Time of Your Life' (Eddie Dowling)—Biltmore, Los Angeles (23-26); New Year's week, it was hoped, it was hoped, Easter week, but business was away under that volume. 'Ice' is not under equity regulations, so no extra pay applied to the company.

'Tobacco Road' (John Barton)—Plymouth, Boston (23-26); Court Square, Boston, Mass. (28-30); Plymouth, Worcester, Mass. (1); Warner, Laurence, Mass. (2-3).

'Treat Her Gently' (Ruth Chatter-

Name Concert Dates

(April 23-30)

James Melton—(With Bido Sayo), Syria Mosque, Pittsburgh (29).

Grace Moore—Palacio de Bellas Artes, Mexico City (28).

Paul Robeson—Constitution hall, Washington (25); Carnegie hall, N. Y. (29).

Albert Spalding—Union H. S. (29); Arizona, Phoenix (29); Junior H. S. (29); Michigan State college, East Lansing, Mich. (28); Masonic Temple, Freeport, Ill. (30).

Gladys Swarthout—Mun. aud. Los Angeles (28); Waco hall, Waco, Texas (24); Waco hall, Waco, Texas (24); Waco hall, Waco, Texas (24).

Lawrence Tibbett—Athletic center, Charleston college, Charleston, S. C. (30).

Chi Legit Nosedives; Wynn \$11,000; Closing 'Boys' But 'Arsenic' Gets 16G

Chicago, April 22. Business took a general nosedive in the legit sector last week, with all grosses off. Inexplicable, because the weather was great throughout the week, with the exception of Saturday matinee.

Two houses went dark Saturday (19), the Erlanger shuttering after a poor fortnight with 'Man Who Came to Dinner' and the Studebaker dimming after a week fortnight with 'See My Lawyer'.

This depletes the current list of shows to four, and of these another will drop out on Sunday (26). This will be 'Boys and Girls Together,' which has had an unfortunate start of it and will quit after four weeks. Rather than take a chance on the road, now that the warm weather is here, Ed Wynn will close the show.

Estimates for Last Week
'Arsenic and Old Lace,' Grand (2d week) (1,200; \$2.75). Smash money click here and will be in town for a long time at the pace. Despite dampened legit and road last week, this one went up to \$16,000.

'Boys and Girls Together,' Selwyn (3d week) (1,000; \$3.30). For some reason this show failed to start. Drew great notices and had a great great exploitation and publicity, but to no avail. Even the balcony trade was poor, unusual for a musical. Will close Saturday (26). Last week, \$11,000.

'Life With Father,' Blackstone (6th week) (1,200; \$2.75). This is the granddaddy of them all and can easily be excused for its downward money trend after all these weeks. Still wonder for its age, however, at more than \$11,000. Five more weeks.

'Man Who Came to Dinner,' Erlanger (2d and final week) (1,300; \$2.75). On closing week notice managed to snare some trade, but altogether an unhappy fortnight, finishing under \$8,000.

'My Sister Eileen,' Harris (9th week) (1,000; \$2.75). Was off with the rest of the town, but still indicates plenty healthy undertone with more than \$12,000 claimed.

'See My Lawyer,' Studebaker (4th and final week) (1,200; \$2.75). Went a month in town, but still appears slump. Low net show finished at \$4,500.

HAYES-EVANS SMASH \$25,500 IN DETROIT

Detroit, April 22. Playing to capacity for all eight performances in its six days at the Casa, 'Twelfth Night,' with the draw of Ed Wynn and Mary Evans, took down estimated great \$25,500 at \$3.30 top.

Following it in Sunday (20) was 'Student Prince,' which will add to its local pull since it is starring Barbara Scully, 17-year-old Detroit. Top for evening is set at \$2.75, with mats going at \$1.65.

'Pine N.G. 2G in Col.' Hartman, at fall end of season, had a strictly n.g. three days (17-19) with 'Pine and Needles,' four performances pulling but an estimated \$22,500 at \$1.65 top.

Current is 'Cabin in Sky' (21-23), which closes house for year.

N. G. \$3,000 in Indpls. Indianapolis, April 22. 'Pine and Needles,' at the English at \$1.50 top, got poor \$3,000 the first half of last week here in three nights and Wednesday matinee.

JACK DURANT

Featured in GEORGE ABBOTTS
"PAL JOEY"
Barrymore Theatre, New York

ROSALIND IVAN

in "THE CORN IS GREEN"
NATIONAL THEATRE, N. Y.

DuBarry's 'Twin City Nix' Hypothes Milw. Take to 21G

Milwaukee, April 22. When Minneapolis and St. Paul banned 'DuBarry Was a Lady,' they gave Milwaukee a real treat, for the originally scheduled three days, date at the Davidson here was extended to six days and, despite the late extension and lack of adequate time to plug it, the Bert Lahr show at \$3.50 top in the 1,500-seater grossed approximately \$21,000, regarded as remarkable this late in the season.

Critics took gentle gibes at the virtue of the Twin Cities and opined that Milwaukee was no worse off, nor any better, for 'DuBarry' had been here. A number of Minneapolis people came all the way here to see the show.

HARVEST GOOD \$18,000 IN HUB

Boston, April 22. 'Hope for Harvest,' starring Freddie March and Florence Eldridge, showed pleasing strength in its second-annual tryout week here; and revival of 'Rose Marie' drew fair trade, but negative word-of-mouth. Return engagement of 'Tobacco Road' attracted disappointing bit, but enough to warrant a second stanza.

'Student Prince' is mentioned for the Opera House group, but the advance booking sheet clearly indicates the current season's on its last legs.

Estimates for Last Week
'Hope for Harvest,' Colonial (2d wk) (1,643; \$3.50)—Took nix \$18,000 for closing week, staunchly supported by the Guild subscription list.

'Rose Marie,' Shubert (1st wk) (1,500; \$2.75)—Local press was kind to production that had only a week's rehearsal, and \$12,500 for the first week rates as okay.

'Tobacco Road,' Plymouth (1st wk) (1,400; \$1.65)—Apparently the previous run here and the old dim milked the cream off the biz for this one. Opening week \$8,500; stays for one more.

Met Op Close to Record '39 Gross in Cleveland

Cleveland, April 22. Metropolitan Opera Co. did not pass the record it hit here in 1939, when it grossed \$188,092, but it came remarkably close to it last week by rolling up an attendance of approximately 68,000 in eight performances at the local civic auditorium. Four were complete sell-outs.

After singing in 'Tristan and Isolde' and 'Die Walkure,' Kirsten Flagstad left for Copenhagen to board the Dixie Clipper for a trip to Norway. She will join her lumberman husband, Hens Johansen, in Copenhagen, planning to do a concert tour, returning in September.

Durbin-Paul

from the church and later at a Beverly-Wilshire hotel reception. Best man was Elwood Bredell, Paul's half-brother. Mrs. Clarence Heckman, sister of the actress, was matron of honor. Bridesmaids included Gene Reed, Helen Parrish, Anne Gwynne, Anne Shirley, Mrs. Marvin Bradley and Mrs. Thomas King. Ushers were John Rogers, Thomas King, Reed Gattman, Robert Ross, Claude Fisher, Howard Christie, and Joseph McDonough.

Miss Durbin came down the church aisle on the arm of her father, James Durbin. The ceremony was a double-ring one, heightened by the color of a full male choir and ended by recitation of the Lord's Prayer. Church was magnificently decorated with flowers and great cathedral tapers filled the length of the aisle. Pair left immediately after reception for month's honeymoon, destination secret.

Deanna's Radio Bits
Hollywood, April 22. Mitchell Hamblum has left for New York to talk a radio deal for Deanna Durbin. Several advertising agencies are interested.

Chatterton Not Treated Gently at Memphis B. O.

Memphis, April 22. Ruth Chatterton, starting in 'Treat Her Gently,' was no boxoffice wow at the Ellis Auditorium Saturday (19) for two performances. At estimated \$1,500 gross there was plenty of red ink in the first of the municipal and has had this season.

Miss Chatterton did give localities something of a thrill, however, in her understating bit at the end of the second act's first scene.

SAROYAN GETS RAVES, FAIR 11G IN L.A.

Los Angeles, April 22. In spite of rave notices to bulk of the local daily press, the Eddie Dowling show, 'Time of Your Life,' by William Saroyan, is just hitting fair business at Biltmore, where it winds up a scheduled two weeks' run (26). However, both show and house will make some money.

'Gas Light' wound up a little better than six weeks at the Hollywood Playhouse (18) and may four westerners at Biltmore, where it produced and is operating the house. First week dipped to around \$2,500, just getting the company to \$56,500.

'Rose Marie,' Mason (1,800; 59c). Operetta at Woolworth prices brought fair \$2,500 for third and final stanza. 'Widow' replaces (23).

'Time of Your Life,' Biltmore (1,638; \$2.75) (1st wk). Eddie Dowling-Julie Haydon in Saroyan's comedy that won top prizes in N. Y. garnered mid \$11,000 here on initial week, and will likely dip several grand on second-day stanza.

'Gas Light,' Playhouse, Hollywood (1,142; \$1.65). English meller with all British cast made a few dollars for George Raft, who produced and is operating the house. First week dipped to around \$2,500, just getting the company to \$56,500.

'Rose Marie,' Mason (1,800; 59c). Operetta at Woolworth prices brought fair \$2,500 for third and final stanza. 'Widow' replaces (23).

'HELLZ' GREAT \$29,000 IN 2D ST. LOUIS WK.

St. Louis, April 22. 'Hellzapoppin' brushed aside such opposition as 'Don Giovanni,' presented by the St. Louis Grand Opera Assn., a recital by Nelson Eddy, two days of main acts, hot water, and finished the last of a two-week stand at the American Saturday (19) by establishing another new high b.o. intake for current season. Nine performances copped an estimated \$29,000 and brought the total for the engagement to \$56,500.

Helen Hayes and Maurice Evans, in 'Twelfth Night,' are current.

'Cabin,' \$15,000, Under Expectations in Pitt

Pittsburgh, April 22. While 'Cabin in the Sky' bettered an even break at six days, take of \$15,000 wasn't quite up to expectations for Easter Week. Figure that combo of Ethel Waters—Mamba's Daughter—had its best week on the road here last season—holiday and rave notices would produce more than that, but they didn't start coming until near end of engagement and by that time it was too late to account for sock biz.

Nixon currently has annual U. of Pittsburgh Cap and Gown musical, 'Head Over Heels,' and next week winds up ATS last week, but hardly good enough and last two weeks announced; takings around \$7,500.

'Pal Joey,' Barrymore (17th week) (1,142; \$4.40). Picked up some over Holy Week slack, but like others did not fully come back; rated slightly over \$19,000.

'Faust,' 46th St. (25th week) (M-1,347; \$4.40). Bit better here, too, but not up to previous leadership pace; got best money week at \$29,000.

'Separate Rooms,' Plymouth (56th week) (C-1,107; \$3.30). Over \$8,000 in this week, which may outdo others and stay into another summer; most popular show among culture and social money trade, too.

'The Beautiful People,' Lyceum (C-1,004; \$3.30). Presented by William Saroyan; written by him; opened Monday (21) after week of previews; some high praise; other notices questionable.

'The Corn Is Green,' National (21st week) (D-1,162; \$3.30). Better figure for early success, an extra matinee

Montreal, April 22. Six nights and two mats last week realized estimated smash: \$12,000 at \$2 top for magician Dante at His Majesty's and show is held over for another week currently.

Several other shows are in the tent here.

'Rhine' \$19,000, 'Arsenic' \$16,600, 'Corn' 17 1/2 G, 'Eileen' 16 1/2 G, All Big Despite B'way's Easter Wk Dip

Easter business was disappointing. Grosses advanced only for those shows which inserted extra matinees, with one or two exceptions.

Estimates for Last Week
Key: C (Comedy), D (Drama), R (Revue), M (Musical), F (Farce), O (Operetta).

'Arsenic and Old Lace,' Fulton (15th week) (C-938; \$3.30). High amidst the straight shows and those in larger houses getting more money; \$16,600, which is capacity.

'Claudia,' Booth (10th week) (C-712; \$3.30). Business generally strong though not capacity; the gross went up by virtue of an extra performance; \$14,500 in nine times.

'Flight of the West,' Royale (D-1,047; \$1.50). Final and 17th week; fared mildly when at the Guild; moved here after the local scale slacked two-thirds; climbed to even break at \$8,000, then slipped back.

'Hellzapoppin,' Winter Garden (135th week) (R-1,871; \$3.30). Olsen and Johnson will withdraw after this week; plan calls for staying into May; however, up somewhat; \$22,000.

'It Happens on Ice,' Center (3d week) (C-1,000; \$2.75). Business management 3,087. \$2.75. Played 13 performances last week; business fairly okay, with count around \$20,000; could have gotten plenty better.

'Johnny Belinda,' Longacre (31st week) (D-1,016; \$3.30). Was an average show, but with a few doubtful notices; mild grosser that may stay balance of season regardless; \$5,500 estimated.

'The Student Prince,' Alvin (13th week) (M-1,375; \$4.40). Friday and Saturday performances cancelled on account of rain; business fair; true Lawrence; that topped about \$12,000 from last week's gross; \$20,000.

'Life With Father,' Empire (75th week) (C-1,005; \$3.30). Improved more than most others and certainly for another summer; gross quoted at \$17,500.

'Louisiana Purchase,' Imperial (4th week) (C-1,450; \$4.40). Improved more than most other shows on list; that's happened before with this stayer after pre-holiday dip; quoted at \$24,000 or \$5,000 more.

'Holy Week,' which was somewhat overestimated.

'Man Who Came to Dinner,' Music Box (18th week) (C-1,013; \$3.30). Better money here so a lesser degree; \$9,500, which is said to have earned a profit for both house and show.

'Meet the People,' Mansfield (17th week) (R-1,000; \$3.30). Coast revenue has been in the moderate money division since opening; around \$9,000; gets by with operating costs revised down.

'My Sister Eileen,' Biltmore (17th week) (C-981; \$3.30). Got share of the holiday trade; business fair; quoted over \$16,500.

'Mr. and Mrs. North,' Belasco (14th week) (C-1,000; \$3.30). Expected to play well into next month and will probably pay off production before then; moderate coin around \$9,000.

'Pal Joey,' Barrymore (17th week) (C-1,142; \$4.40). Picked up some over Holy Week slack, but like others did not fully come back; rated slightly over \$19,000.

'Faust,' 46th St. (25th week) (M-1,347; \$4.40). Bit better here, too, but not up to previous leadership pace; got best money week at \$29,000.

'Separate Rooms,' Plymouth (56th week) (C-1,107; \$3.30). Over \$8,000 in this week, which may outdo others and stay into another summer; most popular show among culture and social money trade, too.

'The Beautiful People,' Lyceum (C-1,004; \$3.30). Presented by William Saroyan; written by him; opened Monday (21) after week of previews; some high praise; other notices questionable.

'The Corn Is Green,' National (21st week) (D-1,162; \$3.30). Better figure for early success, an extra matinee

counting in the gross, which picked up to \$17,500.

'Tobacco Road,' Forrest (283d week) (C-1,107; \$1.10). Said to have turned a slight profit with takings but over \$5,000; road show still getting the gravy.

'Watch the Rhine,' Beck (3d week) (D-1,214; \$3.30). New drama hit and likely prize winner moved up another notch; office: better than \$19,000 recorded; virtual capacity.

REVIVALS
'The Doctor's Dilemma,' Shubert (6th week) (C-1,405; \$3.30). Came back much better than the field; takings estimated around \$22,000 level; great money for old Shavian work.

'Charley's Aunt,' Cort (27th week) (C-1,064; \$3.30). Had two extra matinees carded last week, but dropped one because of warm weather; ended over \$8,000, which is plausible.

ADDED
'Not in Our Hands,' Baltimore. Written by George Corey; presented by Experimental Theatre; one performance Friday (25) afternoon.

LUNTS, \$18,000, FAIR IN PHILLY

Philadelphia, April 22. Easter Week was big for the legit here, but not for the Lunts, who were open, but they both hit the bulleseye.

'There Shall Be No Night,' with the Lunts, did fairly good first week's trade at the Forrest, although extent of gross was held down by fact show was on a subscription reduced scale. 'Life With Father' went up again after the Lenten slump.

Estimates for Last Week
'Life With Father,' Walnut (7th week) (C-1,005; \$3.30). Didn't jump during holiday going as expected. Rated around \$16,500, but big enough. Strated through May.

'There Shall Be No Night,' Forrest (1st week) (1,800; \$2.85). Lunts pulled \$18,000. ATS subscription rate held down by fact show was on a subscription reduced scale. 'Life With Father' went up again after the Lenten slump.

'The Student Prince,' Alvin (13th week) (M-1,375; \$4.40). Friday and Saturday performances cancelled on account of rain; business fair; true Lawrence; that topped about \$12,000 from last week's gross; \$20,000.

'Life With Father,' Empire (75th week) (C-1,005; \$3.30). Improved more than most others and certainly for another summer; gross quoted at \$17,500.

'Louisiana Purchase,' Imperial (4th week) (C-1,450; \$4.40). Improved more than most other shows on list; that's happened before with this stayer after pre-holiday dip; quoted at \$24,000 or \$5,000 more.

'Holy Week,' which was somewhat overestimated.

'Man Who Came to Dinner,' Music Box (18th week) (C-1,013; \$3.30). Better money here so a lesser degree; \$9,500, which is said to have earned a profit for both house and show.

'Meet the People,' Mansfield (17th week) (R-1,000; \$3.30). Coast revenue has been in the moderate money division since opening; around \$9,000; gets by with operating costs revised down.

'My Sister Eileen,' Biltmore (17th week) (C-981; \$3.30). Got share of the holiday trade; business fair; quoted over \$16,500.

'Mr. and Mrs. North,' Belasco (14th week) (C-1,000; \$3.30). Expected to play well into next month and will probably pay off production before then; moderate coin around \$9,000.

'Pal Joey,' Barrymore (17th week) (C-1,142; \$4.40). Picked up some over Holy Week slack, but like others did not fully come back; rated slightly over \$19,000.

'Faust,' 46th St. (25th week) (M-1,347; \$4.40). Bit better here, too, but not up to previous leadership pace; got best money week at \$29,000.

'Separate Rooms,' Plymouth (56th week) (C-1,107; \$3.30). Over \$8,000 in this week, which may outdo others and stay into another summer; most popular show among culture and social money trade, too.

'The Beautiful People,' Lyceum (C-1,004; \$3.30). Presented by William Saroyan; written by him; opened Monday (21) after week of previews; some high praise; other notices questionable.

'The Corn Is Green,' National (21st week) (D-1,162; \$3.30). Better figure for early success, an extra matinee

Montreal, April 22. Six nights and two mats last week realized estimated smash: \$12,000 at \$2 top for magician Dante at His Majesty's and show is held over for another week currently.

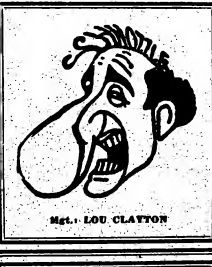
Several other shows are in the tent here.

Montreal, April 22. Six nights and two mats last week realized estimated smash: \$12,000 at \$2 top for magician Dante at His Majesty's and show is held over for another week currently.

Several other shows are in the tent here.

Montreal, April 22. Six nights and two mats last week realized estimated smash: \$12,000 at \$2 top for magician Dante at His Majesty's and show is held over for another week currently.

Several other shows are in the tent here.



EDDIE GARR

CO-STARRING
IN RECORD BREAKING
"HELLZ-A-POPPIN"
ON TOUR

Met: WM. KENT
1776 B'way, New York

University of Pittsburgh's recent football deflation policy seems to have extended to school's Cap and Gown Club as well. Thirty-fourth annual all-male musical is one of poorest in series and has little to recommend it except couple of tunes.

(Continued on page 55)

Broadway

Lee Tracy and wife on way back to Hollywood by boat.

Russell is on an auto tour of the south with his mother.

Grad Sears in the dentist office most of last week with tooth trouble.

Margie Coste and Frank Cronin in Gus Arnheim's, West 47th street spot.

The Clifford C. Fischers arrived Monday (21) from the South American summer.

Joe Lee, 20th-Fox branch manager in N. Y., serving on the Federal grand jury.

Saul Abraham's son enlisted and assigned to a camp in Georgia, where he is a corporal.

Alan Collins, Curtis Brown agency chief, laid up all last week with strep of throat.

Stanton Griffiths, Par board chairman, expected back this week from vacation in Mexico.

Frances Gashel of Paramount's h.o. en route to California via the canal, to be gone a month.

Arthur Martens, the Westchester County Commissioner, is taking over a Yonkers tavern.

Parents of Albert and Eric Morini, N.Y. concert artists, are in town and respect, arrived in town from Spain.

Oscar Serlin, producer of "Life with Father," left for the Coast yesterday (22) to shoot the film.

Ben Marden will reopen his well-known Riviera at Fort Lee, N.J., by May 1, the earliest unveiling in its history.

Mrs. Arthur Israel, wife of ex-ambassador to Bolivia, is going to Mexico on a trip in Dixie, from whence she sails.

Jim O'Neill's talking South American and is an attraction in the "Maple" cafe, Broadway near 83d street.

William Dill, grad of American Academy of Dramatic Art, signed by Warner Bros., reporting to Coast next month.

John Scherer arrived in town Friday (18) for the vision of "Panama Hatline," in film version of which she's slated to star.

Margot Johnson, vice-pres. of the Ann Watkins play agency, on the Coast, headquarters at Berg-Altenberg.

Agent Eddie Sherman scrams for the Coast today (Wed.), returning after a week's business conference with Abbott and Costello.

Charles C. Pettijohn, Hays office executive, troubled by cold, is in Washington and other key spots where solons are acting up.

RKO officials watching advance sale of "Citizen Kane" at Palace as tipoff to future business when film goes into general circulation.

Cheever, former chairman of Universal's board, remaining on the Coast for about 10 days longer to get new production ideas.

Larry Cowen, with the Fabian circuit for years in Albany and in the Naval Reserves (military intelligence), in town on Monday.

Not liking the "class" of the crowd attracted by the conghumbra matinee at the Saturday Matinee, the Latin-tea dancers at his LaMaritine.

Alvin G. Hart has withdrawn from the law firm of Friend, Holbrook, Reiskind & Mart, to devote his entire time to the Republican State Committee.

Cap O'Brien beaming over to his new grandson and namesake, Dennis O'Brien, who is expected to arrive in his son Paul and the Mrs. the former Katherine Walsh.

Jerry Keyser, Warner Bros. foreign publicity chief, has developed pneumonia from his second attack of flu and his condition will keep him away for several weeks.

Richard Rodgers, songwriter, bought large country place in Greenfield Hill, near Fairfield, Conn., through Mrs. P. Adams.

After doing two special broadcasts in French from Mexico on Canadian-sponsored programs for defense, Madeleine Carroll returned to New York yesterday (22) to hop a plane for the Coast.

I. Robert Borden, theatrical agent, is again turning farmer, having bought himself a 10-acre estate up in Dutchess County, New York, where Matt Kelly, former agent, is now Justice of the Peace.

John Farmer, in RKO's financial department, back from Salt Lake City where he went to attend the funeral of a friend, who died suddenly the previous week.

Charles Quinter, a Columbia Pictures "Panamericana," and Antonio, who is in the "Panamericana" on the Coast for another picture at Universal.

Robert Kulk, treasurer of Producers Release Corp., and New York franchiseholder, ordered to active duty at the Naval Air Station, Pensacola, Fla.

Pat Donahue, secretary to Dick Mervin, of Paramount, has been ordered, who went to Hollywood on vacation a month ago, to remain to remain on the Coast as sec. to Ralph Blum of Feldman-Blum agency.

Archie Mayo, film director now vacationing in Havana, sent out

1,000 reprints of Charlie Chaplin's concluding speech in "Great Dictator," with a foreword that had I lived at the time of Lincoln, I believe I would have mailed you his Gettysburg speech."

Australia

By Eric Gerrick

"Great Dictator" (UA) cleaning up in the stix.

Hoys erecting new theatre in Hobart, Tasmania.

Carl Brisson postponed his Aussie trip from the U. S.

Stuart F. Doyle is erecting a newsreel in Adelaide.

Frank Leighton and Nellie Barnes returning from London for Williamson-Tait.

"Rio Rita" continued as a surprise revival clinic in Melbourne for Williamson-Tait.

Wirth's circuit routed into Sydney for the winter period. Unit is under the management of Don Williams.

Al Golding and Clarence Badger are waiting around in the hope that Aussies will produce a picture.

New bid is on to introduce daylight saving throughout this territory on national, sayso. Pic industry is battling.

Queensland exhibs are putting on full pressure to the government to bring down the bill imposing 25% right of rejection of U.S. pix.

Anticipated that Greater Union will originate show a healthy profit on the production of "The Boy in the Bush."

Hoys plans to distribute "40,000 Horsemen" in the month of May, in Australia, with Universal ready to handle the pic in U. S., England, Canada and the Far East.

Film biz okay in New Zealand, with "Pride and Prejudice" (M-G). Return of Frank James (20th).

Maryland (20th) "All This and Heaven Too" (WB).

Government said to be mulling additional revenue from the pic industry in the near future by either upping the admission tax or hitting up the import duty on raw stock.

Eric Perry, formerly presentation director for Greater Union, is now with J. Walter Thompson ad agency local, handling the bookend dept. for Australia's Amateur Hour.

"Black Velvet" is doing smash trade here, in the Tivoli.

Cast includes Roy Kene, Bob Dyer, Germaine and Joe, Anita Martell, Billy Samuels, plus Gardner and Kane.

Charles Chauvel, Australia's Mayor, plans to invite a Hollywood star to visit this zone for a period to bid to the 40,000 horsemen.

For the Lenten period the marquees here mainly U. S. with the top b.o. pic including "Boom Town" (M-G), "Philadelphia Story" (M-G), "The Philadel" (20th) and "Santa Fe Trail" (WB).

Officers of a unit of U. S. Pacific fleet visiting here were given a look-see of "40,000 Horsemen" (U.) at a party thrown by Lord Wakehurst, Governor of New South Wales. Local pic business is in the doldrums.

Charles Chauvel, producer of "40,000 Horsemen" (U), has been asked to delve into politics via the Aussie Coast, but he declines at the moment. Anticipated, however, that Chauvel will stick to pic production.

"Two Women" produced by Candlelight as Lenten attraction at Minerva, Sydney, Cast included Madge Aubrey and John McCallum. Hal Thomas, producer, is in the States for two for Martin on Melbourne run bid.

Havana

La Concha is new local nitery.

Baltus of Col. de Bait still stuck here.

Sergio Orla, of N. Y.'s Havana-Madrid nitery, is here for a week with "The Great Dictator" (UA).

David Lichine, on his own hook, has inaugurated Afro-Cubano ballet for the first time.

Jack Kapl while here, on a quickie from Miami, o.c'd the local dist. field.

Blitzkrieg picture of undetermined origin, advertised to be shown at the Rex theatre, here, in the U. S. by the government of Cuba.

It's said to be Nazi propaganda.

Robbins Music Co. has signed Carlos F. Torres as Afro-Cubano composer. Known in the States for his "Blen Bien Blen" and "Blute Changon." Both titles in Afro-20th-Fox here shooting background for its new technicolor film featuring the Cuban trio of "The Three Kings."

Patricia, Cesar Romero and Don Ameche. Tentative title is "Caribbean Cruise."

Jaime Marine, head of Cuba's all-powerful Sports Commission, daily awaits passage of bill for the creation of a Tourist Commission. New law would incidentally give him whiphand over theatres, hotels, etc.

Intercontinental Panamericana (ARTIP), which plans presenting the Americas, one of the best of the new films, is set up in Havana. Guiding light of the institution is M. Leiser, French refugee and ex-Paris film director.

London

Margaret Lockwood having a baby.

Maxie Ostrer has gotten over flu.

Max Catto now a pilot officer in the R.A.F.

Gerry Freeman and Oscar Deutsch conferring on film production deal.

Elliot Cressley, Williams' dramatist, his best seller, "Husbands Can't Help It."

Constance Cummings, and Max Catto in hush-hush conference over new comedy "Second Best Bed."

Michael Egan finished new comedy, "Love in a Cottage," in between Home Guard shifts.

Gordon Sherry, author of "Black Lightning," has new thriller ready titled "Darling, Where Am I?"

General Film Distributors Corp. has declared a quarterly dividend of 4% on its preference shares.

Campbell Dixon, of the Daily Telegraph, succeeds Symington Harman as chairman of the Film Critics Circle.

Abe Golde has purchased site in Bath to build new deluxe picture theatre as soon as the war is over.

Gilbert Wakefield working on a new comedy "The Book of David." Title has already been used for a film.

Arthur Klein sues Lyle Evans for using his songs in the revival of "Co-Optimists" without author's permission.

Sir Oswald Stoll is already announcing his next Christmas pantomime for the Coliseum, Jack and the Beanstalk.

Gainsborough Films' new Arthur Askey film "I Thank You," shooting at Gaumont-British studios, Shepherd's Bush.

Jean Forbes-Robertson, now touring in "Berkeley Square," optioning topical new Beatrice Mayor play, "Two Tempests."

Lea Brackley new vehicle to follow "Cottage to Let" is a romantic thriller by the late A. G. MacDonnell (title by the late A. G. MacDonnell).

Henry Kendall finishing "High Temperature" tour in order to co-star with Hermione Baddeley in new revue called "The Book of David."

Geoffrey Goodhart, director of company presenting "Thunder Rock" of D. Bentley, is back in London as leader at the Piccadilly hotel theatre.

Ruth Feiner's novel, "Three Cups of Coffee," bought for serialization in Zeitung, new "Free Germany" daily published here by Maxwell.

Walt Disney has presented the government here with the rights to use a Don Isidoro short in creating propaganda for the sale of war savings certificates.

Arthur Banger and Jack Oilphant in management with Max Walter Ellis face, "He Didn't Want to Do It," his Roxy is in Deal. Deal set to be a success.

There are 4,600 cinemas in England, and about 450 have been affected by the blitz, most of them slightly, and in not a single instance were there any serious casualties.

Compton and Smith have been writing a play with incidental music of Smetana Smet, the smithy who gave his name to the first American rights.

Two more Walter Ellis "Stage Follies" are being produced, "The Weak Moment," sold for production, and his pre-bits success, "Good Men and True," are being revived.

Eighty-one all three Delysia has received news of the death of her 85-year-old mother in Egypt.

Recent meeting between film ex-its are trade press agents saw airing of former's beef against inconvenient hours of press screenings. War's influence on the film industry is pressing place rationing now in force, but it's tough on the boys getting in the picture.

Some get-together editors are likely to knife all blurb copy and picture coverage.

Pittsburgh

By Hal Cohen

M-G's "Ziegfeld Girl" caravan' hits town for the day tomorrow (24).

Nelson's trip to Buffalo for cocktail lounge engagement at O'Jay's Grill.

Charles Knott, local model, joined Blackstone unit when manager left town.

Harry Feinstein and Benny Amdur are on 14-day South American cruise.

Dwight A. Meyer, KDKA engineer, has sold an article on radio to Esquire.

Mike Mano's new house in Uniontown, Pa. will be ready in another week.

Mannie Cohen, former nitery owner, now soldiering at Camp Croft.

Johnny Harris and his mother and brother, Harry, off to Hollywood for a vacation.

Jack Baile not only doing Nut

Club's publicity but also doubling in the floor show.

Gene Tierney, wife of Rodriguez Dancers at El Chico, is wife of dancer Lee Dixon.

Pittsburgh Press has taken Hilda Hopper's Hollywood column in addition to Jimmy Fidler's.

Jean Travers, nitery singer, didn't miss a single show, because of "Cabin in Sky" at Nixon last week.

Lehman Engel in from Cleveland after a broadcast to see "Comedy of Errors" at Tech.

Y Playhouse has picked Edward Chodoroff "Kind Lady" for its closing production of the season.

George McCall playing lack of trisolate vaude dates with his Hollywood for Booker Sid Mark.

Nixon theatre manager Harry Brown's dotter, Gretchen, coming around okay after major operation.

It's a girl for the Nestor Auths. He used to be assistant manager of Penn here, is now with Loew's in Akron, O.

Lou Starr, nitery and vaude hooper, directing dances for Charlie Gaynor, revue, "Lend An Ear," at Playhouse.

Lolita Cordoba had to postpone El Chichonero until next week because of a tonsil operation, and Junita Rios substituting.

Howard Herrick back ahead of another Broadway show, "Hope for a Harvest." He was last town for "Y. Obedient Husband."

Lou Edwards, owner of McKeesport Memorial theatre's manager, to San Francisco to see son, Bernard, off to Camp Shovel, Cal.

The Lew Lewtons congratulated on their 23d wedding anniversary, son coming home from Army hospital in New York.

Biff Liff, pres. of Carnegie Tech's Scotch and Soda Club, will be assisted by his son, who is at Bucks County Playhouse this summer.

St. Louis

By Sam X. Hurst

Steve Cady, nitery operator, has quit his job, and is to locate in L. A. as owner and operator of a tourist hotel.

Ed Lewitz, treasurer of the Ambassador Theatre, has been ousted by F&M, induced into the army at Camp Robinson, Ark.

Nelson Eddy's recital in opera house, Municipal Auditorium, Thursday (17) drew 2,400, nearly all of whom were females. House was packed, \$1.10 to \$2.75.

Robert Cluster, owner of a chain of film houses in Southern Illinois, is chairman of a committee planning the new municipal hospital in Salem, Ill., his home town.

Robert F. Ross and Jack Donohue, St. Louis, have been named as directors for forthcoming at fresco season of the St. Louis Municipal Theatre Assn. in Forest Park playhouse.

The 1941 circus for the benefit of the local bluecoats, produced by Fanchon Marston, began two-week run in the Arena Thursday (17). Paul Ash, leader of the horse orchestra, is in the ring.

Irvin Eisenberg, 21-year-old fiddler and youngest member of the St. Louis Municipal Theatre Assn., has been selected as a member of Leopold Stokowski's All-American Youth orchestra that will make a 46-city American tour during the summer.

Edith Gordon, conductor of the St. Louis Women's symphony orchestra and assistant manager of the dept. of Municipal Opera and Grand Opera Assn., has been appointed musical director of the Civic Opera Assn.'s outdoor theatre.

Harry Crawford, manager of the Ambassador; Harry Hines, local Universal picture exchange prey; Blackface Eddie Nelson and Billy Smythe, members of the "Hellzapoppin'" cast all of whom were Broadway pals of 20 years ago, held a reunion at Crawford's west end home.

Fairbanks' Trusts

Continued from page 2

proving transfer of the cash assets to the Coast and the request of the trustee, the Guaranty Trust Co., that the trusts be placed in the hands of the Guaranty Trust Co. in favor of the Bank of America in California.

Number of English creditors are listed in the auditing. Principal one is H. R. Rich, of Austin, Duke of Westminster, from whom Fairbanks' leased a home at 99 Park Lane, London, until 1938. Mortgage was given him for the property.

Hugh Selwyn Walford and Geoffrey Hugh Walford for £2,700, which is also listed among Fairbanks' debts.

Other creditors are servants, a nurse, Wilcox, Fairbanks' half brother, who is now office manager of United Artists in New York, and Robert Fairbanks, the actor's brother, both of whom assigned portions of the Fairbanks' estate to the Guaranty Trust for advances, the accounting shows.

Robert Fairbanks has obtained \$16,000 in this manner, and Wilcox \$2,700.

Inheritance taxes paid by the estate in California amounted to \$131,069.32.

Hollywood

Gene Tierney hospitalized for eye treatment.

Benny O'Shea laid up, with bronchitis.

Bob Fender joined Warners publicity staff.

George Rosner in the hospital for eye treatment.

Margaret Hayes in the hospital with a fractured ankle.

Playwright Robert E. Sherwood new to the list his tonsils.

Arch Reeve's son, Bob, used to assist cutter at Paramount.

Bill Cullen, married production assistant to Arthur Freed at Metro.

Gabriel Cortiz, brother of Michael, operating as a director at 20th-Fox.

Dick Powell and Joan Blondell moved to their Balboa Bay home for the summer.

Jean Renoir, French film director, hosting his old literary pal, Antoine de St. Exupery.

Victor Fleming left for Ocala, Fla., to grow the Everglades, for scenes in "The Sign of the Cross."

Harvorth Bromley joined Dolan and Doane agency as head of story and writers department.

S. N. Behrman, house guest of Edgar Selwyn while scripting a new picture for Greta Garbo.

John Ford, while under a hospital check-up after finishing the Universal picture, "Too Many Blondes," new to the list his tonsils.

Ed Lasker, who has been on the KO spot for the first time in 18 years with the publicity staff in New York.

Mary Martin, expecting a maternal event, will take a day's leave, may layoff after making one more picture.

Bill F. Hill, Governor of Wisconsin, provided the studios and made Abbott and Costello honorary colonels.

Elsa Lanchester back from New York after closing of the legit play, "They Walk Alone," in which she was featured.

Edward P. Lambert, formerly v.p. of Western Costume, moved in as head of the wardrobe department at 20th-Fox.

Binnie Barnes returned to work after a week's absence for recovery of injuries sustained during a script squabble on the set.

Richard Schiffman moved out of the Republic organization to become general manager of Consolidated Laboratories, Inc., in New York.

John H. Johnson, owner of his acting associate producer berth at 20th-Fox to take over a captain's commission in U. S. Army Signal Corps.

Harry M. Warner hosted 1,500 Catholic priests and runs in his annual Easter Monday showing of pictures for those who are not permitted to attend public screenings.

Panama

The Britos, Cuban singing team, wowing them here and plotting a New York invasion come June.

Spotted by the press, the Balboa Gardens due to terrific new tax imposed on all gambling games in Panama.

Steve Gilbert, only American m.c. here, who can handle Spanish like a native, heading for his home in New York.

Alice Faye was a stopover visitor during transit of S. S. America en route to Europe. Was a treat for the locals on her tour.

Panama Booking Agency being set up here, will handle the package shows to the Panama, Caracas, Havana and maybe Bogota, Colombia, cafes.

John H. Johnson, who used to do a strip act in and around New York, after two years of married life here plans to return to the business, and is plotting a trip to the States.

Mac Miller, who rose from band-leader to manager in the Balboa Gardens setup, is also handling a couple of small band units. Balboa Gardens gambling casino closed, but spot still open.

Only local casualty among the Americans running cafe here is the Panamanian, who is a local who couldn't get in under the new government law that aliens had to be in the territory for at least six years. Spot folds around June.

New Panama law, calling for at least 50 Spanish music to be played in all called bars, has moved the Americans here developing a terrific Panamanian rumba complex. Conga has taken on the menu, with long distance phone from the jungle spot to encourage the dance.

John H. Johnson, who rose over a lot of bar and cantina owners here finally caught up with Leon Carrington, of the Club and Alcazar, most of the Panamanian rumba here. He now is an officer in the Medical Dept. in Panama and runs his two places.

John H. Johnson, who rose over a lot of bar and cantina owners here finally caught up with Leon Carrington, of the Club and Alcazar, most of the Panamanian rumba here. He now is an officer in the Medical Dept. in Panama and runs his two places.

John H. Johnson, who rose over a lot of bar and cantina owners here finally caught up with Leon Carrington, of the Club and Alcazar, most of the Panamanian rumba here. He now is an officer in the Medical Dept. in Panama and runs his two places.

John H. Johnson, who rose over a lot of bar and cantina owners here finally caught up with Leon Carrington, of the Club and Alcazar, most of the Panamanian rumba here. He now is an officer in the Medical Dept. in Panama and runs his two places.

John H. Johnson, who rose over a lot of bar and cantina owners here finally caught up with Leon Carrington, of the Club and Alcazar, most of the Panamanian rumba here. He now is an officer in the Medical Dept. in Panama and runs his two places.

John H. Johnson, who rose over a lot of bar and cantina owners here finally caught up with Leon Carrington, of the Club and Alcazar, most of the Panamanian rumba here. He now is an officer in the Medical Dept. in Panama and runs his two places.

John H. Johnson, who rose over a lot of bar and cantina owners here finally caught up with Leon Carrington, of the Club and Alcazar, most of the Panamanian rumba here. He now is an officer in the Medical Dept. in Panama and runs his two places.

John H. Johnson, who rose over a lot of bar and cantina owners here finally caught up with Leon Carrington, of the Club and Alcazar, most of the Panamanian rumba here. He now is an officer in the Medical Dept. in Panama and runs his two places.

John H. Johnson, who rose over a lot of bar and cantina owners here finally caught up with Leon Carrington, of the Club and Alcazar, most of the Panamanian rumba here. He now is an officer in the Medical Dept. in Panama and runs his two places.

John H. Johnson, who rose over a lot of bar and cantina owners here finally caught up with Leon Carrington, of the Club and Alcazar, most of the Panamanian rumba here. He now is an officer in the Medical Dept. in Panama and runs his two places.

John H. Johnson, who rose over a lot of bar and cantina owners here finally caught up with Leon Carrington, of the Club and Alcazar, most of the Panamanian rumba here. He now is an officer in the Medical Dept. in Panama and runs his two places.

John H. Johnson, who rose over a lot of bar and cantina owners here finally caught up with Leon Carrington, of the Club and Alcazar, most of the Panamanian rumba here. He now is an officer in the Medical Dept. in Panama and runs his two places.

John H. Johnson, who rose over a lot of bar and cantina owners here finally caught up

OBITUARIES

HAROLD B. FRANKLIN
Harold B. Franklin, 47, one time prominently connected in executive capacities with Paramount, RKO and Fox-West Coast theatres, died April 19 at his home in Los Angeles, Calif., after a long illness.

Details in the picture section.

WILLIAM DANFORTH
William Danforth, 73, one of the country's most able and celebrated performers of Gilbert & Sullivan operettas who had appeared, according to his own estimate, in more than 5,000 performances of the satirical operas, died April 16 in Skaneateles, N. Y., near Syracuse, after a long illness.

Born in Syracuse, Danforth made his debut at the age of 11 as Dick Deadeye in a children's production of "H. M. S. Pinafore." Some four years later he joined the Boston Lyceum Opera Co. and appeared in such light opera works as "The Chimes of Normandy," "Patience," "Olivette" and other plays.

Danforth's true name was Daniels, he changed it in 1897 to avoid confusing his identity with the producer-actor, Frank Daniels, with whom he had become associated. At the turn of the century he was concerned in many plays, including "The Wizard of the Nile," "The Ameri," "Half a King" and "The Chieftain." With these productions Danforth was seen mainly as a comic heavy.

Danforth, whose last performance was that of Wilfred Shadblot in "The Yeomen of the Guard" four years ago, was notable for his faith in retaining his stage pose when muffled a line. Often, when his memory temporarily failed him, he would cue the orchestra to play a musical refrain, which he then sang, thus retreating his lines had no further difficulty. Late in his career he once remarked he knew the Gilbert & Sullivan scores so well that he was able to change from one opera to another without benefit of rehearsal.

Surviving are his widow, Norma, also an actress, whom he married in 1896; a daughter, Mrs. J. J. U. Munro, at whose home he died, and a son, John. Funeral services were held in Syracuse, April 18, and burial took place in that city.

HATTIE DELARCO
Hattie Delarco, 80, singer and comedienne who had appeared in more than a score of comic operas and other plays before the turn of the century, died April 19 in New York after a long illness.

The widow of William S. Barnes, an attorney, Miss Delarco was born in Brooklyn and began her debut there in comic opera repertory at the old Grand Opera House in 1881. Thereafter, she also had roles with Eliza Weatherly and Nat C. Goodwin's "Hobbies."

A versatile performer, Miss Delarco was seen in the original Broadway production of "Iolanthe" at the old Herald theatre, just below Herald Square, with Richard Mansfield, she appeared in the first Boston showing of "The Mikado" at the Hollis St. theatre in 1885.

Other plays in which she had parts included "Mam'zelle Awkins," "The Man in the Moon," "Around the World in 80 Minutes" and "A Tailor Made Man." She also appeared in the repertory of the old Grand Opera House, San Francisco, and was a featured performer in the old J. C. Duff Opera Company in New York. William A. Brady, George M. Cohan and Sam H. Brodsky were among managers for whom she worked.

JOSEPH D. R. FREED
Joseph D. R. Freed, 43, manufacturer of a popular receiving set in the early days of the radio industry and president of the newly formed Freed Radio Corp., designer of frequency modulation receivers, died April 19 after a short illness at his home in Riverside, N. Y.

With Alexander Elismann as a partner, he founded the Freed-Elismann Radio Corp. in 1921 and began commercial production of radio sets which grew into a \$600,000 enterprise within three years of its formation. His firm also built technical equipment for the U. S. Navy.

A native of New York, Freed left the manufacturing field in 1931 to join the Brunswick Radio Corp. a subsidiary of Warner Bros. Pictures. He remained there until 1938 when he shifted to Music Corp. as v.p. and general manager.

However, when Major Armstrong's

method of transmitting by frequency modulation began to have a wider appeal among the public, Freed again became a manufacturer of sets which were especially designed for that type of transmission.

He leaves his widow, Gertrude; a son, Robert; his father and four brothers. Funeral services were held in New York Sunday and burial took place at Mt. Judah cemetery, Brooklyn.

GEORGE C. MACKINNON
George C. MacKinnon, 45, songwriter and for 12 years author of "Wisdom Box" column in the Boston Record, died April 17 in Medical Arts Center hospital, N. Y., following two operations for gallstones and complications. Funeral was in Boston April 19.

While writing his witty gossip column in Boston, MacKinnon became interested in songwriting, and about a year ago shifted to New York to move into this line. He still kept his typewriter going by penning a column for Swing magazine and a syndicated column for New York, New Jersey and Pennsylvania weeklies, including "Coin a Phrase."

Just before he died he was notified that "Uncle Sam, Here I Am," which he wrote with Ray Perkins, was beginning to click and had been accepted by the morale division of the U. S. Army as an official number. He was a member of ASCAP. Among songs credited to MacKinnon were "You Set Me on Fire," "It's Dark in My Heart" and "Sub-Deb Blues." On latter one he collaborated with Sally Sears, Boston social singer. Some years ago he composed "Justice Canticle Jazz" with George Holland, Boston-American columnist. MacKinnon also made numerous stage appearances as m.c. of Boston units, which he also helped produce.

He leaves a widow, Katherine Donovan MacKinnon, Boston newspaperwoman.

PACIE RIPLE
Pacie Ripple, actor and singer, died April 15 at the Post-Graduate Hospital, New York, after a week's illness. His last stage appearance was in "Victor Moore-William Caxton musical, 'Anything Goes,' at the Alvin, N. Y., three seasons ago.

Ripple, born in Dublin, studied opera in Italy and made his first professional appearance in England as leading tenor with the Carl Rosa Opera Co. For seven years he played on the London stage and also toured the world as a member of the D'Oyly Carte Opera Co. While at the Savoy Opera House, London, he sang under the personal direction of Sir Arthur Sullivan and Sir Edward Elgar.

Upon coming to America, Ripple was leading tenor for seven years in musicals produced by Charles Hoyt. He also had roles in "The Farmer's Wife," "The New Moon," "So This Is London" and "Under Glass." For the past eight years it was his custom to direct the spring production of the Savoy Opera Company in Philadelphia.

He leaves his widow, Alice. Funeral services were held April 18 in New York at the Little Church Around the Corner.

MARY MONCURE PARKER
Mrs. Mary Moncure Parker, 79, former actress, playwright and founder of a Cleveland dramatic school, died April 14 in Cleveland after a brief illness.

Best known for her monologues, appearing under the management of Gus Frohman, she wrote 20 volumes of plays and recitations which were published in the last 35 years. Also acted in some of the plays at the old Whitney Opera House, Chicago, and dramatized them over CBS when she lived in Chicago and New York. For a time she was on Columbia's experimental television programs.

She was born in Frederickburg, Va., daughter of the Rev. Henry Martin Paynter and Alice Moncure Paynter, she was a descendant of Lawrence Washington, brother of the first U. S. president. Her husband, William R. Parker, died some years ago. She founded Tucker School of Expression in Cleveland, belonged to New York Women's Press Club, Illinois State Press Association and the D. A. R.

MILIE FRANKESKA
Fannie Lawson, 76, best known in vaudeville as Milie Frankeska, died April 17 in her one-room New York tenement flat following a

heart attack. A social worker was visiting the old performer when she collapsed and called an ambulance, but death beat the doctor.

Milie Frankeska started in show business with her husband, whose name was Lawson, and their tramp cycling act was billed as Lawson and Nannon. She then had a couple of parrots for pets and, after splitting with her husband, was prevailed upon to do an act with the birds under the billing of Milie Frankeska. One of them was a jackle, still living and which, for a couple of hours after its mistress died, wandered about the room crying "Goodbye, mother."

As Milie Frankeska, she was a successful trouper, principally playing the western vaudeville time. She retired about seven years ago, and had been living her savings and an old-age pension.

ARTHUR P. HYMAN
Arthur P. Hyman, 59, former stage manager for David Belasco, died in Toledo, April 12 after a long illness. Burial was in New Orleans.

Hyman was one of the founders of the Repertoire Little Theatre, Toledo, and served for six years as its production manager. When the Federal Theatre Project was organized in Toledo, he became its managing director, and later was commissioned to organize the courses of study for the state training school for drama and under the WPA recreational program. He directed activities of this project until late in 1938 when he became associated with Dramatists, Inc., Cleveland, and conducted dramatic presentations for industrial organizations.

A son, daughter, two sisters and a brother survive.

THOMAS W. CHATBURN
Thomas Wellington Chatburn, 52, retired manager of the Richmond theatre, North Adams, Mass., executive of the Vitagraph company in the silent film days and a former manager of the Hippodrome theatre, New York, died in North Adams Monday (21) of a heart attack.

Widow, brother and three sisters live in New York.

Chatburn managed the Richmond, from August, 1940, until two months ago when ill health forced his resignation. He and his wife had a narrow escape from a fire last November in a local hotel here.

Chatburn's connection with Vitagraph ended when Warners took over the company.

PEARL CURRAN
Mrs. Pearl Curran, 65, composer of ballads and popular songs, whose works were introduced on the concert stage by such singers as Anna Case and Enrico Caruso, died April 16 in New Rochelle, N. Y., after a short illness.

Born in Denver, Mrs. Curran at one time conducted a network program, which included some of her more popular compositions. A member of ASCAP, she did not begin writing until she reached the age of 37.

Surviving are her husband, Hugh, and a daughter. Funeral services were held Friday (18) at her home in Larchmont, N. Y.

FRED CONQUEST
Fred Conquest, 70, well known pantomimist and animal impersonator, died at his home in the Isle of Wight, England, March 19. In his youth, he succeeded, in partnership with his elder brother, to the opera house, and later, Surrey, Surrey Drury Lane, on the death of his father, making his first stage appearance there in pantomime.

Conquest became famous for his animal impersonations, appearing annually in this type of role for 45 years. He had also toured Canada and South Africa.

RICHARD H. MCGRATH
Richard H. McGrath, 70, former vaude performer and banjoist who appeared with his brother, Fred, in an act known as the McGrath Brothers, died April 19 after a short illness at the John Adams Hospital, Chelsea, Mass.

A veteran of the Spanish-American War, McGrath was born in Gloucester, Mass., and lived in the stage after the decline of vaude. He had also been a teacher of mandolin and banjo.

Surviving, besides his brother, are his widow, Freda, and a sister. Burial took place in Gloucester.

HENRI A. JOCKIN
Henri A. Jockin, 57, pioneer radio singer and member of the National Male Quartet, died of the first programs to be radio-sponsored, died

April 14 in the Bronx, N. Y., after a long illness.

Jockin, who also appeared in the original stage production of "Rosalie" at the Ziegfeld, N. Y., sang with the quartet on WEAF, New York, in 1923.

He leaves his widow, Edith, and a son, Harry.

MARC LACHMANN
Marc Lachmann, 44, former Broadway press agent and later publicity director for Universal studios, and more lately with 20th-Fox, died at the Veterans hospital in Sawtelle, near Los Angeles, April 22. He entered the hospital several weeks ago as a mental patient.

Lachmann had alternately been a newspaperman, press agent, scenario writer and freelance p.a. He served in the last war in the Marine Corps. Widow and infant son survive.

ALBAN B. LIMPU
Alban B. Limpus, 63, London theatrical manager and producer, died at his London home March 24. He was associated for years with Dion Boucicault, T. C. Dognall and Charles Kenyon.

Among the many shows Limpus managed were "The Vortex," "The First Mrs. Fraser," "Hay Fever," and "Tony-Draws a Horse." In his early life he had served at sea, in the Boer War during the last war, was with the famous Dover Patrol.

WILLIAM HEARTY
William (Bill) Hearty, 55, carpenter of the Lyceum, N. Y., since 1935, died suddenly Friday (19) of a heart attack while working on a job. He had headed the carpentry department for Cohan & Harris, by whom he was employed for 20 years. Hearty rarely appeared in idiosyncrasy.

He collapsed back stage just after the completion of a rehearsal of "The Beautiful People," William Saroyan's play and production.

JOSEPH MCCUNE
Joseph McCune, 37, district supervisor of the neighborhood Schoenstadt theatre circuit in Chicago, died suddenly in that city on April 17 of heart attack.

McCune had been associated with the Schoenstadt circuit since he was a youngster, and had come up from a job as usher.

Burial in Chicago.

R. GOLDING BRIGHT
R. Golding Bright, play broker and London representative of the Richard J. Madden Play Co., died in London April 15.

After his London rep for the late Elizabeth Marbury, Bright had also acted for a number of authors and dramatists including Paul Vincent Carraway, Somerset Maugham, Eugene O'Neill and Frederick Londale.

RAYMOND HILL
Raymond Hill, 50, screen and radio actor, died April 16 in Hollywood. He worked in several recent Warner pictures and the air appeared on local programs.

Surviving is his widow, to whom he was married two weeks before his death.

RUGH WARD
Hugh Ward, 70, veteran Australian showman, died of heart failure in Sydney, Ward quit the legitimate theatre years ago after long association with Williamson & Tall as a producer-director. He was later with the Fullers.

Widow and two sons survive.

THOMAS J. CANOVAN
Thomas J. Canovan, 73, oldtime stagehand and bit actor, died April 18 in Cleveland. He was stage manager at the old Euclid Opera House and Lyceum, Cleveland, and served as principal in all of Cleveland's houses, retiring in 1938. Survived by widow and sister.

SAMUEL E. SOUL
Samuel E. Soul, 61, manager of the Elks and Central Square theatres, East Boston, Mass., died last week at that city. Born in England, Soul went to Boston as a boy and had been in show biz there for more than 30 years.

BEN F. PERRY
Ben F. Perry, 49, for years conductor of Perry's Black and Gold orchestra, died April 12 at Youngstown, O., after an illness of six months. Survived by his widow, son, sister and two brothers.

MAROLD SIMMONS
Harold Simmons, 28, of Charleston, S. C., singer and actor, died April 3 in New York after brief illness. He

was in chorus of "Lady in the Dark," Broadway legster starring Gertrude Lawrence.

FATHER, 54, of Lewis Sher, former Broadway musical comedy actor and more recently a Hollywood agent under the name of Lew Sherrell, died recently at his home in Boston, Mass., surviving are his widow, Bessie, and two daughters.

FATHER, 70, of Nate Manheim, Universal studio; Het, of the William Morris office; N. Y., and Manny, radio writer, died April 20, in Syracuse.

Joseph Newman, father of Ruby Newman, orchestra leader, died April 15 in Boston.

FATHER, 76, of Jack O'Connell, Toledo film theatre operator, died April 17 in Jersey City.

Fred Harrington, 58, Coast radio actor, died in Louisiana, April 19.

Mich. Carnies Get Clean Legal Bill

Detroit, April 22. Carnivals have been at least a standing as other amusement enterprises, State's attorneys have ruled in Michigan despite heavy pressure, backed by major church groups, that carnivals should be abolished.

Ruling of the legal minds was that each carnival could be investigated, but as long as it came up to ordinance requirements of the various communities could play. In fact, could not legally be denied the right.

MARRIAGES

Deanna Durbin to Vaughn Paul, in Los Angeles April 18. Bride is the film star; he's an associate producer at Universal.

Des Moines, to Herbert Pike, in Des Moines, April 19.

Bob Harter, traffic manager, W.H.O. Des Moines, to Mary Donegan, in Davenport, Ia., April 13. Bride is daughter of the U. S. district attorney for southern Iowa.

William Mark, radio singer, to William Mark, musician, April 19, in Glendale, Cal.

Frances Alda to Ray Vir Den, in Charleston, S. C., April 15. Bride is former Met opera star; he's a New York advertising man and former pro singer.

Zita Johann to Bernard E. Sheed, in Nyack, N. Y., April 18. Bride is film and stage actress; he's a publisher and economist.

Constance Bryan to Paul Keefer, in Boston, April 17. She is singer on WCOB, Boston, and he is an actor.

Constance Bennett to Gilbert Roan, in Yuma, Ariz., April 20. Both are picture players.

BIRTHS

Mr. and Mrs. Freddy Fisher, daughter, in Milwaukee, April 14. Father is director of the Schnickel Fritz band.

Mr. and Mrs. Leon Benson, son, in Hollywood, April 19. Mother is songwriter.

Mr. and Mrs. Harold V. Smith son, in Hollywood, April 16. Father is president of L.A. business representatives committee.

Mr. and Mrs. Paul O'Brien, son, in New York, April 14. Father is attorney with law firm of O'Brien, Deane, and Youngwood, O. A. Youngwood is former manager and sister of musicemedy player, Mary Jane Walsh.

Mr. and Mrs. Billy Ambrose, daughter, in Youngwood, O., April 6. Parents are dance team of Ruth and Billy.

Mr. and Mrs. Russell Kelley, son, in Hollywood, April 12. Father is actor and writer.

Mr. and Mrs. Reed Tanner, son, in Salt Lake City, April 19. Father is orchestra leader for KSL, Salt Lake City.

Mr. and Mrs. J. M. Baldwin, daughter, in Salt Lake City. Father is KIDLY chief engineer, Salt Lake City.

Mr. and Mrs. Paul Edwards, daughter, April 19, in Columbus, O. Father is a radio personality formerly of NBC's "Lucille and Lannet."

Mr. and Mrs. William C. Father is announcer at WTOL, Toledo.

THE BIGGEST AND FASTEST SELLING
RECORD IN AMERICA TODAY IS
"AMAPOLA"
DECCA #3629 Backed by "DONNA MARIA"



JIMMY DORSEY

AND HIS ORCHESTRA

FEATURING

BOB EBERLY • HELEN O'CONNELL

★ The nation's most popular recording orchestra, with these other Decca hits: "I Understand" (a Jimmy Dorsey creation), backed by "High on a Windy Hill"... "My Sister and I" and "In the Hush of the Night"... "Maria Elena" and "Green Eyes"

Second Week of Four Now!

**NEW YORK
STRAND THEATRE**

Smashing \$47,000 First Week!

**Just Concluded Second Record-
Breaking Engagement**

**HOTEL PENNSYLVANIA
NEW YORK**

**31,400 Covers in 12 Weeks — An
All-Time All-Hotel Record!**

Opening JUNE 27th, HOTEL SHERMAN, CHICAGO, NBC Network

Personal Management Bill Burton

GENERAL AMUSEMENT CORPORATION

Thomas G. Rockwell, President
NEW YORK, CHICAGO, HOLLYWOOD



SCREEN

RADIO

MUSIC

STAGE

VARIETY

Published Weekly at 314 West 40th Street, New York, N. Y., by Variety, Inc. Annual subscription, \$10. Single copies 15 cents.
Entered as Second-class matter December 31, 1935, at the Post Office at New York, N. Y., under the act of March 3, 1879.
COPYRIGHT, 1941, BY VARIETY, INC. ALL RIGHTS RESERVED

VOL. 142 NO-8

NEW YORK, WEDNESDAY, APRIL 30, 1941

PRICE 25 CENTS

MBS-ASCAP TERMS: 3 1/2%

Important U.S. Supreme Court Ruling Would Affect Agcy. % in All States

Earnings of theatrical agents over the entire country were placed in jeopardy Monday (27) by the unanimous decision of the U. S. Supreme Court in Washington upholding the limitation of employment agency fees by state law. This was a complete reversal of the 12-year-old Ribkin vs. McBride decision, when the nation's highest court ruled that there can be no limitation on commissions a licensed agent can collect for getting somebody a job.

State laws limiting employment agency commissions vary. The Nebraska labor agency case, which resulted in the decision on Monday, upheld a statute fixing a registration fee of \$2 from an employee to an agency, plus 10% of the first month's wages. In New York, as another instance, the State law limits commissions to 5%.

License Commissioner Paul Moss of New York took immediate cognizance of the decision's importance (Continued on page 68)

John Bullish Optimism

London, April 29. The optimism of Francis Laidler, British legit producer, seems to be consistent with the dogmatic spirit of John Bull in the defense of Britain.

Laidler already has an advance booking, at the Coliseum here, for his Jack and the Beanstalk pantomime show, next Christmas.

Pa. Censor Irked At Nazi 'Newsreel' Showings by Bund

Philadelphia, April 29. Two officials of the Kythausen Bund, an organization of German War Veterans, were haled on the carpet last week by Mrs. Edna Carroll, chairman of the State Board of Motion Picture Censors, after the bund was accused of showing uncensored films of the Nazi conquest of Norway. The officials, Peter Kreckmann, manager of the North (Continued on page 60)

PM's Pro-British Drive Gives Staffers a Choice Should They Disagree

Leaves of absence or switches to other work of the daily are alternatives allowed those staff members of PM, New York tab daily, who, during the period that the paper is conducting an all-out campaign for aid to Britain, feel their personal convictions don't coincide with the policy of the paper.

Ralph Ingersoll, PM's publisher, issued that statement last week in a talk to the staff, during which he emphasized the tab's all-out-aid-to-Britain campaign for a limited period.

The campaign calls for six pages of current news, plus the usual departments, with the rest of the paper turned over to the emphasis on the present emergency and the United States need to aid Britain.

DITTO UNLIKELY FOR NBC, CBS

Negotiations See-Saw—Acceptance of Disputed Clauses Will Clear Way for Prompt Settlement with Mutual Network

RUNS 9 YEARS

Despite the wrangling going on between Mutual Broadcasting System spokesmen and the board of directors of the American Society of Composers, Authors and Publishers, over minor clauses, at press time yesterday (Tuesday) there was still hope in both camps that a completed licensing agreement would be in the hands of the network's affiliates for study and approval by the end of this week. At a late hour yesterday Mutual lawyers were engaged in reducing to contract-form the terms, as they understood them, which were (Continued on page 58)

WAR SONGS A JUKEBOX FLOP

Boston, April 29. War songs are definitely not nickel-grabbers, according to Charles T. Foote, prominent local jukebox operator. In one day he had over 500 such recordings returned from locations with the explanation that the customers want to forget the war as much as possible when they hie themselves to a tavern or restaurant. "In my survey of over 1,000 spots where we have machines, I have found that patrons prefer happier and livelier tunes," Foote explained.

Marquess of Queensberry Coming to America

The Marquess of Queensberry, son of the originator of modern prize-fighting rules, and John E. Harding, who operates the National Sporting Club in London, are due in the U. S. from England sometime in May or early June.

Charles Allen, New York agent, is trying to line up radio broadcasts for the duo, but whether they'll talk on boxing or the blitz is not clear.

Church Protests Anew on 'Sweater Gals' and Other Cinematic 'Laxity'

Guaranteed B. O.

Boston, April 29.

Every time a book or magazine is banned here its circulation jumps skywards, explained Police Commissioner Joseph T. Timilty at the annual meeting of the Massachusetts Society for Social Hygiene.

"Banned in Boston is the best label for selling anything here," he observed.

Legion of Decency shortly is expected to seek a revision of the morals code for motion pictures, with consideration already reported under way by the Rev. John J. McClafferty, executive secretary of the Legion. Proposed revisions likely will be prepared for presentation to a Conference of Bishops in Washington soon, with that body in turn mapping out suggestions for presentation to the Hays office. Legion likely will seek to have the changes or tightening of portions of the code incorporated into the Haysian Production Code on films.

Present national defense and belief of the Legion of Decency members and other Catholic churchmen that the morals of men in the service should be protected is the basis for requesting a stricter film Production Code.

Legion has reflected its growing alarm over morals in screen subjects by hopping on several pictures and originally spotting them in the 'objectionable' classification. Although in all cases, the films have been placed in the 'approved' lists later after suggested cuts were made, the Catholic organizations have been (Continued on page 22)

Schenck Resigns Chairmanship Of 20th-Fox Board

Joseph M. Schenck tendered his resignation yesterday (Tuesday) afternoon as chairman of the board of directors of 20th Century-Fox Corp. He has been off the company's payroll, at his own request, since soon before the start of his trial in the N. Y. federal court for U. S. income tax evasion. Joseph M. Moskowitz, eastern representative of the company's studio and convicted with Schenck of the evasion charge, also has been off the payroll voluntarily. Formalities of resignation were completed when a letter was de- (Continued on page 4)

Tailor Who Named Guy Lombardo 'Best Dressed' Owes the Maestro \$7,000

Mal Rutt, New York tailor, recently named Guy Lombardo as one of America's 25 best dressed men, but this failed to soothe the orchestra leader about a \$7,000 item which Rutt and James Balletta borrowed from Mrs. Lombardo in January, 1938. Lombardo filed suit against both tailors in N. Y. supreme court Friday (25), seeking that amount. Loan was originally made by Lilliebell (Mrs. Guy) Lombardo, who subsequently assigned it to her husband. He has applied for summary judgment and claims only \$701, the interest, has been paid.

Bob Feller to Get Extra 1G If He Pitches No-Hitter By Time of Cantor Air Date

Something different in salary conditions is the contract which Eddie Cantor has given Bob Feller, Cleveland pitcher, for his appearance on the Bristol-Myers show (NBC-red) May 14.

The young hurler is due to collect \$1,000 anyway, and there is a clause in the agreement which assures him of a bonus of \$1,000 if in the meantime he pitches a no-hit game.

Don Flamm Defers To Fawley on Yanks Buy

Donald Flamm, former owner of WMCA, N. Y., last week declined to join a syndicate, headed by Lee Shubert, for the purpose of negotiating the purchase of the N. Y. Yankees baseball team when he (Flamm) learned that James A. Farley was still interested in making a deal for himself.

Flamm further advised Shubert that he would reconsider the offer if the former postmaster-general should at any time drop his plans about the Yankees property.

Collins of Crazy Crystals Says 'If Urged I Will Run for Senatorship'

Mineral Wells, Texas, April 29. Taking a leaf from the note book of Gov. W. Lee O'Daniel, who was elected through his radio appeals, Hal Collins, prez of the Crazy Water Crystal Co., has asked listeners to his daily program aired over the Texas Quality Network whether they would like to have him run for Senator to fill the vacancy caused by the recent death of Senator Morris Sheppard.

Collins tells the listeners that if enough listeners write in he will toss in his hat in the ring.

Depressing War News Hypnoing Nitory Biz

The joints are jumpin' all over New York town, and points west. Cnfr biz is surprising the managements and talent alike, and the common answer is ascribed to European war jitters.

Vets remark that it parallels the pre-World War I days plus a suggestion of the prohibition prosperity period, but it's all laid at the door of a common desire for escapology and a yen to laugh and forget the ill fortunes in the Balkans and other war zones.

JACK BENNY-TENTH YEAR IN RADIO

Starts on Page 23

RCA Charged Up Over Large-Screen Theatre Television; Thinks It's Ready

Much skepticism on the economic practicability of large-screen television in theatres has followed RCA's announcement at a trade press conference last Friday (25) that apparatus is now technically ready and for sale. Lack of enthusiasm is tempered somewhat, however, by the realization that many another invention has appeared, equally impractical and 10 years later was accepted as standard.

Envisaged by Thomas F. Joyce, RCA v.p., who made the announcement, is a chain of theatres to which will be piped by wire sporting and other events. Exhibits will show regular pictures most of the time, but push up their admiral for the special vision programs to \$1, \$2 or what the traffic will bear.

Joyce foresees a producer buying up the television rights to fights, tennis matches, etc., and selling service on these to theatres with receiving apparatus. RCA exec has been talking with Mike Jacobs and Col. John Reed Kilpatrick of Madison Square Garden, hoping to interest them in turning television producers for the sports events.

Apparatus per theatre will cost \$30,000, Joyce said, although this might come down to one-half if there were sufficient demand. Equipment is bought, not made, by the house. Line charges, Joyce estimated, would be another \$200 a week. What the (Continued on page 52)

Saga of Anthony Ross And His 3 Backstage Pianos at Fulton, N. Y.

Anthony Ross, who plays the would-be playwright-con in 'Arsenic and Old Lace' at the Fulton, N. Y., is would-be concert pianist whose ambition recently almost crowded him out of his dressing room backstage. It happened this way.

As he doesn't come on until about half-way through the second act, Ross figured he might get in some piano practice during the first act. He couldn't play the piano which was in a back corner of the stage because he would be audible out front. So he arranged with the property man to have the piano moved (Continued on page 71)

Franklin's Son Will Run Chain of Mexican Nabes

Los Angeles, April 29: Elbert Franklin, son of Harold B. Franklin, who died a week ago in Mexico City, is selling the family home in Beverly Hills and moving across the border to carry on operation of the neighborhood chain planned by his father and Theodore Girdled in the Mexican capital.

Deal calls for the house to be designed by the Los Angeles architect, S. Charles Lee.

Burley Maestro Again Named Peace Justice

St. Louis, April 29: Frank Reidelberger, leader of the house band at the Grand theatre, Louis, burlesque, has been re-elected Justice of the Peace in nearby Venice, Ill.

It's his fifth consecutive term as J. of P.

Mono's Musical

Hollywood, April 29: Sam Katzman bought 'Sis, Boom, Bah' a stage musical, to be presented on the road in Southern California before its production as a picture for Monogram release.

Play opens May 2 at San Bernardino, with tentative dates in Ventura, Bakersfield and Santa Barbara.

Aberne With MacDonald

Hollywood, April 29: Metro signed Brian Aberne as the male topper in the Jeanette MacDonald singing play, 'Smilin' Through.'

Filming starts this week with Victor Saville producing and Frank Borzage directing the remake.

Horse Theatres

'Make every theatre a parliament outpost' was suggested Friday (25) by Thomas F. Joyce, v.p. of RCA. Houses, he declared, could be connected with race tracks by television so that patrons could see better than in the grandstand.

Every theatre so hooked up, he said, then could open a parliament window at the back to accept bets on the races, just as is done at the track. Scheme would serve not only better than bingo to fill houses in the afternoon, Joyce predicted, but would provide the Government with added sources of taxes for defense.

TOM MITCHELL MAY BE LAID UP THREE MONTHS

Hollywood, April 29: Thomas Mitchell, wounded in a horse-and-buggy accident on location with 'The Devil and Daniel Webster' picture at RKO, is still in the hospital, suffering from skull contusions. He may be laid up for three months.

Injury has caused a stoppage of 'The Devil' and is causing a change in preparations for 'Unexpected Uncle,' in which Mitchell was slated for an important role, starting May 1.

RKO is trying to borrow Edward Arnold for his role in 'Devil and Daniel Webster' after Alfred Lunt rejected it because of an attack of neuritis. About 10 days' work was done over because of Mitchell's injuries.

Plenty of Ice But Few Skaters for H'wood Pix

Hollywood, April 29: Shortage of skaters is slowing up production in Hollywood where ice performers are listed as chorus men or chorus girls, according to their gender.

Twentieth-Fox casters demanded 40 boy and girl blade artists for sequences in 'Sun Valley,' the Sonia Henie starrer, and wound up with 17, although 180 are registered as skaters at Central Casting. Screen Actors Guild is working out a plan to issue waivers on skaters who are not registered as actors. Currently 190 are skidding on the rinks at Meito and Warners.

Lubitch Seeks Air Serial

Ernst Lubitch is dickering with the A. S. Lyons office for the film rights to 'The Amazing Mr. Smith,' mystery comedy series now on Mutual Monday nights for the American Can Co.

Lubitch would use it to cover the one picture commitment that he has with United Artists by way of Sol Lesser.

C. M. Pathe Clippers Into N.Y.; Recalls 1906 Pessimism on U.S. Film Vision

By GEORGE FROST

Take the word of a 75-year-old, grey-haired, bespectacled "Francis" man, the modern newsworld has "surpassed by far the fondest dreams of its founder." The sage was Charles M. Pathe, who gave us Yankess our initial peek at screened news records back in 1906. Flying into LaGuardia Field, New York, aboard Pan-American Airways' Dixie Clipper with his wife, Antoinette, on Thursday (24), the founder of Pathe News asserted that he "will most surely go to Hollywood while here."

Mouthing his native lingo in a machine-gun staccato that belied his years, Pathe, naturally enough, was most interested in observing the work of the newest men who meet all the trans-Atlantic Clippers. Never had they a subject so willing to pose

Jack Benny's WB Pic

Hollywood, April 29: Jack Benny and Warners are set on a one-picture deal, with probability that the star will report at the Burbank lot before checking in for his next commitment at Paramount.

Meanwhile, the Benny starrer, 'Charley's Aunt,' at 20th-Fox, has been moved ahead to start May 14. Benny and Bob Hope will be paired by Paramount in 'We Want a Girl Friend.' Robert Kent is screenplaying his original.

Fritz Kreisler Still Critical; Violinist Had No Immediate Bookings

Fritz Kreisler, who received a fractured skull Saturday (26) when he was run down by a truck while crossing the street in New York, has no concert engagements scheduled until July. He is booked for an appearance then at Lewisham Stadium, N.Y., but a few engagements later in the summer are mere talk. His full tour is also in only a preliminary booking stage.

Austrian-born violinist is in Roosevelt hospital, N. Y., where his physicians said late yesterday (Tuesday) that he had not fully regained consciousness; although he was gradually responding to treatment. His condition was admittedly still serious because of the skull fracture. Kreisler's injuries were said to be (Continued on page 70)

Texas State Fair Maps 6,000-Seat Dallas Nitory

Dallas, April 29: Because of the big turnout for the Kay Kyser dance at Park Auto-moblie Building, April 20, officials of the Texas State Fair have begun plans for operating the spot as the largest night club in the Southwest next October during the Fair.

Left as it has been since the Kyser event, the big structure will seat 6,000 persons. Another building is planned for the auto show.

McCarey's Term Pact As 20th-Fox Director

Hollywood, April 29: Ray McCarey was signed to a long term contract as director at 20th-Fox.

Signing followed McCarey's direction of three pictures as a freelancer on the Westwood lot.

Pasternak's O.O. in N.Y.

Universal producer Joseph Pasternak arrived in New York yesterday (Tuesday) for a visit of several days. He'll see a number of shows and look over talent lined up by U's eastern talent chief, Larney Gooden.

Pasternak came to New York from New Orleans, where he attended preem of his latest, 'Lady From New Orleans.' He stopped over in Philly for a few days on his way north to visit his sister.

Universal producer Joseph Pasternak arrived in New York yesterday (Tuesday) for a visit of several days. He'll see a number of shows and look over talent lined up by U's eastern talent chief, Larney Gooden.

Pasternak came to New York from New Orleans, where he attended preem of his latest, 'Lady From New Orleans.' He stopped over in Philly for a few days on his way north to visit his sister.

Universal producer Joseph Pasternak arrived in New York yesterday (Tuesday) for a visit of several days. He'll see a number of shows and look over talent lined up by U's eastern talent chief, Larney Gooden.

Pasternak came to New York from New Orleans, where he attended preem of his latest, 'Lady From New Orleans.' He stopped over in Philly for a few days on his way north to visit his sister.

THE BERLE-ING POINT

By Milton Berle

Gave my first Hollywood get-together at the Beverly Hills Hotel pool Sunday at (27). A 'Max Sennett Bathing Party.' It was such a success Billy Rose wanted to send it out on tour. One of the glamour girls, who is known for being risqué, showed us all up—she brought along her own swimming pool.

Mickey Rooney arrived with a bathing suit that had a photograph of himself and his picture credits on it. Everybody brought a girl. Richard Himber came with a bag—full of tricks.

We ended the party with a successful treasure hunt—my brother found a job.

Broadway Department

George Jessel will surely be deferred in the draft—he has a child to support, excited, even the kids on his way back to New York for some California weather.

Since that plug on Fred Allen's radio show, Lindy's is getting very exclusive. Instead of serving herring with tails, Leo Lindy now serves them with cutlets and corn.

Understand that business was so bad at the Roseland on Broadway that they hung out a sign saying, 'The Army Needs Men—and So Do We.'

Maxie Rosenbloom is taking no chances of being used. He has his cauliflower ear in his wife's name.

At Nathan's—no distinction—wishes the Regent and Franklin would open again. He says: 'Those are the only theatres where I've ever stopped the show.'

Hollywoodians

In 'Sun Valley' I play a scene where I kiss Sonia Henie for 30 seconds. I get to feel her hands on my waist, which I want to hold her.

Orson Welles is making a sequel to 'Citizen Kane' called 'Citizen-News' and will be released at 3c a copy.

Saw Jack Benny bump into John Barrymore at Ciro's the other night. John tipped his bottle and Jack tipped his top hat.

Crooby and Hope have been in so many road pictures that they are now getting fan mail from Burma Shave signs.

Music Department

Do you think BMI songs will bring back big horse shoes?

Glenn Miller knows a musician whose body is so full of alcohol he even gets 'High on a Windy Hill.'

Just written a new tune, 'The Pen and Paper Song'—I Dot My T' You.

Radio Department

Fred Allen wires that he knows a certain radio comedian who hasn't been heard of so well lately—he was hit hard by the dropped option.

Know a certain gag writer who always listens to the radio for his material. He just had his ears insured for \$20,000.

Radio is a great educator. Nowadays, children don't ask their parents questions. Instead they send into quiz shows and get \$5 for them.

Sensational Desires

Bing Crosby: From Nags to Riches... Joe Frisco: Utter-Mutter-Stutter... Oodles-Caravans: Jack and the Beanstalk... Maxie Rosenbloom: Left at the Emily Post... Vic Mauter-Tommy Mauter: Men of Girls' Town.

Observations

Oranges are plenty cheap out here. They don't charge you for the juice—just for the electricity used to squeeze them.

Just found out what an F.H.A. home is: Front room—hall—and alcove. I don't mind my laundry man having charge accounts, but he doesn't have to see my cuffs for a memo pad.

Ravedropped on Stage 8: Who, him? He's a Super-ham.

Ravedropped at Mocambo: 'In that show he made an illegitimate name for himself.'

Ravedropped at Rhythm-Boogie: 'Am I glad I'm two-faced—now people can't see behind my back.'

Don't have to act in pictures for a living—I could sell handkerchiefs to Bette Davis.

Whatever Became of...

Pisano and Landauer: Joe's Blue Front

Black and Betty Page: Big Business

Gilbert and Brody: Fat Henning's Juggaland

Afterpiece

This is a funny world. When you're rich, people hate you. When you're poor, they dislike you. I'm glad I have a dog for a friend.

Andrews Sis on Long Tour Between Pictures

Hollywood, April 29: Andrews Sisters, currently in the Universal picture, 'In the Navy,' are stepping out on a tour which takes them as far as Cuba and fetches them back to the same studio for their next picture about Oct. 1.

Trip opens with five one-nighters in northern California, then back to Hollywood for three weeks at the Paramount stage 8. Other stops include Atlanta, Havana, Washington, Atlantic City and Philadelphia, with a stopover in New York for Decca recordings.

L. A. to N. Y.

Harry Ackerman, Carol Bruce, Vic Connors, Dan Dancy, Jr., B. G. De Sylva, Johnny Hyde, Bob Lee, Fred LeRoy, Diana Lewis, Myke Lewis, Kenneth MacKenna, Norman MacLeod, Harry Mines, Oscar Morgan, Art Moss, William Powell, Addison Randall, George J. Schaefer, Herman Sims, George Skouras, Glenahat Taylor, Spencer Tracy, Mrs. Ollie Taggard, Frank Whitbeck.

FILM CLIPS TO AID SALE OF U.S. BONDS

Hollywood, April 29: Film industry goes into the National Defense campaign in a new way this week, making clips to be inserted into newsreels, shorts and features plugging the sale of the Government's new defense savings stamps and bonds. Robert Taplinger, in Hollywood, is cooperating with Howard Dietz, in New York, to start the first film-raising drive, to be ready for general release early next month.

Stars from all the major studios will take part in the drive and radio transcriptions will also be sent to Washington for distribution by the networks around the country.

N. Y. to L. A.

Zoe Akin, Leon Ames, Madeleine Carroll, William Harrigan, Nedda Haggard, Lois Jansary, Gordon Jones, Arthur W. Kelly, Sidney R. Kent, William Kupper, Charles E. McCarthy, Roger Pryor, Ray Pulsifer, Willem Sussman, Herman Webber.

SAILINGS

April 26 (West Indies Cruise). Robert Taylor, Barbara Stanwyck (America).

ROSE'S 'MED SHOWS' IRK 4-A'S

Many Show People Now Engaged In Hemispheric Defense Work in D. C.

Washington, April 29.

Branching out of Federal publicity and morale agencies in connection with expansion of the military and naval forces and organization of national resources for defense purposes has brought many film industry people to Washington as part of the big parade from civilian life to public service, either in uniform or multi. The numerous Government agencies involved in propaganda and defense activities are summoning experts and advisors from all branches of the picture business.

With Government payrolls mushrooming, anything like a complete check of the individuals with industry connections or acquaintances now working for Uncle Sam is patently impossible. There are scores, anyway, now taking or giving orders who were drafted from film ranks or volunteered to do their bit as executive, hired hand, or advisor.

The Army naturally has caught a large number of picture people, since so many prominent in the branch or another belonged to the Reserves or were veterans of the 1917-18 push. Just how many are scattered over the map cannot even be guessed, but the arm of the military service has some. Big names are mingled with semi-anonymous studio workers, newscast legmen, and distributors. (Continued on page 22)

DANNY KAYE SLATED FOR N.Y. PAR DATE

Danny Kaye, following the temporary closing of 'Lady in the Dark' at the Alvin, N.Y., when Gertrude Lawrence follows through in June on her plans to visit London, will play the Paramount, N.Y., in an old contract. Date is not definite, but it will probably start the last week in June. Even if Miss Lawrence does not go to London, she will take a vacation that will darken 'Lady' for the summer.

The Par has booked Beatrice Kay (of Joe E. Howard's 'Gay Nineties' radio show) as complement to the first appearance in a Broadway theatre of Vaughn Monroe's orch, dated to start June 4.

Lionel Atwill's Son, 21, Killed in RAF Combat

Hollywood, April 29. Lionel Atwill, screen player, has received word from the British Air Ministry that his son, John Arthur Atwill, an officer in the Royal Air Force, was reported killed in action April 28.

Atwill's son was 21 years old.

Fechit's Fancy Raiment Jams Him With the U.S.

Stepin Fetchit must pay the Government \$408 for smuggling three suits valued at \$95 each across the Canadian border. Judge Murray Hulbert in N.Y. federal court entered judgment for the U. S. Monday (28).

On January 29, 1940, while crossing the border at Port Huron, Michigan, Fetchit declared one suit and had three friends bring in the others. The damages secured in the judgment include the value of the suits plus penalties.

Canada Lee's Band Yen

Canada Lee, featured in 'Native Son', Broadway, is planning to organize a band of his own. He is a violinist and was for a time a jockey and prize-fighter, among other things. In the latter profession he lost the right eye.

Colored actor owns small eatery in Harlem, the Chicken Coop.

LaGuardia's Quip

Mayor Fiorello H. LaGuardia, participating in the special 'Young America Wants to Help' broadcast Sunday (27) morning, brought his eight-year-old son Eric to the studio with him. Also appearing on the show was Ezra Stone, who plays Henry Aldrich on the 'Aldrich Family' series.

After the program, the Mayor told Stone that the LaGuardia household always listens to the 'Aldrich Family'. Explaining to Stone that Eric wanted to meet him, the Mayor looked around for his son, but the youngster wasn't to be seen. 'I can never find him,' Hizzoner remarked, 'he's a regular Henry Aldrich.'

Lee Shubert, Sax On Verge of a Purge, But No Blows Are Struck

During a recent gathering of managers in the offices of the League of New York Theatres, performers were indulged in but threatened fist cuffs were averted. Carol Sax, intermittent producer, made various remarks about the Shuberts. Lee Shubert walked over to Sax and threatened to punch him in the nose if he did not desist. Later then said he'd hesitate to sock a man of Shubert's age, which if heard by that showman might have really started combat.

Aftermath of the incident is the likely revamping of membership requirements. Ordinarily, managers of theatres pay \$10 weekly while open, same assessment going for producers each week the show is lighted. Some time ago inactive members were required to pay \$50 per year, same to be applied against the weekly payments when such members become active. Understood the annual minimum will again become effective, in that way keeping down 'dead' wood from admittance to meetings.

Sax was concerned in one or two Broadway shows which flopped. Previously he teamed with the late Clark Silvernail in presenting English language shows in Paris. League people say he has been a headache at previous meetings.

AMOS 'N ANDY SUED FOR \$50,000 DAMAGES

Los Angeles, April 29. Damage suit filed in Superior Court against Amos and Andy (Freeman Gosden and Charles Correll) by Boris Travnikoff, charging the unauthorized use of a black-and-white diolor based on the 'swap' idea. National Broadcasting Co. is named as co-defendant.

Travnikoff, who is also known as William Crow, charges that he wrote a series of radio broadcasts in 1934 and 1935 over KMTZ and KHH, with the 'swap and swap' idea predominant. Complaint calls for \$25,000 in damages and another \$25,000 for interference in the production of a picture based on the 'swap and swap' motif.

'Mr. Zero' as Pic Hero

Death recently of the New York Bowery character known as 'Mr. Zero', who, fed, clothed and otherwise helped thousands of down-and-outers, has given two film companies inspiration for pictures.

Larney Goodkind, Universal's story editor, was first with the idea, the company registering the labels, 'Alias Mr. Zero' and 'Mr. Zero', and both the RKO later laid claim to 'Mr. Zero' and the same two titles staked out by U.

ACTORS' BOOY NOT CONSULTED

Billy Rose Worked Directly with Robert E. Sherwood —Emily Holt (AAAA) and Bert Lyttell (Equity) First Read of It in a Press Release

NAMES LINED UP

Billy Rose, in detouring the performer unions to arrange big-name 'medicine shows' to play the Army camp circuit for free, has brought the wrath of the Associated Actors and Artists of America down on his head.

Rose worked directly with Robert E. Sherwood, a member of the Government's Joint Army & Navy Committee on Recreation, and through him with Washington. Result was that publicity in yesterday's (Tuesday) papers was the first the Four A's committee on camp shows knew of Rose's activities.

Emily Holt, chairman of the Four A's camp entertainment committee and national exec secretary of the American Federation of Radio Actors, admitted yesterday that the Rose plans had broken so suddenly she had no idea what action would be taken on them by the Four A's. Similar reaction was obtained from Bert Lyttell, chairman of Equity's committee on camp shows.

Mrs. Holt, asked if there were any possibility that the Four A's might attempt to stop the shows, said it was more likely it would take them over, or take over their supervision.

'In the interests of cooperation,' (Continued on page 21)

TOURS DIXIE POOLROOMS

After a 16-month buildup on CBS sustaining, CBS is sending the Golden Gate Quartet on tour opening May 30 at the Earle, Washington. Odddest part of the itinerary already set by Jack Bertell of CBS Artists Bureau are those conglomerated one-nights, including poolrooms, taverns, as well as churches and auditoriums.

For some reason the colored harmonists are in demand in the Dixie 'amusement clubs' (the poolroom-billiard parlors are called) as well as in Baptist churches — which are willing to pay a fancy fee.

ECCLASIATICAL SCARE

Stage Minister Disturbs Gaiety Burlesque Feeder

Cast of 'Arsenic and Old Lace' and the burlesque show at the Gaiety have 'become' rather chummy, since the stagehands of the two houses are in the same alley off West 46th street. When various members of the company are offstage they frequently go across to the other house to watch the show from the wings.

Several nights ago Wyrley Birch, who plays the minister, 'Arsenic' was making his first visit backstage at the Gaiety when one of the strippers spotted him. Startled by the ministerial outfit, she nudged another coster and muttered, 'My Gawd, the place is raided.'

Kathryn Grayson's Discs

Kathryn Grayson, youthful singer (who took Mickey Rooney's dictation in 'Andy Hardy's Private Secretary') will record for Victor Records on both the RKO later laid claim to 'Mr. Zero' and the same two titles staked out by U.

She does her initial recordings on the Coast within next couple weeks.

\$35,000 Cost for Mexico City Trek Causes Pix Biz to Re-Appraise Worth of 'Hemispheric Solidarity'

Blockhead Mayor

Hollywood, April 29. Juiciest plum that can fall in the lap of a kid is to be chosen honorary mayor of Los Angeles during Boys Week, which began yesterday (Mon.). So who gets it? A stick of wood by the name of Charlie McCarthy.

Hal Block, Coast head of NBC's press department, engineered the stunt in spite of the fact that Mayor Fletcher Bowron is in the heat of a campaign for reelection and it may cost him a few votes from fathers of dotting sons who went on a terrific pitch to land their offspring in the City Hall.

Journal Publishes the Welles Script Hearst Calls 'Propaganda'

Milwaukee, April 29. Subtle refutation by the Milwaukee Journal of the attacks made by William Randolph Hearst's local newspaper, The Sentinel, upon Orson Welles for alleged communistic leanings in the CBS broadcast of the Free Company's production of 'His Honor, The Mayor' is attracting wide attention in this area and adding fuel to the controversy that will make RKO's production of 'Citizen Kane' historically memorable.

While The Journal would not deign to make an out-and-out open attack upon Hearst or his local paper, it obtained the complete script of the Orson Welles broadcast and published it in its entirety over three successive days. The Journal while reserving direct editorial comment, indicated its attitude in the headlines given the Welles' script.

Hearst campaign, which had come to a virtual standstill, took on life today (Tuesday) with a new load of ammunition—disclosure that Welles is one of organizers of a 'Citizens' Committee for Harry Bridges'. Hearst papers have long been assailing the Coast radio leader as an alien Communist and linked Welles' name with his in page one stories throughout the country.

BOB HOPE TO EMCEE FOR LEGION IN MILWAUKEE

Milwaukee, April 29. Although the date is five months away, Bob Hope has officially accepted an invitation to be master of ceremonies for the American Legion convention here, starting Sept. 15. Pat O'Brien and Spencer Tracy, a couple local boys who made good, have also promised to be here for the festive days.

City generally is having its face lifted for the big event. Some of the tavern keepers are all het up because Great Lakes passenger steamships will be in port to augment local hotel facilities, and the liquor men are worried about competition from the floating bars.

Buster Keaton Featured

Hollywood, April 29. Buster Keaton, once a star in his own right, checked in at Republic for a featured role in 'Fudd'n' Head'. Judy Canova plays the star part in the hillbilly picture which went into work yesterday (Mon.).

Misunderstanding, which delayed the picture about a week, smoothed out after a huddle between actress and M. J. Selig, studio head. They had been fussing about who picks the cast.

Picture company executives attempting to re-appraise the recent Mexico City goodwill junket, originally framed for 'Lullaby on 'Pot o' Gold', in the light of its cost (\$35,000), and are trying to figure out if the wholesale trek to the Latin-Americas, outlined as vital to the cementing of 'hemisphere solidarity', justify such large outlays of cash.

They are sizing up the situation by asking these questions: (1) Will the good-neighbor policy trips by an average of two film personalities per major company justify what now promises to be \$500,000 annual expenditure, even if done on a modest scale? (2) Are such visits and a surplus of them welcomed by Latin-American residents? (3) Does the danger of offending native residents by some picture celebs who may not do the new surroundings warrant these wholesale treks?

It is generally known that there have been repercussions from the Mexico City junket. The \$35,000 laid out by the Hays organization is being reapportioned among eight major companies, the larger firms paying more. Because the matter of (Continued on page 71)

U.S. ARMY BOOKS PAIR AFTER N.Y. PAR DATE

Two performers will virtually march out of the New York Paramount, following their two-week dates beginning May 7, into the U. S. Army. They are Jack Leonard, singer, and Chick (and Lee) Simmons.

Both have been placed in 1-A classifications, subject to immediate call, which means some time in May. Leonard had been deferred by his draft board until the Par date was completed.



Trade Mark Registered

FOUNDED BY SIMS SILVERMAN
Published weekly by VARIETY, Inc.
161 West 46th Street, New York, N. Y.

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

Vol. 142 No. 8

INDEX	
Band Reviews.....	56
Bills.....	84
Chatter.....	89
Exploitation.....	6
Film Booking Chart.....	18
Film Reviews.....	16
Forum.....	71
House Reviews.....	62
Inside—Legit.....	63
Inside—Orchestras.....	57
Inside—Music.....	58
Inside—Pictures.....	20
Inside—Radio.....	48
International News.....	12
Literati.....	68
Legitimate.....	65
Music.....	68
Night Clubs.....	60
Night Club Reviews.....	63
Obituary.....	70
Orchestras.....	55
Pictures.....	4
Radio.....	53
Radio Markets.....	53
Radio Reviews.....	61
Units.....	63
Vaudeville.....	60

DAILY VARIETY
(Published in Hollywood by
Daily Variety, Ltd.)
115 & 1201-1215 Foreign

Shurlock May Succeed Joe Breen; Hays Purity Coder Adamant on Resigning

With Will H. Hays officially reported by his N. Y. office as being in the midst of a vacation and rest, selection of a successor to Joseph L. Breen, who resigned last week as head of the Motion Picture Producers & Distributors Assn. Production Code Administration, may be delayed for some time.

Although under pressure from important studio heads to stay on as head of the Hays office, Production Code Administration, Joe Breen, in Hollywood, reportedly Monday (28) that he is "definitely" quitting as "Mr. Hays names his successor. Breen is taking a vacation with his wife and is not interested in an offer by Jack Whitten to make a goodwill tour to South America, all expenses paid. He doesn't want to be bound by any itinerary. He also scoffed at RKO production chief, Ed mentioned in the RKO reump story, page 5, trade reports persist Breen and Schaefer have been 'talking.'

Because Hays is not expected back at his desk in New York for another two weeks, speculation has developed as to Breen's possible successor. While Hollywood observers believe Francis Harmon, already assistant director of the PCA in charge of the eastern branch, will be shifted to Breen's vacated post, N. Y. executives considered Geoffrey Shurlock, veteran first assistant to Breen, as the logical successor. What is more also mentioned for the job are Jack Lawrence, now with the Hays organization on the Coast, and Harold Smith, formerly in Hays' representation in Europe, now assistant in the Hays foreign department in N. Y.

Harmon Held East
Because Harmon is executive assistant to Hays, spot he was elevated to when Maurice McKenzie resigned because of ill health, and is serving as Coordinator of National Defense activity for the film business, it appears dubious he would head PCA's permanent committee. What is more likely is that he might go to the Coast temporarily and assist or help back in any Breen successor because Hays has no desire to let him head his work in Hollywood. He would take three to six months for any newcomer to break in as PCA head with a Coast veteran in his place. (Continued on page 22)

Daily Warns H'wood

Not to Backside Now That Breen's Quitting

Detroit, April 29.
Taking the retirement of Joe Breen from the Hays office for its peg, the Detroit News editorially warned Hollywood to stick to the code of previous years, and to the conceptions of decency. All newspapers here gave Breen's retirement a heavy play and placed the emphasis on the fact that his much-feared censorship had resulted in a general improvement and wider range of entertainment value in the movies.

The News followed up with the editorial point that, from the time a picture script starts going on paper, it is subject to censorship of some kind, not done until it is passed by the last parent worrying about the future activities of his offspring.

The News concluded that producers had started to chafe under their present restraints and made Breen's position too uncomfortable to be bearable. It added that if this was the indication that the picture was returning to the era which first brought in the Hays office's self regulation there now have grown up plenty of other censoring bodies adjusted to the current times, which will exercise their power after the studios have made their investments and produced the pictures.

While not mentioning the Legion of Decency, still functioning, the News called attention to the police in many cities empowered to edit or bar pictures, the Parent groups which have grown up and "the individual right of viewer's more, the News declared, Hollywood had made plenty of its greatest pictures under the so-called restraints.

Thrown for a Cut

Hollywood, April 29.
Too much bull stuff, not connected with the bullying, caused the Hays office to order deletion of certain scenes in the 20th-Fox picture, "Blood and Sand." Objection is to a dance number in which Rita Hayworth impersonates a bull and Tyrone Power simulates a matador.

NYU's Pix Course; Already Has Film Writing Classes

New York University, which has been offering screen writing courses for the past two years, will establish a motion picture department, said to be the first in the east, next September. New curriculum will offer courses in writing and production and will consist of a four-year combo of liberal arts and specialized film subjects leading to Bachelor of Arts degree.

Robert Gessner, a member of the English department, who has been teaching the screenwriting courses, will head the new department. He wrote the screenplay, "Masters of the Air," for First National, and has long been interested in furthering the film department at NYU.

Reestablishing the journalism department in its setup, new curriculum will be composed of approximately 75% liberal arts and science subjects to give students a general educational background and 25% of courses in motion picture technique. Film courses will include motion picture literature, screen writing, production, photography and lighting, documentary film, artistic and educational and social aspects of films. Gessner has been in contact with executives in various aspects of the industry in preparing plans for the department.

Spyros Skouras in L. A. More After Sept. 1

Los Angeles, April 29.
Due to the new buying set-up as result of the Government's recent decree, Spyros Skouras, president of National Theatre, parent organization of Fox-West Coast Theatres, is going to spend much of his time on the coast after Sept. 1. While continuing his chores as chief of theatre operation in New York, Skouras considers his presence in Hollywood will be more necessary than in past years. His quarters will be in the new Fox-West Coast Bldg., being constructed at a cost of \$135,000.

Schenck Resigns

(Continued from page 1)

Delivered to S. R. Kent, president of the company. Next regular meeting of the board will be held May 15, which is also the date of the adjourned annual stockholders' meeting.

Schenck has told friends that if the Court of Appeals acts favorably upon his application of appeal, which was filed on Monday (26), that he probably will return to California and give attention to personal business matters. Length of his voluntary leave of absence from company duties is dependent wholly upon the outcome of the appeal motions. His personal contract with the corporation at a salary of \$25,000 a year was entered into in 1937 for a period of five years. Moskowitz draws \$1,000 weekly.

Laurel, Hardy Signed By 20th for Army Film

Hollywood, April 29.
Twentieth-Fox signed Stan Laurel and Oliver Hardy to co-star in a military comedy, "Forward March," Deal carries an option on the comics for a term pact.

Studio is working up a heavy sales campaign in Mexico, where the team recently appeared in connection with the "motion picture festival. They have been making stage appearances for the past 18 months.

Fitzgibbon Vice N. L. Nathanson In F. P.-Canada?

Doubted that N. L. Nathanson, president of Famous Players-Canadian Corp., Paramount subsidiary operating around 170 theatres, will remain with the company at the expiration of his contract this coming July. Matter of continuance was reported discussed at an annual meeting of the board last Thursday (24) and may come up again this Friday (26) when Barney Balaban, Neil F. Agnew and Austin C. Keough go up to Toronto for the annual stockholders' session.

Aside from accounts that Nathanson might prefer to step out of F.P.-C. due to increased activity in connection with British-Canadian defense and other interests outside of Par which he has, it is reported that there has been some friction between Nathanson and "Par" of late. Not only this, but a demand for different terms under a new contract to apply from July, may result in a failure to get together on renewal. The matter has been discussed prior to last week's meeting of the F.P.-C. board which was attended by Balaban and Keough. Latter was previously in Toronto about three weeks back but not known whether he discussed a new contract with Nathanson or other matters on that occasion.

In the event Nathanson left F.P.-C., it is probable that J. J. Fitzgibbon, vice president and general manager of the circuit, would succeed him. If leaving the company it is expected Nathanson would continue his stock interest. Par has control through the common, bought in 1929, but a minority of this stock as well as \$5,500,000 in bonds are held in Canada by Nathanson and others.

In addition to controlling a string of exchanges in Canada and 75 theatres, the circuit is also in the F.P.-C. chain but linked under various partnerships outside, Nathanson is also vice chairman of the Canadian Broadcasting Corp.

Now Sing Your Way Back

Hollywood, April 29.
Allee Faye, returned from a New York vacation, goes back there dramatically. "The Bowery Nightingale" as her next starer at 20th-Fox.

Picture is Mark Hellinger's first production on the Westwood lot. It starts early in June, with John H. P. Garrett scripting a story by Oliver H. P. Garrett.

Other News Pertaining to Pictures

Aussie's barrier idea	Page 13
Maxwell's takeover	Page 13
Rosita Moreno sails	Page 13
Jack Benny	Page 23
CBS scripts on Ned Sparks show	Page 50
Equity council nominees	Page 65
Dramatists-managers confab	Page 66

Judge Proskauer May Step Into Schenck-Moskowitz Case on Appeal

'Belle Starr' Shoots Up Tradition at 20th-Fox

Hollywood, April 29.
20th-Fox is following the historical order in the filming of "Belle Starr," which costs more money but helps the emotional scenes, according to Irving Cummings, director.

Under the procedure, seldom followed in pictures, all players, from stars to bit actors, will be on call from the beginning to the end of the picture, and all sets will be maintained until the last sequences are shot. Idea is to keep up the tenacity of the story in the many interlocking scenes.

Bioff Tax Evasion Trial Set Despite Schenck Appeal

Hollywood, April 29.
Willie Bioff will go to trial in U. S. District Court here on his income tax evasion indictment June 24. Charge is he failed to account for \$185,000.

William Hall, assistant U. S. District Attorney, who is handling the case, said that Joe Schenck's tax appeal case in New York would not interfere with the plans of the Government going ahead in the Bioff case.

Hall said prior to the Schenck trial there was some talk of subpoenaing Schenck as a Government witness in the Bioff trial. However, as result of the outcome of the Schenck case, it will be up to the Attorney General's office in Washington whether or not the U. S. will call Schenck as a witness.

Hollywood All-Out to Save Joe Schenck

Hollywood, April 29.
Hollywood is taking the Joe Schenck-Joe Moskowitz convictions very much to heart. Schenck has been an industry leader in Hollywood for more than 20 years. He has been a legend. He has been the first station to aid those seeking help, advice and comfort in times of distress, or when they wanted counsel on how to make any moves toward progress.

Plethora of Southern California devotees of Joe Schenck as a guiding figure or potent leader. He developed real estate in Los Angeles, San Diego and other adjacent areas to Hollywood. He built apartment houses, hotels and studios. He was head of the Producers Association for many years. He was appointed to various commissions by governors of the state as well as head of the infantile paralysis drive. President Roosevelt invited him to his Springs (Ga.) clinic every year. No matter what the drive for charity was, whether personal, or for local, state, national organizations, Schenck always was an outstanding worker and a liberal contributor.

There are many people from show biz of yesterday who have been on the personal payroll of Schenck. Many of them found work in picture studios on the strength of his influence. A number of former vaudevillians and New York legions, whom Schenck knew during the past 40 years today receive coin from him. He has kept many away from the federal and state relief agencies through such generosity. A former vaude headliner, now in Hollywood, who was a top moneymaker, whose own act got from \$1,000 to \$2,000 a week in former years, has for the past five years been on Schenck's private list for \$50 a week—and is still getting it. A former Ziegfeld principal, now out of show biz, receives \$35 a week, regularly. There are plenty of former pals of Schenck's early days out here now who get from \$25 to \$50 a week.

Prison sentences and heavy fines were given in the N.Y. federal court to Joseph M. Schenck, chairman of the board of directors of 20th Century-Fox Film Corp., and Joseph M. Moskowitz, the company's eastern representative, following their conviction by a jury on U. S. income tax evasions. Schenck was sentenced to serve concurrently two three-year terms and to pay a fine of \$20,000 for his conviction on two counts, and Moskowitz was given one year and a day and fined \$10,000, having been found guilty on one count in the indictment.

Steps were taken Monday (28) by counsel for Schenck and Moskowitz to appeal from the verdict. In succeeding moves it is likely that former Judge Joseph M. Proskauer will act with Harold H. Corbin, defense counsel. He was in court when the latter made his final plea for leniency. Execution of the sentences has been deferred until May 12, and the nominal bail of \$25,000 each was set.

In passing decision Judge Grover M. Moskowitz declared that he was sorry for the position that the defendants found themselves in, adding, "In imposing sentence I am considering the public reaction, and the effect that the sentence will have in deterring others from the same crime." Court action took place last Thursday (24), one week after the termination of the trial.

10 Appeal Points
In the appeal there are 10 points listed in which it is charged that Judge Moskowitz erred in the conduct of the trial. Prominence is given to the court ruling in rejecting the objections of Government counsel in refusing to allow agents of the Internal Revenue Dept. to testify. This is charged as having been an unauthorized and a violation of the constitutional rights to obtain testimony from any available source. The court also is attacked for its charge to the jury to take no consideration of the failure of either side to call available witnesses. At the trial Mathias F. Correa, the prosecutor, emphasized the failure of the defense to call Roland West, a stockholder in the Agua Caliente stock transaction.

It is likely that the appeal proceedings will extend over some months as the argument may not be heard until late October or November, with decision six or eight weeks later. Even in the event of the appeal court sustaining the verdict there remains the probability of further appeal to the U. S. Supreme.

Basis of appeal was laid throughout the trial in numerous objections by Corbin both to testimony permitted and court rulings. The Government. (Continued on page 15)

U. S. Still Curious About A. C. Blumenthal's Lapse

Application by the Government to fine A. C. Blumenthal, promoter, for failure to respond to subpoena directing his appearance as a witness at the trial of Joseph M. Schenck and Blumenthal had shared an apartment in New York in 1935, was denied Monday (28) by Judge Edward A. Conger in the N.Y. federal court. Blumenthal had applied to quash the subpoena, the maximum fine on which could be \$100.

Mathias F. Correa, U. S. attorney, had stated during the trial that Schenck and Blumenthal had shared an apartment in New York in 1935. It was also stated that Blumenthal had not received the \$300 necessary for traveling expenses on March 19 when the subpoena was served on him. The government's affidavit to testify concerning the nature of these payments. It had been charged by Correa that Blumenthal had personal knowledge of other relevant testimony.

Eugene L. Carey, attorney for Blumenthal, who is in Mexico City, submitted affidavits to show that Blumenthal was too ill to leave the country. He was also stated that Blumenthal had not received the \$300 necessary for traveling expenses on March 19 when the subpoena was served on him. The government's affidavit to testify concerning the nature of these payments. It had been charged by Correa that Blumenthal had personal knowledge of other relevant testimony. The subpoena had been served under order of trial Judge Grover Moskowitz.

RKO'S REVAMP. EAST - WEST

Eddie Cantor's and Other Indie Units Agam Stall UA Sales Plans

New dates for the twice-postponed regional United Artists sales convention wait on word from v. p. Arthur Kelly on the Coast that pending deals for new producers for next season have been closed. Kelly flew west Sunday (27), after negotiating with Eddie Cantor on an actor-producer pact the previous week, to assist UA topper Murray Silverstone in lining up the remainder of the 1941-42 product.

Sales meets were originally slated to begin April 14 with a convolve in New York. They were postponed for two weeks while Kelly made a last-minute effort to obtain agreements by producers to a new sales plan he was advocating. In the meantime, Silverstone had the Cantor deal under way and was negotiating with John M. Stahl, Frank Ross and other producers new to UA.

Silverstone and Kelly hoped to have these deals in a state of readiness to announce at the opening of the postponed confab on Monday (28). When it was learned that they were determined on the second postponement, with the new dates hinging on the producer deals.

Following the New York divisional get-together, others were slated at intervals of a few days in New Orleans, Cincinnati, Chicago and San Francisco.

Eddie Cantor will become a producer-actor for United Artists unit. (Continued on page 11.)

GRAHAM BAKER INTO SISK'S RKO SPOT

Hollywood, April 29. Graham Baker moves into Robert Sisk's production berth at RKO. He still retains an interest in The Play's the Thing Corp., his production unit with Gene Towne. Baker was producer at Warner Bros. before he teamed up with Towne as a writing team.

The Play's the Thing Corp. contract with RKO has been extended six months so the unit can produce 'How to Meet a Man.' Casting trouble held up the picture's start after Martha Scott had been set for the lead. Orson Welles expressed a desire to appear with her, with Edmund Gouling directing, but deal never got to the ink stage.

RKO's extension to release and finance calls for Towne to pick the male lead and director. If it doesn't, Towne holds the right to make picture for another company with RKO. He was paid \$92,000 for story rights and story oversight.

George Marshall has signed a director pact at RKO and leads off with Valley of the Sun, under the supervision of Baker. Two others assigned Baker are 'Sister Carrie' and 'Through the Thin Wall' originally on Sisk's slate.

Sisk to Paramount As Assoc. Producer

Hollywood, April 29. Robert Sisk moves over to Paramount as an associate producer as soon as he winds up his current job at RKO, the Ginger Rogers starlet, 'Tom, Dick and Harry.' Deal calls for a one-year contract with options. He starts May 19.

Three years with VARIETY and six years as publicity representative for the Theatre Guild in New York, Sisk served one year as assistant to J. R. McDonough, former president of RKO, and became an associate producer in 1935. Since that time he has produced some of RKO's top pictures. He started on the Baltimore Sun, and as VARIETY's Baltimore mugg, he was subsequently brought into the New York office.

Ralph Cohn Col. Producer

Hollywood, April 29. Ralph Cohn, nephew of Harry Cohn, was upped to the status of producer at Columbia after two years with the Irving Briskin unit. First picture under the new alignment is 'Most Likely to Love,' based on a story by Murray Boltinoff and Martin Rackin.

\$9,675,000 From Britain to Film Biz 1st 6 Mos.

American major film companies will have received approximately \$9,675,000 from distribution of pictures in Great Britain by today (Wednesday) which marks the end of the first six months of the British frozen coin pact.

While theatre grosses have fallen off in some spots in the last 30 days in England, because of the increase in heavy Nazi bombings, revenue was reported up or in most places, running even with the previous year. Also the fact that less income funds are now allowed remittance to U.S. has enabled American distributors to be almost certain of this amount.

The \$9,675,000 represents 75% of the \$12,900,000 which the eight American major companies are being permitted to remit to U.S. under the frozen money agreement ending next Nov. 1. The remaining 25% or \$3,225,000 is remittable in the next six months. In the previous 12-month period, seven majors (Universal then had a separate deal) were allowed to withdraw \$17,500,000.

Now estimated that more than \$8,000,000 in rental income is frozen in Great Britain. It is in an effort to dislodge this money that the American film companies are working through the lease-lend law to obtain a working formula looking towards an early remittance to N.Y.

DISNEY'S CARTOONS FOR OPM OK IN D. C.

First films made by Walt Disney for the Government's Office of Production Management were taken to Washington this week for the approval of William S. Knudsen, OPM's production division head. Cartoons were made to teach workers detail of Lockheed Airplane Corp. in certain points of construction.

If OPM okays this trial film, Disney is prepared to set up a special defense department and make many others, principally on plan and ship construction. Vern Caldwell, personnel coordinator at the studio, brought the film east and is in charge of the demonstrations in the capital.

O'Driscoll As Ivy

Hollywood, April 29. Cecil B. De Mille has selected Martha O'Driscoll for the role of Ivy in the Paramount picture, 'Reap the Wild Wind.'

Youngster shares a romantic triangle with Ray Milland and Paulette Goddard.

CAROL BRUCE WEST

Hollywood, April 29. Carol Bruce made a quickie trip here for a screen test at Universal where she is under contract. Although signed a year ago, Miss Bruce has been held by her engagement in Louisiana. Purchase

THEATRE AND PROD. SHAKEUP

Breen Denies Any RKO Studio Connection as Sisk, Marcus Leave—O'Connor and Meyers Resign—Goldwyn, Others Joining

NEW FINANCING

Rumblings of impending upheavals in the RKO production, theatre operating and financial empires, heard for months past, broke out in full eruption on both coasts during the last week. With much of the situation still in a state of flux, here is the picture at the moment:

1. Almost a 100% change in the operating and production personnel of the studio is certain, with the reported appointment of Joseph I. Breen as production head being followed by announcement of an 'extended leave' for Lee Marcus, chief of B film-making, and resignation of producer Bob Sisk (who moved over. (Continued on page 22)

CAPRA-RISKIN COOK RKO DEAL

Hollywood, April 29. Deal is cooking between RKO and the Frank Capra-Robert Riskin combo. Negotiations are still progressing with George J. Schaefer to discuss it in New York while there this week.

Capra-Riskin also are considering a proposition to continue with Warner Bros.

THORNTON WITH ROACH TO WATCH OVER COIN

Hollywood, April 29. C. W. Thornton, former treasurer for Edward Small, joins Hal Roach Productions May 5 as executive v.p. and general manager.

Understood he represents the backers who are financing the new Roach program for United Artists release.

S. R. Kent Heads 20th-Fox Execs West on 1941-42 Product Powwow

\$5,000,000 Goal Set For Chinese Relief

Hollywood, April 29. Henry R. Luce and Clare Boothe, his wife, left for China after a Chinese Relief meeting here, attended by about 250. They announced that their goal was \$5,000,000, to be raised in the U.S.A.

Walt Disney was drafted as head of the money raising committee. David O. Selznick presided at the meeting and introduced the speakers.

Susanna Foster Gets Tri-Star Role at Par

Hollywood, April 29. Susanna Foster goes into a tri-starring combination with Jackie Cooper and June Preisler in 'Glamour Boy' at Paramount. Picture deals with the younger set in Hollywood.

RKO Directorate Tomorrow (Thurs.) Likely to OK \$8,500,000 Bank Loan; Odum Picking Up K-A-O Shares

De Sylva's B'way O. O.

Hollywood, April 29. 'Lady in the Dark' and 'Out of the Frying Pan,' legit plays bought by Paramount, are due for a once-over this week by B. G. de Sylva. He trained east on a tour of dramatic inspection.

Lee Marcus Quits RKO, After 8 Yrs., Before Pact Ends

Hollywood, April 29. Lee Marcus resigned at RKO, 17 months before the expiration of his contract, and announced that he would take a vacation before making a new contract. He had been with the company eight years, six of them in charge of the studio's high-budget films.

Back in 1921 Marcus joined the Robertson & Cole organization as a member of the contract department and remained as sales manager when the company was absorbed by F.B.O. When RKO took over control of the outfit, Marcus became president of RKO-Pathe.

He celebrated his 20th year in the film business last week.

PAR EXECS BACK IN N.Y. AFTER FIELD SURVEY

After a coast-to-coast schedule of meetings with various partners in Paramount theatres, plus a check into Nebraska, Colorado and Oklahoma houses in the Joe Cooper set-up, Leonard Goldenson and Sam Dembow, Jr., h.o. executives, return to New York tomorrow (Thurs.). They come on directly from Oklahoma City where Cooper and Paramount are pooled with Warner Bros. For a long time a permanent partnership between Cooper and Par has been on the fire and it may be getting closer to a finalization now after many delays.

Simplification of RKO's corporate setup will be nearly completed in the next few weeks, with the bank loan deal involving nearly \$8,500,000 expected to receive parent company approval when the RKO directorate meets tomorrow (Thursday). Another wrinkle will be ironed out today (Wednesday) when Atlas Corp. (Floyd B. Odum, undoubtedly will pick up 17,000 additional Mike Meehan shares of Keith-Albee-Orpheum preferred as provided in the option made with Meehan interests last December.

Atlas, originally obtained around 9,000 K-A-O preferred and the 17,000 additional shares would cover the full 26,000 preferred held by the Meehan group, originally. They would be bought for \$120 per share, bringing total outlay for swinging the deal to slightly over \$3,000,000. With the Meehan shares obtained by Atlas, understanding is that the whole Meehan block would be (Continued on page 20)

GOLDWYN'S RKO DEAL FOR TWO PIX ONLY

Hollywood, April 29. Leo Spitz has gone to New York for the RKO board meeting at which time the Sam Goldwyn deal will be ratified.

Signaturing by Samuel Goldwyn of a distribution pact with RKO over the weekend came as a surprise to the industry. Producer, represented by Leo Spitz, had been in lengthy negotiations with Warner Bros. Latter had offered extremely-favorable terms, said to be 15% distribution fee, and all financing and access to players, but Goldwyn was holding out for more, which he apparently got from RKO.

It was said by an insider to the WB deal that after the studio had offered about everything, Goldwyn 'wanted to be president of Warner Bros. and chairman of the board of directors, too.' Terms of the RKO deal were not disclosed.

Goldwyn committed himself to deliver two films in the pact signed with George J. Schaefer, RKO prez. They are 'The Little Foxes' with Bette Davis, which went into production Monday (28), and a Gary Cooper film which has been variously titled, most lately 'The Professor and the Burlesque Queen.' Goldwyn, who had been with United Artists since 1926, was bought out by other owners of the company in February, following a two-year battle.

PINANSKI'S HUDDLE WITH FREEMAN (PAR)

Hollywood, April 29. Sam (Mullin and) Pinanski, partner with Paramount in operation of New England theatres from Boston, is here to confer with Y. Frank Freeman on costs of operations of the new season.

Pinanski is a vital power in Paramount financing matters.

Eddie Albert, Ex-WB

Hollywood, April 29. Eddie Albert, has been released from his Warners contract. He leaves England theatres from Boston, top picture of the current season. Likely he'll shift to Metro.

O'Connor, Meyers Not Reconsidering RKO Resignations; No Successors

Refusing to repudiate his resignation, John J. O'Connor, general manager of the RKO circuit, left Monday (28), and reported that Fred Meyers, in charge of film buying, is also preparing to check out rather than succumb to offers he remains, circumstances being that they are Meyers was in his office yesterday (Tuesday) as usual, but late Monday night (28) O'Connor, packed up his personal effects and walked out. He is planning a vacation before considering future plans.

Internal strife and division of authority resulted in the sudden resignation of O'Connor and Meyers Thursday afternoon (24). They resigned in person to Malcolm Kingsberg, v.p. of Keith-Albee-Orpheum, theatre subsidiary of RKO, at the h.o. and also to George Schaefer on the Coast that they were quitting. While walking papers for both were to be effective within 24 hours, both of the RKO execs were urged to defer the date of their departure and consider remaining with the company.

Apparently efforts in this direction have failed, and with O'Connor's resignation made it plain that he demanded complete authority on film deals, it was not expected that either he or Meyers would reconsider unless there was full understanding on this point with no interference removed. Both execs were said to have been pretty determined from the start that they wouldn't change their minds.

Since it is apparent both of the RKO posts will have to be filled, there being only a scant chance that Meyers might be talked into staying, RKO might have to look outside to all them or at least one of them. If Kingsberg should take over active operation of the theatres—a possibility from accounts—then one of the division managers may be moved up; not as an operating associate.

Possibilities

Among possible candidates are Charles McDonald, who's over the N. Y. division; Tom Gorman, Chicago operator; and Nat Holt, who has the Chicago area.

Outsiders mentioned as possibilities are Leon Netter and George Walsh. Both are theatre executives-operators of wide experience who are also veterans of the RKO circuit and is with Paramount in charge of half of the country under Leonard H. Goldenson and for years he was in charge of film buying for Par, including when the old Public company handled all deals out of New York. He is a close personal friend of Schaefer's. Walsh, until a few months ago operator for Par of all the update N. Y. theatres and only in other high theatre spots, including with Comerford and Saenger, recently took over the Yorktown, N. Y., from RKO and is personally interested in the Yorktown. Nat O'Connor-Paramount pool. Netter might be considered also for Meyers' spot in RKO if not to be filled from within. Max Fellerman, assistant to Meyers, if not likely to be moved up, it is said.

What Started It

O'Connor and Meyers' resignations resulted from a miscellaneous of difficulties but with the most serious head was a dispute from within over a film deal made by the O'Connor-Meyers team for 'John Doe.' They bought the picture from Warner assets without the consent of others, including Kingsberg, and a controversy over policy and authority resulted, with resignations as the climax. Picturized but not included in this season's (1940-41) contract, RKO thus having bought it separately. It goes into RKO houses: starting May 8.

Deal with WB is at 30% of the gross up to the figure attained, each house by the same company's 'Fighting 69th,' a strong business-getter, after which a split is called for. WB is also interested in RKO with indies but with the percentage starting at 40%. No flat deals are now being taken.

Reported O'Connor has an offer from Warner to go in as an associate to Joe Bernhard and that WB is also interested in Meyers. Later also said to have a proposition from National Screen Service, but on the other hand, O'Connor and Meyers may head a new group of independent houses around New York that want to band together on operation and buying.

Though at first denied, report that O'Connor would go to Universal,

possibly also Meyers, was revived yesterday (Tuesday). Understood so far as O'Connor is concerned that Matty Fox, assistant to the president (Nate Blumberg), may be called in the draft and that the former RKO exec may go into that post.

O'Connor has been with RKO 20 years, Meyers 12.

Rodgers (M-G) States

Local Exchanges Can Settle All Squawks

St. Louis, April 29. If any film exchange manager says he cannot adjust differences with exhibitors but must refer the matter to his New York office he's stalling, Rodgers, accompanied by Tom O'Connor, western division manager, and Alan Cummings, chief of operations, is making his annual trek to branch exchanges throughout the country. He said that the Metro New York office has given authority to its men in the field to make adjudication of differences arising between the exhibitors and distributors.

Touching on the constant decree, Rodgers, the only speaker at the meeting, said he possesses a letter in which an exhibitor said that if he had only MGM to deal with there would be no need for any more decrees. Rodgers urged the exhibitors to take advantage of the Arbitration tribunals when they are unable to iron out their justified complaints with the branch managers.

Garnett's Double Duty

Hollywood, April 29. Tay Garnett, signed a direct and unexpected fight at RKO, is doubling as producer, owing to the illness of Erich Pommer.

When he returns to the lot, Pommer will resume preparations on a future commitment, 'Weekend for Three.'

Only 55 Arbitration Complaints In First 3 Months of the Decree

In the first three months of Arbitration the unexpectedly low number of 55 cases have been filed by exhibitors but progress in disposing of them has been extremely slow due, principally, to postponements of hearings. Added to this has been lengthier hearings before arbitrators, than anticipated, a lot of time being consumed to explain clearance and other trade intricacies.

As result, with a view to speeding cases, future policy may be to have both parties get together in advance of hearing to prepare papers relating to the dispute. Added to this is the dispute to be placed in writing and submitted, as briefs would be, to the arbitrator. This has been done in a Washington case in order to save time, as well as costs, and the same may develop as a practice to be followed in the near future. In one case in New York a whole day was taken up by attorneys to explain to the arbitrator what clearance was all about.

Another factor that has caused slowness in arbitration of cases has been request for postponements by exhibitors because they have not been able to be on two cases at once in different cities. Moreover attorneys have asked postponements due to the need for them on trials or other legal matters of a pressing nature. If complaints pile up to any considerable extent later on when the selling under consent decree begins as expected they will, it very probably will be necessary for distributors to hire additional lawyers. Where practitioners they may retain law firms in various exchange centers where cases are to be heard.

Though surprising, of the 55 complaints already brought, ha-

FILM TRADING STATIC

Harry Cohn Wipes Out Joan Perry Account in Columbia

Washington, April 29. Relatively little in the way of film stock transactions reported today in the monthly summary of the Securities & Exchange Commission. All submitted belatedly.

Prexy Harry Cohn disposed of 100 shares of Columbia Pictures Corp. common no par value stock last December. It was disclosed, retaining 73,949 shares of the same type per share. Some month 2,190 shares of the stock were sold by Cohn, listed under the name of the 'Joan Perry Account.'

Latter holds no equity securities and the transaction wiped out Joan Perry interests in the stock.

Purchase of 200 shares of Pathe Film Corp. \$1 per common in June, 1939, were disclosed by Louis Phillips, New York director, plus an earlier acquisition of the same number of shares in November, 1938. Both purchases were entered in the name of Phillips' wife, whose total holdings now amount to 400 shares.

0.00305% DIVVY ON \$2,972,868 CLAIMS

A final report of the Seattle Orpheum Co., former operators of the Orpheum theatre, Seattle, was filed Wednesday with the U. S. Federal court and approved the same day by Judge Murray Hulbert. Creditors, whose claims total \$2,972,868, will receive a first and final dividend of .000305%.

All that is left of the estate once valued at several million dollars is \$10,447 of which Irving Trust, trustee, will receive \$245, and Donovan, Leisure, Newton & Lombard, attorney for Irving Trust, will get \$1,000. The two latest creditors in the microscopic dividend will be the Bank of California, which held a first mortgage of \$1,000,000 on the property, and the RKO Orpheum Corp., \$898,093. The company filed its bankruptcy petition Nov. 18, 1937.

Lefty Books a Turkey Girlie Show But the Soldier Boys Turn Out Big

By Joe Laurie, Jr.

Coolidge, Cal., April 29.

Dear Joe:

Well, I just finished playing one of those 'Turkey girlie' shows. A few boys together, put in a dollar and a half apiece, go to the old ladies home for the chorus, take a couple old burlesque comics, drape 'em all up in a cyclorama and book the towns that have soldier camps. Well, brother, if those shows don't make the boys wanna go to war I don't know what will.

The advance man who was a fast-talking guy who knew his business made me believe I was getting a Ziegfeld Follies; I figured a 'girlie show' with all these soldiers in town would do well, and I figured right. Well they send in two breakdown comics, a half-bent straight man, 12 chorus dancers that they took off a Telen. He and gave me a Minsky Special. They did everything from 'Water-in-the-Pants' to 'Smelling the Rose' bits. They did stuff on the first show that could put us all in jail for 100 years. I rushed back after the show and made 'em all stand on the stage, that is those that could stand and told 'em off plenty about our town being a decent community, etc., and I would stand off 'em and double entendre. Well, they put on a clean show on the second show but still plenty lousy.

'A New Degeneration'

Anyway you know how things travel in these small towns. The boys heard that the show was plenty 'hot' and the two night shows were terrific. Even the ushers were standing. The soldiers yelled their heads off at the hoke comedy, it seemed all new to the young folks. Like Aggie sez, 'there's a new degeneration coming up that don't remember the old jokes.' I thought maybe the last show wouldn't be good on accounts guys tipping each other off, but nobody would say nothing, they gave me sort of a funny look when they came out. Of course they couldn't say I came to see a dooty show.

The soldiers like it on account of the 'leg show,' although this show was plenty wacky on its legs. The gals could have improved their looks by being hit with a hammer or something. It's one of them shows that reminds you of an attack of rheumatism, you can't tell how long it will last.

Thanksgiving Specials

Me and Aggie got to talkin' about how the word 'Turkey Show' ever got started. I remember a long time ago, I told me that the show started with a few actors getting together around Thanksgiving time and puttin' on a show for 'Turkey money,' naturally it was one of a show, just a catch-as-catch-can affair, and the show would disband after a week or so. And so they got to be known as 'Turkeys.' Aggie sez by the looks of this show they played it should be called 'A Soldier's Show.' It's even worse than a G picture. At least after you show a C picture you put it in the can and send it back. As for the 'Red, White and Blue Girls' (that's the name of the troupe) it's the first time I ever saw the D. T.'s with dresses.

I was thinkin' maybe a musical stock company would do good here for the summer. It can dig up some good people in the Canyons at Hollywood where the Okie actors live. They should be dried out in another month or so. We've had plenty of rain—they were thinking of putting the traffic lights on buoys.

The only thing I'm afraid of with a musical stock are the gals. If I get a line of gals I want them pretty and they're pretty. I don't want trouble with Aggie because she is plenty opinionated and if they ain't pretty I may as well run an alligator show. Believe me I saw an Alligator farm that looked better and younger than the 'Red, White and Blue Girls.' Anyway, I made a few dollars on the show, so that's something. Best to the gang back there anake a hunk for yourself. Ser,

Your pal,

Lefty.

P. S.—William Janny sez, 'Another great trouble with the world is that too many foreigners live in it.'

Marcella Napp Joins William Morris Agency.

Marcella Napp, in charge of casting and talent negotiation for Metro, has joined the William Morris agency in New York. Will handle the development of new film talent. Johnny Hyde, agency v.p., is east for further business with Bill Morris, Jr. on this and other agency moves.

Natalie Napp, her sister, is already with Morris on radio and television matters.

EDDY'S ARIZ. VACASE

Nelson Eddy, who last week completed an extensive concert tour, has gone to Tucson, Arizona, with Mrs. Eddy for a three weeks' vacation.

He then reports to Metro for the lead in 'Chocolate Soldier,' with Rise Stevens.

Studio Contracts

Hollywood, April 29. Charles Linton Tedford inked a writer pact at Warners.

Carolyn Lewis minor contract with Paramount approved by Superior Court.

Katharine Booth drew player ticket at Paramount.

Eugene Courand signed to scripter contract by Hal Roach.

David Bruce's player option lifted by Warners.

Lucien Andriot cameraman, inked new contract at 20th-Fox.

Nancy Kelly's option picked up at 20th-Fox.

Mack Gordon inked new one-year songwriting ticket at 20th-Fox.

Mel Blanc signed as cartoon voice by Leon Schlesinger.

Danny Mummery's actor option lifted at Columbia.

Basil Walker's player option renewed by 20th-Fox.

Florence Rice had an option lift at RKO.

STOCKHOLDER JOINS IN SUIT AGAINST U

Rene B. Meyer, holder of 100 shares of Universal common, was permitted to intervene in Samuel I. Posner stockholder suit against Universal. Its subsidiaries, officers and directors, Monday (28), by Justice Carroll G. Walter in N.Y. supreme court. The application for intervention pointed out that many minority stockholder interests are settled out of court and the applicant, while having faith in Posner, did not wish to relinquish rights which might be secured by being a party to the action.

Suit by Posner, former director of the company, charges waste and mismanagement and seeks accounting on approximately \$2,000,000 in damages and the discharge of responsible officers and directors.

2d Lum and Abner Film Budgeted at \$200,000

Voco Production's second 'Lum and Abner' film starts shooting at RKO. Pathe next month. Each production, president of Voco, has it budgeted at \$200,000, financing arranged by H. William Fiteless (Meyers), N. Y. attorney.

Previous picture by the comedians was 'Dancing Out Loud' which cost \$200,000 also. Each has grossed over \$400,000. Standard Capital financed this one, receiving a share in the profits. RKO released. Standard is out of this deal and RKO will release and receive a percentage of the profits. 'Lum and Abner' (Chester Lauck and Morris Gott) also receive a percentage of the profits on the deal.

John Hill will be associated with Votion in the production of the picture.

U.S. HAS 'OUT' IN MINN. LAW

'Fantasia' in Its 11 Engagements

Has Grossed \$1,300,000 to Date

Walt Disney's 'Fantasia' in its 11 engagements it has played to date, all of them roadshow-booked and operated by the Disney organization itself, has grossed \$1,300,000. Of that about one-third, or \$475,000, has been derived from the 25 weeks played at the Broadway theatre, N. Y.

Although RKO will handle general release of the film with the new single sound track reproduction system, Disney office will continue to operate the 10 dates now playing, plus the engagement at the National, Washington, opening May 12, and the Maryland, Baltimore, opening May 15. These two will have a modification of the original 'Fantasound' system, simpler than the earlier reproduction apparatus, but still requiring a shutdown of the houses for installation.

First RKO booking, which will employ a different kind of print that uses only the ordinary house equipment, is in Louisville May 19. Hartford and Memphis open shortly after that, and then many other dates. All will be roadshows, two-day with reserved seats at \$1.50 evenings and Saturdays and \$1 and 50c matinees during the week. About 5,000 roadshow engagements will be sold.

New sound system is recorded on a single track instead of the three plus a volume control track on the original 'Fantasound'. None of the speakers at the sides and back of the house and the tremendous baffles behind the screen to give parallel motion to the sound are used.

What's to become of the 11 sets of 'Fantasound' equipment owned by Disney is uncertain. A 12th set, which was ordered from RCA, was never delivered because of national defense demands. With the 12 units of equipment, Disney office figured it would take seven years to play the film out. Simplifying sound and giving 'Fantasia' to RKO for distribution will cut this period to less than one-third for getting maximum coin in.

First 'Fantasia' engagement to close was Pittsburgh, on Saturday May 18, after eight weeks. Other now playing are New York, Boston, Los Angeles, Philly, Detroit, Chicago, San Francisco, Cleveland, Buffalo and Minneapolis.

ROOSEVELT'S GLOBE

JUST DISTRIB NOW

James Roosevelt's Globe Productions will continue to exist for distribution of 'Pastor Hall' and 'Pot o' Gold' it was said this week, but production will remain suspended and no plans will be made until Capt. Roosevelt come out of the Marine Corps.

David Griesdorf, eastern rep of Globe, returned on Monday (28) to New York after 10 days on the Coast huddling with Henry Henigson, Globe production chief.

Jukebox Billing

Boston, April 29.

James Roosevelt receives top billing in a newspaper advertisement campaign to exploit Panoram Soundies in this section. Offices are open here.

Roosevelt's name is most prominent in advertisements, which point out that machines have already been installed at the following spots: Casa Manana, night club; Howard Johnson's restaurant; Hotel Lenox; Train bar; Boulevard Cafe; Esplanade Cafe; Halfway House; Rosindale and Tilly's; Shrewsbury.

Kraike Aides Siegel

Hollywood, April 29.

Paramount, having contracted to Michael Kraike as executive assistant to Sol C. Siegel, in charge of B production.

Three weeks ago, Kraike checked out as associate story editor at Columbia.

Maureen on a Bicycle

Hollywood, April 29.

RKO tore up Maureen O'Hara's old contract and handed her a new one, to be shared equally by 20th-Fox. Player's first role under the dual pact is in 'How Green Was My Valley' on the Westwood lot.

PINBALLS SAVE THIS EXHIB, HE SAYS

Toledo, April 29.

Letter from a small town motion picture owner of Ohio to Pete Wood, secretary of the Independent Theatre Owners of Ohio, in Columbus:

'I am enclosing a check for \$16.30 to pay my organization dues. You will notice that I now only have 163 seats instead of 205, because I cut some of them out. Where I had them is now a room where I have six pinball machines and this is the reason why I am able to pay you my dues.'

Business has been very lousy and the only reason I keep running the show is because of my wife, Martha, and the grandchildren like the movies, and I figure, if I can break even, I am saving money, because otherwise the family would have to spend money for gasoline and admissions to see the shows in Galesburg.

'I have recently started to run double bills, because the film salesman told me all of the first-class houses were doing it and that it was the thing to do, but Martha is complaining because it has put her behind in her knitting.'

'The other day I read of a new organization in New York that is to coordinate the film business with the Government. I don't know just what this means but it must be important because the fellow at the head of it is to get 25,000 smokers a year.'

'I like to receive your organization bulletins because they tell me everything except how to make money out of running my theatre. Can't you do this some time, although I don't care much now since putting in the pinball machines.'

'I wish you would also find out who the \$25,000 coordinator and his \$7,800 secretary are going to co-ordinate.'

Par's Earnings in 1940, \$7,633,130, Doubles '39

Consolidated earnings of Paramount for the year ending Jan. 4 totalled \$7,633,130 as against \$3,874,000 in 1939, including the share of undistributed earnings from non-consolidated subsidis in both instances, according to the company's annual report issued last week by Barney Balaban, president.

Paramount's consolidated balance sheet shows cash and marketable securities amounted to \$12,583,453. Of this amount, \$1,629,604 is represented by balances in Canada; \$1,453,371 by balances in Great Britain and British dominions; and \$45,121 in other foreign countries, mostly South American. Total inventory amounted to \$12,344,063 with net working capital placed at \$27,329,855. Current assets were placed at \$35,304,371.

CONSENT DECREE PROVIDES RELIEF

Section 23 Permits Distributing Films in States Kaying the Blocks-of-5 Provisions — Minnesota Gov. Signatures Northwest Allied's Anti-Consent Statute

MICH. BILL GETS LIFT

Despite the Minnesota anti-consent decree law, pictures, which officially became a law last week, signifying of measure by the governor, major film companies anticipate no difficulty in distributing films in that state because of an 'out' clause in the Government's consent decree. This is part of Section 23, and it plainly states that defendants under the decree may ask court for relief when state laws conflict and that it shall grant the sought relief.

Clause in Sec. 23 reads: 'Whenever obligations or prohibitions are imposed upon the defendants by laws of any state or rules or regulations pursuant thereto, with which the defendants by law must comply, the Court, upon application of the defendants or any of them, shall from time to time enter orders relieving the defendants from compliance with any requirement of this decree in conflict with such laws, rules or regulations, and the right of the defendants to make such applications, and to obtain such relief is expressly granted.'

That this allows the five majors operating under the decree to sell as the Minnesota law provides appears obvious to trade leaders. Thus, these majors will offer for sale whatever films they have completed since there is nothing in the Minnesota statute which requires them to name the product being offered.

\$10,000,000 Annual Gross

Such relief clause apparently dispels any doubt over what action distributors will take in Minnesota. They will seek relief from consent decree provisions so that they will be able to operate under requirements of the state law. Talk of any of the five distributors abandoning distribution in that state have been discounted generally in the trade because films rentals from Minnesota run around \$10,000,000 annually.

Whether the constitutionality of

(Continued on page 20)

Vet Film Man Chides Lawyers For 'Dragging' Consent Complaint

Milwaukee, April 29. First actual hearing to get under way before the Local Arbitration is resulting in a prolonged legal battle, in which the members of three of the city's leading law firms are using all the tactics usually employed in bitterly fought court actions. Although the announced slogan of the tribunal is 'Speed, Economy and Justice', the proceedings seem to indicate a lack of at least the first two elements, and inspired a frank outburst from one of the witnesses, Charles W. Trampe, distributor of Monogram pictures, a veteran exhibitor and one of the planners of the Wisconsin setup, who declared:

'You lawyers are dragging this case out like it was a murder trial. You all must be getting paid by the hour.'

Case at bar is that of Evansville Theatre, Inc., operators of the Rex, Evansville, Wis., against Paramount with Jeffris Theatre Co., Janesville, Wis., (Warner-Saxe) intervenor. Alleged 'unreasonable' clearance given the Janesville house is main point at issue. Argument originally

Hold Onto Your Hats Boys, Uncle Sam's Ogling Show Biz Again (And How!) For Some More Taxes

Hope Goes Homicidal

Hollywood, April 29.

'The Murder Farm' is the next item job for Bob Hope and Dorothy Lamour at Paramount. It is the fourth time they have been bracketed.

Producer is Arthur Hornblow, Jr.

SOME THINK 5c UP SHOULD BE TAXED

Minneapolis, April 29.

Sentiment among Twin City independent exhibitors voiced at a meeting called by Northwest Allied to consider proposed higher Federal admission taxes, was that all theatre admission, from 5c up, and every form of entertainment, including bowling games, should carry a tax.

A considerable widening of the entertainment tax base might obviate the necessity for a rate boost, it was pointed out. At any rate, the higher admission tax should be imposed only in case of extreme necessity so as not to up admissions too much and thus curtail theatre attendance to an extent that the Government's purpose of raising more revenue would be defeated, independents felt.

SMALL'S BALCOM PIC (ENGLISH) VIA UA

Hollywood, April 29.

Edward Small has acquired U. S. distribution rights to Michael Balcon's English naval comedy, 'Three Cockney Sailors', for release through United Artists. Deal was maneuvered by thawing out American coin frozen in England, and the pic will be tackled on as an extra on Small's UA slate.

Release date is to be set when the negatives arrive here. Currently Small has one print which he will utilize in previews.

Washington, April 29. The whole of show business looks like a major casualty of the drive by the Federal Treasury and Congress to put Government finances more nearly on a pay-as-you-go basis. The film industry is destined to suffer more than other branches through stiff levies on its earnings besides even tougher admissions taxes.

Not for six or more weeks will it be possible to say with even slight degree of certainty what Uncle Sam will take from show business' gross and net to help pay the cost of aiding England and getting set to take on the Nazis. Capitol Hill wind sock, however, shows the breezes are distinctly unfavorable, with both the Treasury statistical experts and the legislators opining the boxoffice heavily and thinking how much the yield from a 'palatial' 10% tax, jumped last year after the starting point was dropped to 21c. There may have been some bleak years, Congress still thinks of the motion picture industry as wellspring in wealth and considers all types of commercial entertainment are luxuries which derive their revenues from people who won't mind paying a little more toward balancing the Federal budget.

Can't Estimate Yield Already several alarming ideas have been thrown out. Nobody has come forward with estimates of the amounts which might be collected, but glib statements have been heard that this or that levy on amusements would produce a substantial sum, involve little administrative (financial clerical) difficulty, and be handily fed by the ticket-buyers. On top of that, the Treasury wants Congress to prevent possible 'proteefring' on war expenditures by soaking everybody who might take in materially larger amounts as a result of increased employment, higher prices, and brier Federal outlays.

Most direct: move to get more money from amusements. The Treasury's recommendation for admissions tax on every duct costing more than 9c. Additional yield would be \$55,000,000, the figure jugglers predicted, which compares with a take of around \$20,000,000 on the old scale (41c up) and an indicated \$65,000,000 this year (with everything above 21c hit).

The other types of diversion would have to carry a heavy load, although motion pictures, theatres, circuses and carnivals, and sports would be the biggest source of the extra revenue foreseen by the experts. 'Cabare' patrons would be socked 4% of their checks, totaling \$1,000,000 per annum; the present bite on radio, and parties would go up from 5 1/2% to 10%, yielding another \$5,300,000; 10% would be added to price of the Treasury Department, bringing in \$4,500,000; and there would be new or stiffer imposts on bowling alleys, musical instruments, clubs, etc.

Special taxes on radio stations and networks and on jukeboxes and pinball games were suggested by individual members of the House Ways and Means committee, though not included in the Treasury Department catalog of ways to get an additional \$3,500,000,000 from the people.

Along with all other types of business, amusements face the inevitable burden of more corporate taxes just as individuals in all walks of life must ante up a whole lot more next March 15. The Treasury wants to up the levy on corporate earnings—and probably will come close to getting it—way with much stiffer levies on 'excess' profits and a novel surtax. Assistant Secretary John L. Sullivan advised Congress another \$400,000,000 can be raked in from lowering exemptions and credits and hitting the rates on corporate income tax. (Continued on page 20)

Drafting of Younger Theatre Men Being Felt More and More Now

Milwaukee, April 29. With the continuing drafting of more and more young men for the army, the effect is being felt increasingly in the theatres. At first noticeable only in the service departments, the early situation was remedied by replacing the boys with ushers and doormen, but the sustained withdrawal of manpower is now beginning to be felt in managerial, executive and other departments.

Result is that older men who had been shelved because of advancing years or had retired for other reasons are being called back into active service in theatre organizations, and executives who have been standing the strain of the last few years are being given increased salaries to keep them contented where they are. Many men above draft age are deserting the seven day grind of the show shops for places in defense industries where a 40-hour week seems like a continual vacation.

That the situation is not a local one is evident from correspondence being exchanged between theatre men in various parts of the country, although it is more pronounced in and about the larger industrial centers at the present time.

Although the draft problem is noticeable to some extent in the theatrical unions, it is not yet acute as there are many older men in the various organizations and due to conditions of the past decade there has been no great influx of apprentices.

Picture exchanges are losing some of their younger men via the draft route, but here, too, probably the majority are above age.

Feeling here is that as time goes the older men will be more and more in demand, and salaries gauged accordingly, so the national emergency is really giving them a break.

\$100,000 AD CAMPAIGN ON 'BLOOD AND SAND'

Campaign for 'Blood and Sand' is being lined up by 20th-Fox as one of the biggest and most costly drives put on by the company in the last few years. Picture, which is set for release May 30, probably will be backed by a campaign costing considerably in excess of \$100,000. One of the initial guns in the campaign is an elaborate brochure, prepared by Chas. E. McCarthy's advertising staff, which is going out to 1,000 first-class addresses each week. It details the history of the poster work for 'Blood and Sand,' which was taken from original color art done by Carlos Ruano Ilopia, noted Mexican artist. Louis Shanfield, company's art director, planned to Mexico City to contract for this art work.

City Wilbert and Eddie Solomon, of 20th-Fox publicity-exploitation staff, already have started out on the road on the advance campaign on the picture.

Bolton Ad-Publicity Director for Selznick

Hollywood, April 29. David O. Selznick signed Whitney Bolton as his director of publicity and advertising, beginning May 1. Victor Shapiro, former incumbent, remains with the outfit as manager of a new department of pre-production exploitation.

Bolton's first chore under the new alignment is to hop to Guadalajara, Mexico, to fetch back a musical act signed by Selznick during the recent Film Festival.

UA's 'Feeling' Contest

United Artists has set a limerick contest with the New York Journal-American as the prize. Ernest Lubitsch's 'That Uncertain Feeling' set to open shortly at the Music Hall. N. Y. J-A readers are asked to complete four-line limerick published each day, with total cash prizes of \$700.

Contest runs 14 days, beginning a week before opening and running a week into the two-week engagement.

Stars' Testimonials For 'Penny Serenade'

Ad campaign to pre-sell 'Penny Serenade' in 45 key cities has been instituted by Columbia. It is using a series of four three-column ads in the news papers of all papers in each city for several days prior to opening engagements.

In keeping with fact that ads are not for amusement papers, they vary from usual film copy. No cuts are used, but only type. Copy is of a testimonial nature with Claudette Colbert, Rosalind Russell, Irene Dunne, Cary Grant and Loretta Young paying tributes. Miss Dunne and Grant are starred in the film.

Old Story of Classy Nabes vs. Less Modern Downtown Is Up Again

Minneapolis, April 29. Because of lower admissions, free parking facilities, convenience, newness and greater beauty, uptown theatres are continuing to grab off a larger percentage of total film patronage, with loop first-run houses the sufferers, local branch managers declare.

These managers claim that the vast bulk of the business now goes to these suburban and neighborhood theatres and that, in consequence, it has become necessary to obtain from there a larger part of the revenue to offset losses downtown and to enable producers to function properly.

Resisting demands for higher film rentals, however, neighborhood and suburban exhibitors declare they're able to show figures revealing a steady and substantial downtown in gross and profit over the past several years. Without cash and merchandise giveaways, they claim, they'd be unable to operate at all and, as a matter of fact, comparatively well now as showing a profit. Although boxoffice returns have been continuously dwindling, operating costs keep on mounting and now are at a new peak.

Instead of being able to pay more for film, they must have reductions if they're going to business, according to the neighborhood exhibitors. But the branch managers are blind to these contentions, assert trade is much less off in the neighborhoods than downtown.

TENN. WANTS 'SERGT. YORK' PREEM, OR ELSE

Memphis, April 29. State is up in arms over reports that Warners may preem 'Sergeant Alvin C. York' at the American Legion convention in Milwaukee Sept. 15.

Several cities, notably Memphis and Nashville, have been kicking anticipatory chops for some time over prospect of a world unveiling in this sector of the film based on the state's No. 1 World War hero.

Governor Cooper has given official cooperation on the picture's manufacture, even to attending banquet in Hollywood in connection therewith, and it was presumed there would be big dollars in Dixie when the time came to unroll.

If Milwaukee plans materialize, Volunteer State may squawk officially. The mutterings can already be heard in Hollywood.

Dizzy Bally

Wacky midtown ballyhoos attracted Times Sq. attention this week. For 'Crazy With the Heat,' unit to Loew's State, a screwy, pantsless street parader headed the show.

A 'Clid,' a Guy and a 'gob' at the Criterion, also on Broadway, was ballyhoed by a rickshaw trio, the gal and the gob being pulled by the 'guy.'

Aqua Preem-O

Hollywood, April 29. Pacific Ocean, scene of the first sea-going film premiere, has nothing on Lake Michigan, which is hosting the presentation of 'Scattergood Pulls the Strings,' first picture to be launched on an inland lake. Picture will be unveiled on the new steamer, Milwaukee Clipper, May 29, with simultaneous screenings in Milwaukee, Chicago and Muskegon, Mich.

Guy Kibbee stars in the Pyramid feature for RKO release.

'Flame of New Orleans' Preem Gives La. City Big Taste of Hollywood

By TED R. LUZZA

New Orleans, April 29. With all the fanfare of a traditional Hollywood opening, Universal's 'The Flame of New Orleans' was given its world premiere here Thursday (24) at the Orpheum. A delegation of picture players took the city by storm and were themselves nearly taken by storm when they came in front of the theatre bailed for while the efforts of police and studio officials to get the show underway.

Present for the opening were Joseph Pasternak, producer, who accompanied Mrs. M. Jones, wife of the governor of Louisiana; director Rene Clair and Mrs. Clair; Hugh Herbert and Mrs. Herbert; Andy Devine and Mrs. Devine; Mischa Auer; Helen Parrish; Roland Young; Rudy Mate, cinematographer; Bruce Cabot, who co-stars in the film with Marjorie Dietrich; Muriel Stafford of New Orleans, 'Premiere Girl'; and Evelyn Ankers.

The crowd waiting the arrival of the film party in front of the theatre packed University Place and an extra detail of 30 police was added to the original squad of 25 to keep lanes open. The celebrities were presented to the audience from a platform on the sidewalk.

The film contingent arrived Wednesday (23) and were feted at a round of doings which started with an office party at the city hall, where Pasternak was given the keys to the city and made mayor for the day. Later there was a cocktail party at Broussard's restaurant, and at night the same group again were guests of the local Universal exchange at dinner at the famous Anjoine's. Mayor Maestri proclaimed the day of the premiere a legal holiday.

AMPA's Platform for Next Season; Trotta New Prez

At a closed meeting of retiring officers and directors of the Associated Motion Picture Advertisers, held Thursday (24), a final report was submitted, making the following recommendations among others:

1. That membership be limited to people who are active in the picture and publicity branch of the picture industry as a means of reestablishing the AMPA as an organization set up for such workers.

2. Further and establish some form of bureau for the eastern, branch of the industry.

3. That a social affair be arranged for 1941-42 in line with development of a relief fund, with this to be tied in with celebration of the 20th anniversary of Will H. Hays in the industry, proceeds to the relief fund.

Last-mentioned recommendation was made by Leon Bamberger, RKO sales promotion manager, outgoing president of the AMPA. Report made at the Thursday meeting also urged that more new members be obtained. Under Bamberger's regime more were brought in than for any prior year, total now being 148. It was also reported that the AMPA has continued weeding out 'dead wood.'

According to final figures, more than \$2,000 was netted on the Silver Jubilee dinner-dance of the AMPA, held April 24.

In the election for the coming year, also held Thursday (24), Vincent Trotta, for many years head of the art department of Paramount, and now with National Geographic, was elected president while Ed Schreiber, of Warners' publicity department, was chosen v.p. Bamberger remains a director.

More UA Sales Revamping by Kelly; Briefs About Theatres-Exchanges

Continuing his efforts to reorganize United Artists sales organization for maximum efficiency, Arthur W. Kelly, recently named v.p. in charge of domestic sales, will leave next week-scale switch last week involving reshuffling of districts.

John J. Devlin, previously announced as southern district manager, was the object of a bit of mind-changing and was sent to New England instead. Change followed the splitting of the New York, New Haven, Boston, Philadelphia and Washington, D.C. territories, formerly under Charles Stern, into two districts instead of one. Devlin will headquarter in Boston and cover Boston, Buffalo and New Haven, while Arthur Silverstone, formerly handling Philly and Washington, now will be in charge of New York as well. He'll headquarter in New York.

Stern has been shifted to district manager for Chicago, Milwaukee, Minneapolis and Denver, with office in Chicago. He succeeds Irving Hays, who was in charge of the district. Stern did not include Denver. Later was switched from the West Coast district remaining with Bert Fish in Los Angeles. Schlang has not yet been reassigned. C. E. Peppatt has been promoted from branch manager of the New Orleans exchange to southern district manager. Latter post was recently vacated by Hugh Owen, who went to Chicago. Bert Stern is district manager for Cincinnati, Cleveland, Pittsburgh and Indianapolis, with Buffalo taken out of his group. He will be switched to New England.

No change has been made in Jack Goldstein's territory, embracing Colorado, St. Louis, Kansas City and Detroit. In the Canadian district, A. Iscove has replaced Abe Feinstein as exchange manager in Calgary. Feinstein resigned.

La-Neb. MPTOA Meets Mid-May

Lincoln, Neb., April 29. The meeting for the organization of MPTOA in Iowa-Nebraska, with election of a president to replace Walter J. Williams, will come off in mid-May. Joe Kinsky, Tri-State district manager in Omaha, and Bob Livingston, Capitol here, are making arrangements. Still no indication that the 1,100-seat Variety, operated on second run by J. W. Mitchell, and How and Federer here, will be torn down. It's understood the city which started the project, will let the theatre interests of a street widening program will let the house operate until Noble and Federer decide whether or not they'll build a new house. The Best, Topeka, closed for remodeling.

Billies has bought the Newicks, Burlington, Kan. from Al Newcomb, sick for some time.

New Charlotte, N. C., Nabe

Charlotte, N. C., April 29. Charlotte's third community theatre will be erected in the Plaza section.

Construction of picture theatre building at Rockwell is now under way and J. W. Mitchell, Spencer theatre owner, he had leased it for 10 years and would begin operation there in August. Capacity 1,000.

W. G. Enle, Raleigh manager of N. C. Theatres, Inc., since 1926, proponent of the theatre in charge of eastern North Carolina. Luther Yandell named manager of the Colonial, North Kannapolis, only theatre in Rowan County now showing Sundays, it has been announced by Sam Taincher, for Kannapolis theatre, and operators of the Colonial. Yandell succeeds Kenneth Kornahrens, who expects to be drafted in the near future.

DeLodder Heads Co-Op

Detroit, April 29. Fred DeLodder, owner of Your theatre, has been elected president of the Co-Operative Theatres of Michigan at the annual stockholders meeting of the organization. Ben J. Cohn, of the Senate, vice-president; James C. Ritter, secretary, and Bernard R. Kilbridge, treasurer. The directorate will include J. W. Wisper, Ben Cohn, Wade Allen, Charles Komer and Gustave W. Funk.

Four houses, either newly opened or under renovation, lined up with Co-Op being George Smith's Pix at Lapeer; Irving Belinsky's Clubhouse at Gladwin; Sol and Man's Krim in Highland Park, and Louis Schussel's Bel at Melvindale. New membership was issued to Anthony Dubiel, of the Graystone, Detroit.

A committee from 40 business organizations has petitioned Mayor Edward J. Jeffries to appoint Hazen L. Funk, manager of a large nabe, the Great Lakes, to the soon to be vacated post of City Controller. Mayor Jeffries welcomed the suggestion and said he would confer with the board to pick one in another week from a Florida vacation. Another former theatre man,

George W. Trendle, former head of United Detroit, recently was re-appointed to the Fire Commission to make it 20 years of civic service for him.

Fred Larkin's Post

Minneapolis, April 29. Minnesota's Fred Larkin City manager appointed Fred Larkin City manager at Sioux Falls, S. D. Ralph Phillips goes from Sioux Falls to the Paramount, St. Cloud, Minn., to replace him.

More Camp Theatres

Boston, April 29. Camp Edwards, on Cape Cod, and Fort Devens, in Ayer, Mass., will get new film theatres. Edwards will get two and Devens one. Riverside loka theatre, in Exeter, N. H., is undergoing renovations, inside and out. Fred Markey manager. Other remodeling in this sector pertains to the Strand, Newport, R. I.; Rivoli, Salisbury, Mass.; Keith's, Fairhaven, Mass., and Empire, New Bedford, Mass.

E. M. Loew open-air theatres in Lynn, Saugus, Providence and Milford, Conn., have opened. Riverside loka theatre, in Exeter, N. H., is undergoing renovations, inside and out. Fred Markey manager. Other remodeling in this sector pertains to the Strand, Newport, R. I.; Rivoli, Salisbury, Mass.; Keith's, Fairhaven, Mass., and Empire, New Bedford, Mass.

Schines' Latest

Canandaigua, N. Y., April 29. Schine officials attended opening of their Lake, located on the Main road, Canandaigua, N. Y., in connection for a year. William J. MacFarlane, manager of the Playhouse, is in charge of the Lake as city manager, and Ernest Cross, former assistant, is house manager. Both Louis and Meyer Schine were at the opening. The Lake will play B pictures and second-run from the Playhouse.

Nat Fellman to Cleave

In further setting up buying power in the field Joe Bernhard, general manager of the Warner Bros. is transferring Nat Fellman of the h.o. staff to Cleveland to take charge of staying-bookings for the WB theatres in that territory. He goes to Cleveland May 8.

Initial move made by Warner Bros. so far as preparing to meet new buying conditions for the 1941-42 product is in the transfer to Philadelphia of Ed Hines, who takes charge of all film deals in that sector. Hinchy has been an associate to Joe Bernhard and Clayton Bond on buying and selling film.

When he goes into the Philly post May 1, Lester Krieger, who has been in charge of the territory, will join Ted Schlangner's theatre operating forces in that key.

Alvin J. Hoare's Move

Denver, April 29. Alvin J. Hoare, assistant at the Longmont theatre, Longmont, Colo., is moving to Denver as manager of the Lincoln.

Stanley Thomas succeeds C. A. Mulock as manager of the Palace. Mulock is moving to front office as student manager.

Leach Retires

Regina, Sask., April 29. Pekin, Castor, Alta., operated by R. Leach for the past 25 years, bought by H. and M. Jackson. Leach has retired and will make his home in one of the Southern States.

20th, Pitt, Effecting H.Q.

Pittsburgh, April 29. Complete remodeling job scheduled for 20th-Fox exchange here. The job will take about a few weeks. All metal and glass partitions to be removed, only dividing wall being between offices. Three new booking booths will be installed in addition to number of other changes. The new building at Park Blair Station, which folded some time ago, acquired by Mr. and Mrs. I. A. Abrams, who will operate it.

Charles Silveus, veteran Waynesburg, Pa. exhibitor who withdrew from the business more than a decade ago, planning to reenter the field shortly. Has several locations in view of his plan to pick one of them shortly. Since retiring Silveus has been in restaurant business.

Russ Brown's Shift

Seattle, April 29. Russell Brown, manager of Orpheum, Spokane, goes May 1 to Aberdeen, S. D., to take over the Green Theatres' manager for those towns, in the heart of the lumber war. Brown is expected to return here shortly. Since retiring Silveus has been in restaurant business.

Subsequent-Runs Rum Chi B. O.; 'Wolf-Vaude \$34,000, 'Penalty' and 'Army Unit 18G, 'Ziegfeld' 3d Fine

Chicago, April 29. Not too much excitement around the loop boxoffices currently. New pictures indicate little boxoffice wallop, while some of the oldies, in their second, or third, or fourth appearance in the downtown area. "Vivacious Lady" (RKO), for instance, is having its fourth showing in the loop. It's at the Oriental after having been part of a double feature in the Palace a few weeks ago. And prior to that it played as a first-run several years ago.

"Road to Zanzibar" is in the Chicago Palace holds over the combination of "Dread" and "The Joneses and Girl, Guy, Goh," while the United Artists continues into its third week with "Ziegfeld Girl." Apollo is in its 10th week with "The Girl Who Sings," which has been exhibiting good staying strength on its reserved seat grid.

Of the new pictures about the best bet is "Sea Wolf," but this one is having considerable difficulty in getting its female audience, which is going to react against any possible longevity. Femmes are having a hard time in the loop with "Adam Had Four Sons" is giving them some problem drama to cry over.

Estimates for This Week
Apollo (Disney) (1,200; 40-50-75-\$110-\$185) — "Fantasia" (Disney) (10th wk). Has started some cut-rate via special tickets to school, selling orchestra seats for 60c. Going to \$8,500 currently after \$9,500 last week.

Chicago (B&K) (4,000; 35-55-75) — "Sea Wolf" (WB) and stage show. Morton Downey headlining on the stage and accounts for the bulk of what coin is coming in currently. Take points to \$34,000, satisfactory.

Chicago (B&K) (4,000; 35-55-75) — "Zanzibar" (Par). Moved here from the Chicago and looks for \$5,000, okay. Last week, "Gone" (M-G) really wound up with a bang in its last appearance in the loop at first-run prices for a long, long time, taking \$20,000.

Oriental (Todd) (2,000; 28-44) — "Vivacious Lady" (RKO) and vaude. Eddie Peabody and Dick Todd orchestra on stage. Vocalist Todd is about the only real b.b. item on the list. Gross looks like \$12,000, so-so. Last week, "Quint" (Penhouse) (Col) and "Red, Hot and Beautiful" unit on stage managed \$13,700, all right.

Palace (RKO) (2,500; 33-44-66) — "Miss Jones" (RKO) and "Girl, Guy, Goh" (RKO) (2d wk). Great comedy and songs combining at the Palace, sticking to excellent \$10,000 current after snatching brilliant \$15,000 last week. "Citizen Kane" follows on May 6 with afternoon grind and night-time reserved policy, day-and-date with two-day showing in the Eastview.

Roosevelt (B&K) (1,500; 35-55-65-75) — "Adam" (Col). Femmes are taking this one, and are beginning to satisfactory \$3,000 for initial week. Last week, "Footsteps" (WB) slipped sharply after good start, and is down after poor seven days at \$6,100.

State-Lake (B&K) (2,700; 26-44) — "Penalty" (M-G) and "The Great Lie" (WB). Now unit on stage. Fine coin in the ofing this week. It's entirely up to the vaude and for the money. Timely tagged it with a "Penalty" register to nifty \$18,000. Last week, "Caravan" (Par) aided by the Shep Fox orchestra, went to clean-cut \$17,500.

United Artists (B&K-M-G) (1,700; 25-35-75) — "Ziegfeld Girl" (G) (3d wk). Holding up better than expected, going to \$8,500 currently after taking good \$10,400 last week.

PENNY LEADS LINC., \$3,600; 'WOLF' PUNY

Lincoln, Neb., April 29. "Men of Boys Town" and "Las Vegas Nights" are both doing pretty well for the J. H. Cooper spots this week, and "Penny Serenade" is packing the box for the town. The Variety. "Sea Wolf" is scoring Stuart Paton away. There's a lot of competition down town, not the least of which is warm weather.

Estimates for This Week
Continental (Monroe-Noble-Federer) (750; 10-15) — "WOLF" (WB) and "Private Detective" (RKO), split with "Outlaws Panhandle" (Col) and "Fame West" (Rep.). "WOLF" good \$800. Last week, "Robbers Roost" (RKO) and "Melody Moonlight" (WB) split with "Glamorous High Seas" (WB) and "Happened Out West" (20th), ditto.
Lincoln (J. H. Cooper-Par) (1,500; 10-25-40) — "Men Boys Town" (M-G),

Started late in the week, but should be able to muster \$3,500, good, for the seven days. Last week, "Great Lie" (WB), got \$3,500 in eight days, fair.

Nebraska (J. H. Cooper-Par) (1,238; 10-25-40) — "Shayne Detective" (WB) and "Las Vegas Nights" (Par). Kids are hitting at the house strongly for T. Dorsey, and the gross looks like \$1,500, good. Last week "Rangers Ride" (Par) and "Free Easy" (M-G), light \$1,500.

Stard (J. H. Cooper-Par) (1,884; 10-25-40) — "Wolf" (WB). Disappointment of the week, \$2,000. Last week "Kidnare's Crisis" (M-G), stayed only five days to \$2,500, fair.
Variety (Noble-Federer) (1,100; 10-25-40) — "Penny Serenade" (Col). Town's leader, \$4,800, last week "Pot Got" (WB) got \$2,500, fair. It is a nice black margin for the ledger.

'LIE' GOOD \$15,000, 'GIRL' SAME, 'BUFF.' BUFF.

Buffalo, April 30. Turnstile activity at Main street cinema emporiums seems to have subsided somewhat for the current semester, due probably to the prevalence of benefits, balls and bands, and combined with the advent of daylight saving and spring weather.

While indications are that "Great Lie" will ring up another pleasant story good, the Buffalo "Ziegfeld Girl" appears none too sturdy at the box, and the clicking of the choppers at other spots seems to be under wraps.

Estimates for This Week
Buffalo (Shea) (2,000; 35-55) — "Great Lie" (WB) and "Roundup" (Par). Showing consistent pulling power. Probably around satisfactory \$15,000. Last week, "Zanzibar" (Par) and "Free Easy" (M-G), ditto.
Erlanger (RKO) (2,000; 30-41-50) — "Fantasia" (Disney) (3d wk). Still showing up, probably about \$3,000, last week, \$5,500.

Great Lakes (Shea) (3,000; 35-55) — "Ziegfeld Girl" (WB) and "Strange Alibi" (WB). Should get \$15,000, very good, this week. "Road to Zanzibar" (M-G) and "Dead Men Tell" (WB),

both in black at \$7,000.

'Penny Serenade,' 'Ziegfeld Girl' Current B. O. Honies; 'Zanzibar,' 'Great Lie' Hold Up Big

Survey of key city first runs currently reveals an abundance of holdovers, with two new entries in the exhibition hopper, both of which, based on early returns, are destined to strong boxoffice figures. They are "Penny Serenade" (Col), starring Irene Dunne and Cary Grant, and "Ziegfeld Girl" (M-G), with James Stewart, Guy Garland, Lana Turner and Hedy Lamarr. Of the more successful holdovers, "Zanzibar" (Par), co-starring Bing Crosby and Bob Hope, is standing up in a manner to indicate that as a grosser it may run second on the entire Paramount releases of the year. Exceeded only by "North West Mounted" and "Baby Face" in "The Great Lie" (WB), on which insufficient extended bookings have been reported to base an accurate estimate of strength. In its first stanza, "Lie" has been strong everywhere.

"Serenade" is off to a tremendous start in 10 important keys, scattered from coast to coast, although Film is a radical departure in theme from the hilarious farce. "The Awful Truth," in which the same stars appeared two years ago. "Serenade" is a tear-appelling comedy-drama, highly spiced with sentiment and domesticity. First run spots which are cashing in on its apparent popular qualities are Memphis, Louisville, Baltimore, Providence, Frisco, Omaha, Lincoln, Seattle, Los Angeles (two houses, and held over) and Washington, D. C.

"Ziegfeld Girl" is Metro's contribution to audiences who like the big-fash, ornate, tuneful type of production. Except in Buffalo, initial runs have been above average in support, and in Detroit and Boston, extended engagements have been satisfactory. Marquee coverage of the most part has been potent enough to overcome whatever blurring the reviewers plastered on the film.

Bob Hope-Bing-Sarong, Wollia Parlay. It is "Zanzibar," however, which is setting the box office pace. After nearly a month in general release, it continues strong in its third week holdover in six cities. They are: New York, Denver, Minneapolis, Detroit, Philadelphia and San Francisco. When the exhibition period after the consent periods lapse and the film gets into general

First Runs on Broadway (Subject to Change)

Week of May 1
Asior—"I Wanted Wings" (Par) (8th wk).
Broadway—"Fantasia" (Disney) (25th wk).
Capitol—"Ziegfeld Girl" (M-G) (2d wk).
Criterion—"Sis Hopkins" (Rep). (Reviewed in Variety April 9).
Globe—"Girl in the News" (20th) (3).
Musik Hall—"That Uncertain Feeling" (UA) (2d wk).
Roxy—"Great American Broadcast" (Reviewed in Variety March 19).
Paramount—"Road to Zanzibar" (Par) (4th wk).
Rialto—"Mutiny in the Arctic" (U) (2).
Rivoli—"Flame of New Orleans" (U) (2d wk).
Roxy—"Great American Broadcast" (Reviewed in Current Issue).
Strand—"Great Lie" (WB) (4th wk).

Week of May 8
Asior—"I Wanted Wings" (Par) (7th wk).
Broadway—"Fantasia" (Disney) (24th wk).
Capitol—"A Woman's Face" (M-G).
Criterion—"People vs. Dr. Kildare" (M-G).
Globe—"Girl in the News" (20th) (2d wk).
Musik Hall—"That Uncertain Feeling" (UA) (2d wk).
Palace—"Citizen Kane" (RKO) (2d wk).
Paramount—"Reaching for the Sun" (Par) (7).
Roxy—"Great American Broadcast" (Reviewed in Variety April 9).
Strand—"Flame of New Orleans" (U) (2d wk).
Roxy—"Great American Broadcast" (20th) (2d wk).

(20th) (2d wk), dipped suddenly, coming in with under \$10,000, but not. Hipp (Shea) (2,100; 30-45) — "Zanzibar" (Par) and "Free Easy" (M-G) (2d wk). Repeat session will probably see good \$6,500. Last week, "Night Rio" (20th) and "Penalty" (WB) clicked with \$6,000, fair over \$6,000.
Lafayette (Hayman) (3,300; 30-40) — "Devil Command" and "Face Behind Mask" (20th). New very impressive \$5,500. Last week, "Nice Girl" (U) (2d wk) and "Lucky Devils" (WB) clicked with \$6,500.
20th Century (Dispon) (3,000; 30-45) — "Bringing Up Baby" (RKO) (2d wk). "The Great Lie" (WB) and "Mild, Probably under \$6,000. Last week, "Miss Jones" (RKO) and "Shadows Stairs" (WB), lagged but kept in black at \$7,000.

(20th) (2d wk), dipped suddenly, coming in with under \$10,000, but not. Hipp (Shea) (2,100; 30-45) — "Zanzibar" (Par) and "Free Easy" (M-G) (2d wk). Repeat session will probably see good \$6,500. Last week, "Night Rio" (20th) and "Penalty" (WB) clicked with \$6,000, fair over \$6,000.

Lafayette (Hayman) (3,300; 30-40) — "Devil Command" and "Face Behind Mask" (20th). New very impressive \$5,500. Last week, "Nice Girl" (U) (2d wk) and "Lucky Devils" (WB) clicked with \$6,500.
20th Century (Dispon) (3,000; 30-45) — "Bringing Up Baby" (RKO) (2d wk). "The Great Lie" (WB) and "Mild, Probably under \$6,000. Last week, "Miss Jones" (RKO) and "Shadows Stairs" (WB), lagged but kept in black at \$7,000.

From other first-runs come various conflicting reports of how the new films are faring. "Devil and Miss Jones" (RKO), highly satisfactory business in Pittsburgh, but only fair in Detroit and Louisville. "Night in Rio" (20th) has pushed along to some encouraging second runs, after excellent first showings, with holdovers in many spots. "Pot of Gold" (UA) opens well with a very great strength. "Sea Wolf" (WB) is spotty, reflecting some lack of femme draw, and "Men of Boys Town" (M-G) is satisfactory, but far from its distinguished predecessor as a drama.

Frank Lloyd's "Lady From Cheyenne" (U) is an in-and-out in the larger spots, but a good coin-getter in the wide, open spaces, showing there never is any drop of public interest in frontier drama. Marlene Dietrich in "Flame of New Orleans" (U) is pencilled at many houses for early showings. First reported engagement is in Baltimore where the attendance was well above normal, in New York it's light on its debut week.

In the subsequent everywhere "Buck Privates" (U), starring Abbott and Costello, is the choicest entertainment on any marquee. Some first-runs are kicking themselves for having passed up this offering when it was released six weeks ago. Just goes to show how tough it is to pick in projection rooms, and how slow will be the exhibition period after the consent decree starts operating.

Holdovers Dominate B Way; 'Ziegfeld Girl' Glamorous \$35,000 but Marlene Not-So, 20G, 'Hardy' 'Heat' a Big 32G

Though down in a couple of spots, business on New York's first-run front is generally good. Total is not fancy, however, due to existence of a block of holdovers. One picture, a first week, another starts a fourth today (Wed.), while still another show is currently thinning it.

New ones of major importance are "Ziegfeld Girl" at the Capitol and "Flame of New Orleans." Rivoli's tenant, "Latter is quite disappointing. That at less than \$20,000, but "Ziegfeld" is bringing new life to the Cap, where it will pull a virile \$35,000 or better. Both hold over.

The Roxy shares lower brackets with the Riv. "Lady from Cheyenne," forced into a holdover at the theatre in spite of slow going on its first week, is getting nowhere and gives way tomorrow to "Great American Broadcast," for the second week. "Penalty" will be less than \$20,000, while the initial seven days was only \$33,000.

"Lady Hamilton" bows out of the Mar. "Lady Hamilton" (Wed.) after a highly successful four-week run. On the finale it will get about \$75,000, and "The Great Lie" (WB) will be \$95,500 (3d), \$105,500 (Easter week) and \$98,500 (1st). A fifth week was under contract, but decided to bring in "Uncertain Feeling" tomorrow morning (Thurs.).

Another holdover that is getting its coin is "Road to Zanzibar" and Benny Goodman. Beginning its final (4th) week today (Wed.), with Harry James replacing Goodman. The Roxy finished the third stanza last night (Tues.) at a sturdy \$37,000. Goodman was under contract to continue to prior night commitments.

"Great Lie" and Jimmy Dorsey, in the Roxy, are doing well. "Great Lie" is strong enough at an indicated \$26,000 to also go a fourth lap starting Friday (2). The second week for the show is \$26,000.

Things are humming at the second-run State with "Andy Hardy's Private Secretary" and the revised version of "Crazy with the Heat" former leg. All signs point to \$32,000 for the first week.

The smaller Criterion also has been showing new life, with "Girl, Guy and Goh" drawing a good \$8,000 (2d wk). "The Great Lie" (WB) (Tues.). House opens "Sis Hopkins" today (Wed.).

"Ziegfeld Girl" surrounds the opening tomorrow night (Thurs.) of "Citizen Kane" at the Palace on a "Tues." The district's best picture branch of RKO, which has taken the entire lower floor for opening night, has the house under lease from RKO for eight weeks.

Ups and Downs All Over
From other first-runs come various conflicting reports of how the new films are faring. "Devil and Miss Jones" (RKO), highly satisfactory business in Pittsburgh, but only fair in Detroit and Louisville. "Night in Rio" (20th) has pushed along to some encouraging second runs, after excellent first showings, with holdovers in many spots. "Pot of Gold" (UA) opens well with a very great strength. "Sea Wolf" (WB) is spotty, reflecting some lack of femme draw, and "Men of Boys Town" (M-G) is satisfactory, but far from its distinguished predecessor as a drama.

Frank Lloyd's "Lady From Cheyenne" (U) is an in-and-out in the larger spots, but a good coin-getter in the wide, open spaces, showing there never is any drop of public interest in frontier drama. Marlene Dietrich in "Flame of New Orleans" (U) is pencilled at many houses for early showings. First reported engagement is in Baltimore where the attendance was well above normal, in New York it's light on its debut week.

In the subsequent everywhere "Buck Privates" (U), starring Abbott and Costello, is the choicest entertainment on any marquee. Some first-runs are kicking themselves for having passed up this offering when it was released six weeks ago. Just goes to show how tough it is to pick in projection rooms, and how slow will be the exhibition period after the consent decree starts operating.

with options. Seats are on sale four weeks in advance. Tip to yesterday (Tues.) advance sale was \$2,500. All seats are gone for the preem. Good exploitation and ad campaigns were on this week for the street's two films, "Lady from New Orleans" and "Ziegfeld Girl."

Estimates for This Week
Asior (1,012; 75-85-\$110-\$185-\$220) — "I Wanted Wings" (Par) (5th wk). "Pot of Gold" considerably last week (4th) to \$7,000, against \$8,100 the prior stanza.

Broadway (1,895; 55-75-\$110-\$185-\$220) — "Ziegfeld Girl" (M-G) (2d wk). Still making good profit and probably will remain for a while, although the District is turning the picture over to RKO. Last week (23d), \$15,000. Disney continues to control the roadshow run here and on the coast.

Capitol (4,520; 35-55-\$5-\$10-\$125) — "Ziegfeld Girl" (M-G). Very steady business-getter from the opening gun and looks \$35,000 or better, highest grossed here in some time. Last week (24th), \$12,000, against \$12,000, exceedingly disappointing.

Oriental (1,692; 28-44-\$5-\$8) — "Sis Hopkins" (Rep) movie, today (Wed.) following seven days with "Girl, Guy and Goh" (RKO), which was \$12,000, against \$12,000, District Attorney (Rep), \$5,500, light.

Globe (1,800; 26-35-\$5) — "Girl in the News" (20th). Not so good as \$5,000, same as last week. "Missing 10" (Col).

Palace (1,700; 30-35-\$5) — "Sea Wolf" (WB) and stage show. "Model" (U) (1st run), doubled. In for eight days and will finish at around \$6,500, fair. Last week, \$6,500, against \$6,500, and "Dead Men Tell" (WB) (1st run), \$6,000. "Citizen Kane" (RKO) opens tomorrow night (Thurs.) at \$2

Paramount (3,664; 35-55-\$5-\$9) — "Zanzibar" (Par) (4th-final week) and "Free Easy" (M-G) (2d wk). Concluding week today (Wed.) with James band replacing Benny Goodman following this week. "Zanzibar" ending last night (Tues.) when \$37,000 was grossed. The second lap was rollicking \$37,500.

Radio City Music Hall (5,980; 44-55-\$5-\$9-\$165) — "Hamilton Woman" (UA) and stage show (4th-final week). "Zanzibar" (Par) (4th-final week) far down on the run, will be added to three sock weeks up ahead. Last week (2d), \$15,000, extra sock show (2d-final week). No dice on the hold-over at under \$20,000 and also slow on the first seven days at \$15,000. "Great American Broadcast" (20th) opens tomorrow morning (Thurs.).

Star (3,000; 35-55-\$5-\$9) — "Hardy's Private Secretary" (M-G) (2d run) and tab version of legitier, "Crazy with the Heat" (2d wk). Unit of \$32,000 or thereabouts. In at store unit stays a second week. Last week, "Lady Eve" (2d run) and "Clyde McCoy orchestra" (10,000, lean takings.

Strand (2,787; 35-55-\$5-\$9) — "Great Lie" (WB) and "Penalty" (WB) (3d wk). Still going, this week appearing \$22,000 or above, but no other state being heard. Last week (2d) was \$36,000, good.

State (2,000; 35-55-\$5-\$9) — "Flame of New Orleans" (U). New District has been seen for the first week. Starts the second Friday (2). The final sixth week for the first week was \$12,000, while for two additional days an extra \$1,500 was added. "Crazy with the Heat" (2d wk) was \$12,000, while for two additional days an extra \$1,500 was added.

State (2,000; 35-55-\$5-\$9) — "Flame of New Orleans" (U). New District has been seen for the first week. Starts the second Friday (2). The final sixth week for the first week was \$12,000, while for two additional days an extra \$1,500 was added. "Crazy with the Heat" (2d wk) was \$12,000, while for two additional days an extra \$1,500 was added.

INDPLS. BLAH, BUT 'LIE' \$8,000

Indianapolis, April 29. No reasonable offer for business in the downtown area would be refused this week. B. is so limp it can't chin itself on a curb. The weather will have to take the rap, no other state being heard.

The Indiana is the only robust house in town with "Great Lie" (WB) and "Man Who Lost Himself." Loew's is suffering with "Miss Bishop" and "Bad Man," and the Circle is in a slump. "The Four Sons" and "Blondie Goes Latin." Lyric, with "Sis Hopkins" on the screen and Ray Herbeck orchestra on the stage, is limping along in break-even, despite low nut of booking.

Estimates for This Week
Circle (Katz-Dolle) (2,600; 25-30-40) — "Adam" (Col) and "Blondie Latin" (WB). Last week (2d) was \$8,000. (Continued on page 22)

Frisco So-So; 'Ziegfeld Smart \$17,000, 'Penny' 13G, 'Cat' Weak

San Francisco, April 29. 'Ziegfeld Girl,' at the Warfield, and 'Penny Serenade,' at the Orpheum, have things pretty much to themselves on the main stem this week. Most of the other first-runners have holdovers or weak entries.

Even though 'Ziegfeld' is nil, neither 'Ziegfeld' nor 'Serenade' will do terrific big. This is due partly to the long running time, which cuts down the turnover, and partly to mediocre openings. Warfield took in \$2,300 and the Orpheum \$1,700 on opening days.

Estimates for This Week
Fox (F-WC) (3,000; 55-75-\$11.10-\$15) 'Fantasia' (Disney) (7th wk). For the first time will drop below average. Night trade has been heavy, but matinee has been painfully light. Will do around \$9,000. Last week, okay \$10.50.

Golden Gate (RKO) (2,850; 39-44-\$5) 'Black Cat' (U) and vaude. Tip-off on weak screen fare is the billing of the duodevile, which is getting as much space as the 'Black Cat' in the newspaper ads. Public seems to sense this, too. Loss at \$10.00. Last week, okay \$10.50.

Orpheum (Blumenthal) (2,440; 35-40-\$5) 'Penny Serenade' (Col) and 'Lone Wolf' (Columbia) (1st wk). 'Penny' is getting raises from the crit. Show is running much too long, so 'Lone Wolf' was dropped over the week-end and in order to increase turnover. Will hit fine \$13,000. Last week, 'Lone Wolf' (Columbia) (U) and 'Man Lost' (U) at \$7,500.

Paramount (F-WC) (2,470; 35-40-\$5) 'Zanzibar' (Par) and 'Mr. District Attorney' (Rep) (3d wk). It is business to hold up this week, but will remain for a fourth stanza, which would establish a precedent here. Have sights on \$9,000 this week. Last week, okay \$12,000.

St. Francis (F-WC) (1,475; 35-40-\$5) 'Men Boys Town' (M-G) and 'Blonde Inspiration' (Columbia) (move-over) (1st wk). Disappointer at the Fox, but a good grosser for the St. Francis. Will grab around \$2,000. Last week, okay \$2,500.

United Artists (Cohen) (1,200; 35-40-\$5) 'Dictator' (UA) (3d wk). Holding up surprisingly well. Will do around \$7,500 this week. Last week, sweet \$15,000.

Warfield (F-WC) (2,650; 35-40-\$5) 'Ziegfeld Girl' (M-G) and 'Shadows Stairs' (WB) (2d wk). Both are a couple of lemons of late, and can stand something like 'Ziegfeld'. Biz very much on the up side at \$17,000. Last week, 'Rage' (U) and 'Scotland Yard' (20th), hit below \$8,000, disastrous.

'Zanzibar' Pacing OK Balto, \$15,000; 'Penny'-Vaude 12G

Baltimore, April 29. Downtowners here maintaining an even if not exciting pace, getting in some solid grosses on weekends and holding fairly good 'Penny' this week. Best this week is 'Road to Zanzibar' at the Stanley, where liberal capacity and a big build a rosy tale. Also steady is 'Penny Serenade' in a combo Hipp, and 'Flame of New Orleans' at Keith's. Rest of town just so-so. Doing better than last week, slightly off since the pre-Easter period.

Estimates for This Week
Century (Loew's UA) (3,000; 15-25-\$4.45-\$5.60) 'Penny Serenade' (Col) plus vaude. Maintaining rather steady pace toward \$12,000. Last week, second of \$4,000. 'Penny' added all right \$9,400 to solid opening round at \$14,000.

Keith's (Schamberger) (2,400; 15-25-\$4.45-\$5.60) 'Penny Serenade' (Col) plus vaude. Nice spot here for some steady daytime trade, and reaching for satisfactory \$9,000. Last week, 'Cheers Bishop' (UA) attracted a lot of following and okay \$8,700.

New (Mechanic) (1,581; 15-28-\$5.40) 'Night Rio' (20th) (3d wk). Holding steady at \$4,000. Last week, as chalking up a total of \$11,800 for previous brace.

WB (WB) (3,580; 15-28-\$9.44-\$5.75) 'Zanzibar' (Par) in current parade and making houses' ample capacity count to total a rosy \$15,000 and a solid \$4,000. Last week, second of 'Great Lie' (WB), added consistent \$6,300 to strong initial cash at \$12,900.

Key City Grosses

Estimated Total Gross
This Week (25 cities, 176 theatres, chiefly first runs, including N.Y.) \$1,567,500
Total Gross Same Week
Last Year (25 cities, 170 theatres) \$1,525,500
(Based on 25 cities, 170 theatres)

BETTE \$19,000, HUB B.O.S. STRONG

Boston, April 29. It's a week of holdovers with encouraging bill all over town. 'Great Lie' is continuing to show strong attraction, aiming at a good tally for the Metropolitan. Bette Davis stars in 'Great Lie' with exploitation impetus in advance for the time being in Littleton, N.H. earlier this week.

'Ziegfeld Girl' held over for five days at the Orpheum and State is showing superior draw over holdover of 'Nice Girl' at the Keith Memorial.

Estimates for This Week
Boston (RKO) (3,200; 28-39-\$4-55) 'Streets of Cairo' (U) and 'Rain' (Robb) (U), with Edith Fagan, topped stage show, four days, and 'Fugitives' (Prod) and 'Break News' (Mono) (2d wk). Last week, 'Zanzibar' (Par) and 'Dead Men Tell' (20th) (both continued run from Met), \$2,500. Last week, \$18,000, good but not sensational.

Fenway (M&P) (1,332; 28-39-\$4-55) 'Night Rio' (20th) and 'Shadows Stairs' (WB), continued run from Met. Indicating \$4,500. Last week, 'Zanzibar' (Par) and 'Dead Men Tell' (20th) (both continued run from Met), \$2,500. Last week, \$18,000, good but not sensational.

Keith Memorial (RKO) (2,907; 28-39-\$4-55) 'Nice Girl' (RKO) and 'Man Lost' (U) (2d wk). Sighting \$18,000, very good. Last week, \$18,000, very good.

Maestri (Shubert) (1,014; 15-25-\$11.10-\$15) 'Fantasia' (Disney) (14th wk). Peeking up to around \$9,000. Spurred week week, after closing announced for May 3, and closing \$5,500.

Metropolitan (M&P) (4,367; 28-39-\$4-55) 'Great Lie' (WB) and 'Knockout' (WB). Luring both male and female trade to tune of \$11,000, good. Last week, 'Night Rio' (20th) and 'Shadows Stairs' (WB), \$11,000.

Orpheum (Loew) (2,900; 28-39-\$4-55) 'Ziegfeld Girl' (M-G) and 'Blonde Latin' (Col), holdover (five days). Will ring up about \$14,500. Last week, first week (seven days), sicko \$21,000.

Paramount (M&P) (1,797; 28-39-\$4-55) 'Night Rio' (20th) and 'Shadows Stairs' (WB) (both continued run from Met). Aiming at so-so \$6,500. Last week, 'Zanzibar' (Par) and 'Dead Men Tell' (20th) (both continued run from Met), \$7,500.

Man Borne' (M-G). Will wind up a little under \$10,000, pretty fair. Last week, 'Topper Returns' (UA) and Wayne King orchestra and revue on stage, totaling \$10,300, close to house record (10-40-55).

Omaha (Tristates) (2,000; 10-30-40) 'Zanzibar' (Par) extra four-days holdover with 'Penny' (WB) about \$6,000. Last week, very good \$10,000.

State (Goldberg) (900; 10-20-25) 'Back Street' (U) and 'Virginia' (Par), split with 'Frisco Doctors' (U), 'Get Girl' (U) and 'Night Train' (20th). Fair \$900. Last week, Mr. and Mrs. Smith (RKO), 'Devil and Miss Jones' (WB), 'Penny Serenade' (Col), 'Victory' (Par) and 'Bank Dick' (U), good \$1,100.

Town (Goldberg) (1,500; 10-20-25) 'Penny Serenade' (Col), 'Victory' (Par), 'Suez' (WB), 'Vigilantes' (U), triple split with 'Slightly Tempted' (U), 'Easy Company' (Col), 'Columbia' (WB), 'Virginia' (Par), 'Marge' (U). Around \$1,000. Last week, 'Colorado' (Par), 'Reuters' (WB), 'Money' (WB), 'Penny Serenade' (Col), 'Ghost Patrol' (Cap), 'Spending' (WB), and 'Across Sierras' (Col). Fair \$1,000.

Avenue - Military - Dundee (Goldberg) (980; 400; 300; 25) 'Back Street' (U) and 'Virginia' (Par), split with 'Night Train' (20th). 'Reuters' (WB) and 'Suez' (WB). Fair \$1,000. Last week, Mr. and Mrs. Smith (RKO), 'Devil and Miss Jones' (WB), 'Penny Serenade' (Col), 'Victory' (Par) and 'Bank Dick' (U), good \$1,200.

L'ville Booming; 'Penny' Best At 8 1/2 G, Lie \$3,700

Louisville, April 29. With the help of perfect weather, and a spending spree on the part of local patrons which amounts to a boom, downtown houses are holding their own against a rapidly accelerating 'Penny Serenade' (WB) to Derby Day (3). Gee-gees started running at Churchill Downs Saturday night, and the newspaper is opening day crowd. Naturally, big at the first-run at night was good.

Leading the competition for vaude, 'Penny Serenade' (WB) (2d wk) at the Mary Anderson is well on the okay side, while 'Sis Hopkins' at the Strand and 'Devil and Miss Jones' at the Rialto are pacing for good returns.

Switch to daylight saving time was made Sunday (27) after newspaper polls, court cases and the like. Change was fought by exhibitors here, but the public, who have been adopted, opinion generally is that downtown houses won't suffer to any great extent.

Brown (Loew's-Fourth Avenue) (1,400; 15-30-40) 'Zanzibar' (Par) and March of Time. Returns on second week, plenty okay, and word-of-mouth here is potent. Looks like good \$2,000, after the week's excellent \$3,800.

Kentucky (Loew) (1,200; 15-25) 'Second Chorus' (Par) and 'High Sierra' (WB), split with 'Henry' (Par) and 'La Zonga' (U). Shaping up to be a good \$2,000. Last week, 'Cristo' (UA) and 'Bank Dick' (U), split with 'Escape Glory' (Col) and 'Victory' (Par). Good \$2,000.

Loew's State (Loew's) (3,300; 15-30-40) 'Penny Serenade' (Col) and 'Lone Wolf Chance' (Col). Getting the breaks this week and filling 'em up in the evening, although switch to daylight saving time Sunday (27) may bring slackening of pace as the week progresses. (Col) looks promising to be big figure in town, probably \$2,500. Last week, 'Pot Gold' (UA) and 'Man Borne' (M-G), good \$2,500.

Mary Anderson (Libson) (1,000; 15-30-40) 'Penny Serenade' (Col) and 'La Zonga' (U). Daylight saving time may be an advantage to this house, which follows single pic policy. Folks here are looking for big figure in town, probably \$2,500. Last week, 'Pot Gold' (UA) and 'Man Borne' (M-G), good \$2,500.

Rialto (Fourth Avenue) (4,400; 15-30-40) 'Miss Jones' (RKO) and 'Repent at Leisure' (RKO). Critics like top pic, but word-of-mouth is not so hot. Expecting to be on the right side, and from indications returns will be nothing to rave about, probably \$2,500. Last week, 'Night Rio' (20th) and 'Scotland Yard' (20th), healthy \$9,000.

Strand (Fourth Avenue) (1,400; 15-30-40) 'Penny Serenade' (Col) and 'Romance Rio Grande' (20th). Strong family appeal, with natives going for the big ending brand of 'Night Rio' and 'Romance Rio Grande' for allright \$3,500. Last week, 'Man Betrayed' (Rep) and 'Devil Bat' (Ind), weak \$2,500.

Miranda No Ball o' Fire at \$14,000, In L.A. with 'Topper'; 'Penny' Wow 29G, Lie \$20,500, 'Zanz' 2d \$20,000

Broadway Grosses

Estimated Total Gross
This Week (12 theatres) \$299,500
Total Gross Same Week
Last Year (12 theatres) \$329,500
(Based on 12 theatres)

'ZIEGFELD' 21 1/2 G, D.C. PATRONS FLUSH

Washington, April 29. Hordes of spectators still flocking here to augment the already busy 'boom town', and with milder weather breaking last week's unseasonable cold, showgoers and proprietors are happier. Midweek Government payday expected to add considerably in holding at high level grosses which started with fine week-end biz.

'Ziegfeld Girl' at Palace, is out to do the town, winning critical approval for being as lavish and spectacular as a Ziegfeld musical, in spite of shortcomings. It's having a tough battle too, with 'Penny Serenade' plus Joe Cook personal. Loew's is competing with itself, also, for 'Penny Serenade' and 'Night in Rio' being ensconced at Capital in same block with Palace.

Healthiest of the holdovers is 'Devil and Miss Jones' at Keith's, shooting for \$9,000 in its third week, only a grand shy of second week's take.

Estimates for This Week
Capital (Loew) (3,434; 28-39-\$4-66) 'Night Rio' (20th) and vaude. Facing the competition for vaude, \$12,000. Last week, 'Penny Serenade' (UA), plus no-name vaude, dropped to \$15,500.

Columbia (Loew) (1,234; 28-39-\$5) 'Men Boys Town' (M-G) (2d wk). Pointing to good \$4,500 for third downtown stanza. Last week, 'Tobacco' (20th), \$15,000, run just managed with \$4,200.

Earle (WB) (2,218; 28-39-\$4-66) 'Penny Serenade' (Col) and vaude. Combo of Dunne-Grant, plus Joe Cook personal on stage, both pushed by critics, excellent at \$20,000. Last week, 'Great Lie' (WB) (2d wk) plus vaude, better than expected at \$13,500.

Loew's (RKO) (1,830; 39-55) 'Miss Jones' (RKO). Still holding up in third week at \$9,000 and may stay on. Last week, fine \$10,000. 'Penny Serenade' (Col) (20th; 2d wk) plus vaude, better than expected at \$13,500.

Palace (Loew) (2,242; 39-55) 'Ziegfeld Girl' (M-G). Lavish production, plus vaude, and a big cast makes it look like a winner at \$21,500. Last week, 'Eve' (Par) died miserably. House and critics, with mere \$14,000.

'LIE' 21G, BROOKLYN
'Zanzibar' \$20,000 - 'Penalty' - 'Wife Dull Brooklyn, April 29. Satisfactory attendance at principal downtown deluxers this week. Fabian Paramount on top due to 'Great Lie' (WB), and 'Devil and Miss Jones' (RKO). Fair \$15,000, and will hold with new second feature, last week, 'Miss Jones' (RKO) (2d wk) and 'Dynamite' (U), neat \$7,500.

Los Angeles, April 29. Mostly gloom in town this week, although a few of the acers are heading for neat profits. Biggest disappointment of the stanza is the poor showing of Carmen Miranda on the stage of Grauman's Chinese theatre. Temporary revival of stage shows at this boulevard ace house failed to elicit the interest expected, and the Soledad Adams comedienne will garner a slim \$14,000 on her seven-day booking.

Paramount is going strong on holdover of 'Zanzibar' and the Phil Harris orchestra. 'Penny Serenade' should grind out a big \$28,000 at the RKO and Pantages, with a holdover assured.

Bette Davis, in 'Lie' at the Warner day-daters, Downtown and Hollywood, is bringing in close to \$21,000. Horror show at the Orpheum will not break any records, but similar show at the Hawaii is heading for big \$5,000. 'Hamilton' (Columbia) winds up at the Four Star after a profitable week. 'Fantasia' continues as a road-show attraction at the Carthy Circle, with Dianne Dreyer new at the Fifth week.

Estimates for This Week
Carthy Circle (F-WC) (1,516; 83-110-\$10.55) 'Fantasia' (Disney) (13th wk). Will likely add another fair \$5,000. Last week, \$12th week brought very good \$7,900.

Chinese (Grauman-F-WC) (2,034; 44-55-75) 'Topper Returns' (UA) with 'Penalty' (M-G) matinee only. 'Penny Serenade' (Col) and 'Night in Rio' being ensconced at Capital in same block with Palace.

Healthiest of the holdovers is 'Devil and Miss Jones' at Keith's, shooting for \$9,000 in its third week, only a grand shy of second week's take.

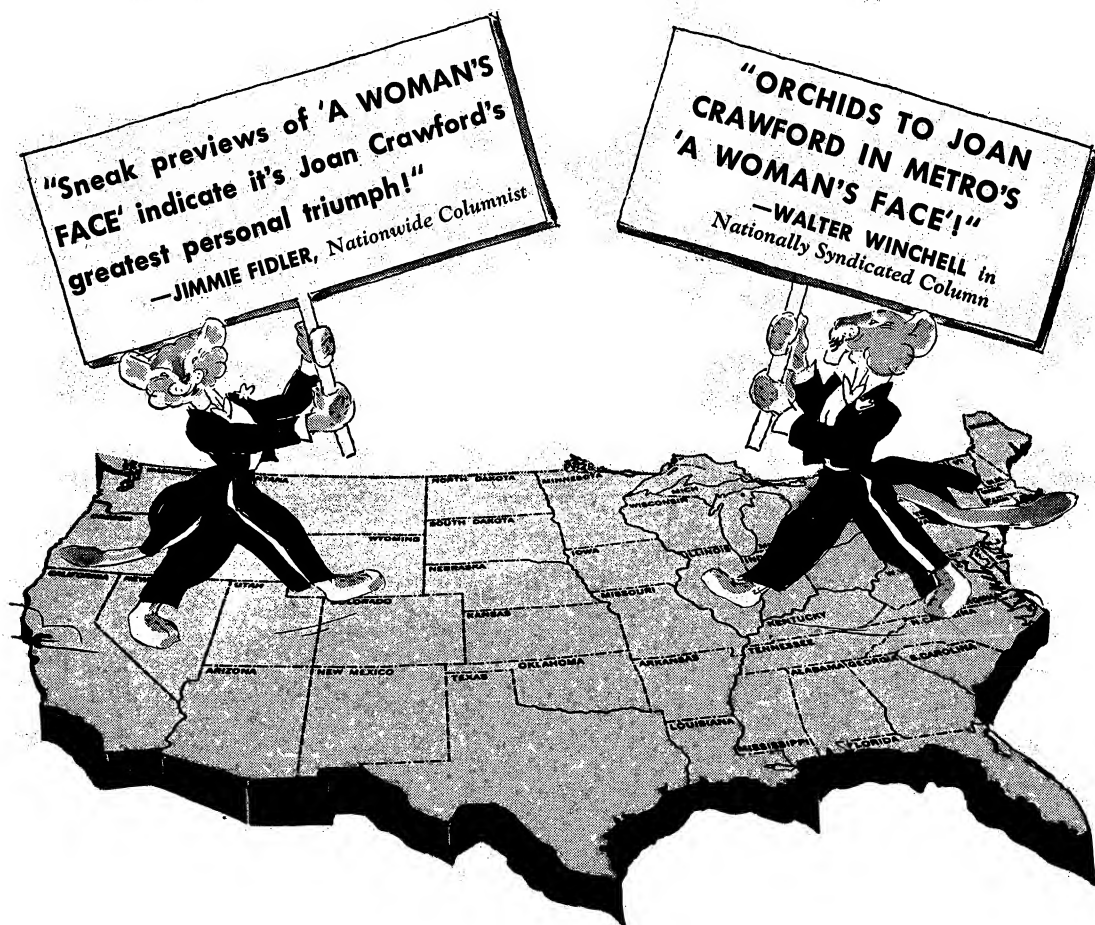
Estimates for This Week
Capital (Loew) (3,434; 28-39-\$4-66) 'Night Rio' (20th) and vaude. Facing the competition for vaude, \$12,000. Last week, 'Penny Serenade' (UA), plus no-name vaude, dropped to \$15,500.

Columbia (Loew) (1,234; 28-39-\$5) 'Men Boys Town' (M-G) (2d wk). Pointing to good \$4,500 for third downtown stanza. Last week, 'Tobacco' (20th), \$15,000, run just managed with \$4,200.

Earle (WB) (2,218; 28-39-\$4-66) 'Penny Serenade' (Col) and vaude. Combo of Dunne-Grant, plus Joe Cook personal on stage, both pushed by critics, excellent at \$20,000. Last week, 'Great Lie' (WB) (2d wk) plus vaude, better than expected at \$13,500.

Loew's (RKO) (1,830; 39-55) 'Miss Jones' (RKO). Still holding up in third week at \$9,000 and may stay on. Last week, fine \$10,000. 'Penny Serenade' (Col) (20th; 2d wk) plus vaude, better than expected at \$13,500.

Palace (Loew) (2,242; 39-55) 'Ziegfeld Girl' (M-G). Lavish production, plus vaude, and a big cast makes it look like a winner at \$21,500. Last week, 'Eve' (Par) died miserably. House and critics, with mere \$14,000.



GOOD NEWS TRAVELS FAST!

"A WOMAN'S FACE"

starring **JOAN CRAWFORD**
MELVYN DOUGLAS
 with
CONRAD VEIDT

Gia Massen • Reginald Owen
 Albert Basserman • Marjorie
 Main • Donald Meek • Screen
 Play by Donald Ogden Stewart
 and Elliot Paul • Produced by
 VICTOR SAVILLE

Directed by the man who
 made "Philadelphia Story"
GEORGE CUKOR

it started as a whisper
 coast-to-coast columnists spread it...
 now all America will say:

"A WOMAN'S FACE" IS YOUR FORTUNE!"

(from M-G-M, of course)

Australia Reports Possibility of U.S. Picture Firms Using Barter Setup to Escape Heavier Coin Restrictions

Sydney, April 23. With American distributors here reported to have agreed to permit an additional 12½% freezing of their rental income in Australia, or a total of 62½% (around \$2,300,000) for the fiscal year ending March 1, 1942, it is unofficially figured that some U. S. distributors may attempt some legitimate barter arrangement in the future to get additional money to U. S., provided, of course, the Australian government does not set up any new restrictions.

The \$2,300,000 compares with \$30,000 permitted out of Australia in the 12-month pact which expired last March 1. Understood that the government intended to increase the freezing to 75%, as in New Zealand, which would have permitted only \$1,550,000 to leave Australia. Later, the amount was raised to \$2,000,000 with the U. S. distributors seeking at least \$2,500,000. Final figure represents a compromise.

It also was intimated that American film executives were coming here to make a full probe of the present setup, with Walter J. Hutchinson, 20th-Fox foreign chief, listed as the first to come down.

Present coin freeze at 75% in New Zealand will not be reduced, it is understood here, with a possibility that the amount may be raised next year. New Zealand pact is presently operative for a year, as of last Dec. 1. Amount allowed out in current 12-month period is around \$20,000, including British films handled by U. S. distributors.

Later it is believed that the Aussie government will set a new tax, for these circuit boxoffice receipts as an additional aid in the nation's war effort.

Barter Formerly Suggested

Before the start of the present war, barter deals were suggested when Australia was having difficulty maintaining dollar exchange, but nothing ever came of the idea. It was suggested the U. S. distributors accept wool, canned goods, rabbit skins, precious stones and the like, but the American companies then fought any such arrangement, maintaining they were in the business of handling pictures and not other goods. It's reported in New York that few if any companies would agree to the barter idea even now.

It's denied at the 20th-Fox home office that Hutchinson plans a trip to Australia. It is true, however, that other film company officials contemplate making the trip, feeling that they are well represented by their managers on the ground in Sydney.

WB TO SPEND \$300,000 ON 'BIGGEST' BRITISH PIC

London, April 8. Warners' "You Can't Escape Forever," which goes on the floor shortly, is intended to be the biggest WB picture locally since the company started production here.

It is headed by Constance Cummings, Griffith Jones and Ben Lyon. Supporting cast comprises Robert Morley, Ann Dvorak, who has joined the Mechanical Transport Corps, and intends to hand over her salary for this picture for the comfort of the MTC; and Harold Huth, who returns to acting after having directed four pictures for Associated British Picture Corp. Miss Dvorak recently came here from Hollywood to join husband Leslie Fenton, who recently joined Royal Navy.

John Harlow directs "Can't Escape," with picture expected to cost around \$300,000.

'Under One Roof' Is

London Legit Click

London, April 23.

'Under One Roof' legitler opened at St. Martin's theatre April 24, looks a promising bet.

It's an amusing comedy, with a rather anemic plot, well acted. Opening audience liked it.

HAKE'S FOX Huddle

Due in from Australia for Home Office Huddles

Clay V. Hake, 20th-Fox representative in Australia and New Zealand, is pulling this week from Sydney for a huddle with home office executives.

Hake's visit is supposed to be for the purpose of outlining recent film developments in Aussie territory. Understood that his trip is taking the place of contemplated Australian trek of one or more N.Y. executives of company.

Lease-Lend Bill Aids Yank Film Setup in India

Passage of the U. S. Lease-Lend bill has caused such a favorable reaction in India that the government there is much less inclined toward restrictions against U. S. film companies on exporting coin and importing films, says Moore, general manager of United Artists in India, said Monday (23) in New York, where he's visiting the home office. He declared that only a profound change in the war situation as it affects the Far East would make restrictions likely.

Despite difficulties caused by lack of shipping facilities for transporting films, and other minor headaches caused by the war, business is slightly better than ever before, Moore stated. American films have been doing increased business because of almost total absence of English and other European product.

Moore said native product was improving greatly, but still was not thought to imported pic. Indian producers make features for anywhere from \$5,000 to \$75,000, but distribution is limited by the fact there are 32 dialects in India. Native films are good only in dialect district for which they are made, but foreigners can play anywhere.

One of the difficulties caused by the war, Moore said, is the blackout, which has been causing a reduction in attendance at late evening shows when highest prices are in effect. He declared India has no giveaways, raffles or bingo, but other 'sacred cows' cause trouble.

'Our sacred cows do cause trouble,' he explained, because within the last three or four days in front of the boxoffice, the natives stay away until the cows finish their nap.

This is Moore's first visit to the U. S. in three years. He is expected to make the trip 12,000 miles instead of the usual 5,000. It took 37 days.

Musical Shows Draw

Best at Mex Theatre

Mexico City, April 23.

That music is the most popular attraction at the Palace of Fine Arts (National Theatre) is demonstrated by the comparative ease in obtaining \$150,000 (Mex.) (\$30,000 U. S.) by public subscription to insure the financing of 12 performances of grand opera by a Mexican company featuring Evangelina Magana.

Company made its debut last week to a capacity audience, including President Manuel Avila Camacho and his cabinet and several members of the diplomatic corps. The preem's proceeds were devoted to the national fund for relief of the earth quake victims.

Such poor subscription response is being accorded comedy presentations at the Palace that it seems doubtful there will be offerings of that sort this season.

PERKINS TO N. Y.

J. E. Perkins, Paramount manager in the Orient and the Philippines, is scheduled to arrive in N. Y. this week for confabs with John W. Hicks, foreign sales chief.

He arrived on the Coast about two weeks ago and has been looking at product since his arrival.

Honor Mex Bernhard

Mexico City, April 23. Singular honors have been paid Virginia Fabrega, Mexico's Sarah Bernhard who has a theatre named for her here, on the occasion of her rounding out 50 consecutive years as an actress.

A benefit performance, presented by her Mexican thespians and attended by high government officials and socialites, was tendered the veteran actress at the Palace of Fine Arts (National Theatre) April 20.

'DON'T SHATTER ANY SHOW BIZ ILLUSIONS'

London, April 8.

A bit tardy perhaps but a winter's DAILY VARIETY issue has not long since reached these shores. Just read Arthur Ungar's gentle reproach to the studios' ancient cold previews in projection rooms. Coastal sunshine of his smile would likely be further slurred at the setup provided this side for cry—and that all-important first viewing.

Not alone is the ritual 'cold' but the room itself frequently as frigid. It doesn't help any. In one case you are right in the midst of a tight, walls keeping maybe 30-40 chairs together. You can't sidetrack your mind from the surroundings. The picture is ever subsiding to the atmosphere wherein it screens. Place mentioned is none of its kind, true, but those majors maintaining private 'theatres' in basements of their office plants, still cannot effectively lose their product to a suitably 'warmed' crowd.

Places are all small and pack a case-hardened bunch of crits into a shell harder than his own. The writer has checked on the resultant mental effect this has toward a picture, by catnip or snuff, and cinema showing. The difference in approach—and appreciation of the film selected, was more than sufficient proof of the evident folly in trying to base a wacky reaction on projection room screenings.

And another zany felish—or trend—has come up fast here lately. There's never been such a lineup of show biz names eager to tell all. The essential elements of entertainment—films and legit—is being cut by the very gentry whose living depends upon it. Secrets of sound, camera effects, technique and method of action or emotion are pictures—they're all being fed Joe Public like so much news matter. Right soon he'll be in a position to squawk about lighting on sets, something on the nature of the scene here. And as for the stage, it's becoming just that—a place where mugs stroll up and down. They're even running an air series to 'educate' those who would be heretofore, meant something written by a magician and interpreted by those equally starlit.

Joshua Lowe.

Mexican Gov't Denies Discrimination Vs. Native Talent for Foreign Draws

Mexico City, April 23.

The Palace of Fine Arts (National Theatre) has denied the charge that the most responsible costs to the public of the best shows obtainable, and there is the utmost impartiality in bookings, foreign and Mexican presentations, being treated alike, asserted the Ministry of Public Education, the Palace's administrator, answering attacks by certain newspapers that alien productions are being allowed use of the theatre at ridiculously low prices.

All presentations at the Palace, the Ministry declared, are on a percentage basis. The Mexican Russian Ballet, the Ministry said, was allowed use of the Palace at a reduced rate because it was obliged to pay its members in U. S. dollars. Though the presentation of this ballet was held to be an artistic success,

Maxwell Estate Mulls \$4,800,000

Takeover of 400 British Theatres; Abrahams' \$4,000,000 Offer Nixed

PHIL REISMAN TO RIO

RKO Foreign Chief On 3-Week Business Trip

Phil Reisman, RKO's foreign chief, sailed for Rio de Janeiro last Saturday (23) on a business trip to take about three weeks.

Reisman probably will give the situation a quick looksee, too, as representative of the film division for John Hay Whitney's film committee for cementing hemispheric solidarity.

Clements Starred In British Air Pic; Corfield Preps 3

London, April 8.

Ealing Studios' 'Ship's With Wings' has gotten underway. Sergei Noldanov directing the Navy flying picture, has taken up from associate producer booth. Supporting John Clements in feature brackets are Leslie Banks, Jane Baxter, Edward Chapman, Michael Wilding, Roy Arthur, Basil Sykes, Frank Cellier, Betty Marsden. Feature is follow-up to 'Marched Balcon's Convoy.'

John Corfield announces three features to be made by his new outfit, producing outfit. First will carry Vic Oliver and Sarah Churchill, 'Ting o' Roses,' a laugh-novel by Monica Ewer. John Paddy Carstairs directs from script by Bridget Boland.

Gaumont British-Gainsboro starting cameras on 'Ay Thang You.' Feature is around radio quiz of star Arthur Miskie. Moore Marriott and Graham Moffatt supporting the comedians; Richard Murdoch co-starred, getting leave from military service. Howard completed chore in '49th Parallel' and resumed work on his own production; '49th' has still several weeks to go.

Colon, B. A., Would Feature Foreign Stars

Buenos Aires, April 23.

Possibility that the municipally owned Teatro Colon, already the largest South American user of U. S. concert and operatic talent, may augment its summer season to feature foreign stars is being considered.

Success of current al fresco season, whose biz was almost 20% over that of last year, has already resulted in presentation of plans for a new outdoor theatre seating 15,000 to replace the stadium of the Sociedad Rural (Rural Society), whose cattle show rink is now used.

London, April 23.

Trustees of the John Maxwell estate, seeking to dispose of the Maxwell holdings in Associated British Pictures Corp, have turned down A. E. Abrahams' offer of 1,000,000 pounds (about \$4,000,000). It's understood that the trustees are considering an offer by Legal and General Assurance Co. with Philip Hill, Oscar Deutsch, in conjunction with Arthur Rank and Charles M. Woolf.

Object of the latter deal would be to acquire control of 400 theatres for which the trustees are asking 1,200,000 pounds (\$4,800,000) on which the government is claiming 600,000 pounds (\$2,400,000) death duties. If the deal is consummated, buyers can take over after paying part of money, with the balance settled after the war.

Such a deal would give Odeon theatre circuit, of which Deutsch is the head, 400 more theatres, or a total of about 700 houses. In the Odeon operation, nearly doubling the Gaumont-British circuit's total. Proposed transaction also would give General Film Distributors a big booking advantage because Rank and Woolf, acting actively in contemplated deal, are executives in General Booking advantage would be shared by United Artists since it is a stockholder in Odeon. Deal as presently outlined would be so comprehensive it would virtually revamp the film booking and theatre situation in Great Britain.

Before his death, Maxwell turned down an offer of 1,000,000 pounds (\$4,800,000) for his 4,000,000 shares.

AGENT BOOKS APTS. FOR GAMBLING SYNDICATE

London, April 23.

Local 104-er, whose source of income has been greatly reduced since the outbreak of war, has hit on new way of earning money. He has become the official sponsor for a syndicate which promotes chemin de fer and other gambling games nightly.

Company has to find new premises, to dodge the law, and agent hunts special apartments which must be located in the heart of Mayfair.

Besides getting \$40 for each apartment he digs up, he is also supplied with a lavish supper which includes plenty of liquor and cigars. To date, he has been netting a steady income of \$200 per week.

Rosita Moreno Sails

To B.A. for Picture

Rosita Moreno, Spanish-language film star, left New York for Buenos Aires by boat Saturday (23) on a single-picture deal with Baires Films. Player, born in Mexico and an American citizen, expects to return around July 15 to accept an offer for Broadway play in the fall.

Miss Moreno was accompanied to S.A. by John Reinhardt, who will direct her (she also directed her in 'My Faith in You,' which RKO is distributing). William Gordley, her manager, and her mother. Bulk of playdates for new picture will be in the S.A. market, but it also will be offered to arty theatres in the U.S. Actress is the wife of Mel Shauer, Hollywood agent, who recently placed her in the hands of A. & S. Lyons to avoid professional and domestic conflict.

WB'S MICHAUD IN

Henri Michaud, Warner Bros. representative in France, arrived in N. Y. last week for huddles with home office execs. He left France before the German edict taking over U. S. film exchanges, other properties and monies.

Michaud likely will be assigned to another territory.

WARNERS'

Million Dollar Baby



PRISCILLA LANE • JEFFREY LYNN
RONALD REAGAN
in
'MILLION DOLLAR BABY'

MAY ROBSON • LEE PATRICK
Directed by CURTIS BERNHARDT
Screen Play by Casey Robinson, Richard Macaulay,
and Jerry Wald • From a story by Leonard Spigelgass

YUM! YUM!
YOU'LL SEE SOON!

FLEXIBLE ADMISSION SCALE?

Defense Matinees' Proving Big B.O.; Lack of War Industry in NW Depletes Biz; More New Army Camp Theatres

Philadelphia, April 29. The 'defense matinee' experiment of the Lindy, Stanley-Warner bank, begun two weeks ago, has proved so popular with workers in plants engaged in producing war materials, that the circuit has spread the innovation to eight other houses.

The 'defense matinee' is held two hours before the regular 2 p.m. matinee, to give workers in these plants enough time to see a cross-section of the day's offerings. The matinee is held at 4 p.m. shift. Other houses are featuring special midnight shows, for workers winding up the late shift.

The eight added starlings are the Forum, Midway, Richmond, and Kent, in the industrial northeast section of the city; the Liberty, North Philly, the Benn, in the southwest; the Broadway, near the Navy Yard, and the Palace, in midtown.

Northwest's Plait

Minneapolis, April 29. Although the Federal Reserve bank report shows that Northwest business volume in March was at the highest level since 1929, in the north, more than a decade, exhibitors and those engaged in other industrial activities hereabouts complain that April has witnessed a complete collapse of business. A cross-section of business hereabouts shows a slump to a record low for the month, theatre men declare. Other lines are crying just as loudly, too. While other industrial sections are booming, the pendulum here is swinging the other way, it's asserted.

Reason for the local situation, it's claimed, is comparative lack of war industries and army camps, also resulting in a shift of population away from here to other sections. Mechanics, carpenters and other skilled and unskilled workers are leaving this neck of the woods for the more industrially active centers; according to theatre men. Conscription and movements of national guard units out of the Northwest to the south and far west also are draining the territory and nobody comes in to replace them. Incidentally, those who have been and still are departing are the best spenders for entertainment, it's pointed out.

Local theatre men declare there never has been a time within their memory when so many girls 'tag it' to their showhouses at night, coming unescorted. Just like during the World War, they say, there's a shortage of young men again and business is being badly hurt.

Fort Knox's \$60,000 Theatre

Louisville, April 29. New \$50,000 theatre seating 1,038 now under construction at Fort Knox, 30 miles from here; will be opened within three weeks, according to announcement by Brig. Gen. J. H. Hargis, commander of the Armed Force Replacement Center, House, located in the center, brings to three the number of picture houses in the fort, exclusive of an open air theatre used during the summer months. Two of the show houses, including the new theatre, are classed as temporary buildings.

Regular feature films, shorts and newsreels, furnished by the U. S. Army Motion Picture Service are shown on a twice-nightly schedule.

Another in S. C.

Spartanburg, S. C., April 29. Camp Croft here gets another theatre, three in plans for recently completed 18,000-man camp being found inadequate.

Camp Wheeler, Macon, Ga., also gets another house, making three.

Proving more popular than officials thought at first, with result several other camps tentatively earmarked for expanding facilities.

Fort Wood's 1,200-Seater

Kansas City, April 29. Ft. Wood, near 1,200 seater, opened by Commonwealth Theatres in Wayneville, Mo., population 400, last

week. Wayneville is nearest town to Camp Leonard Wood being constructed by the army in the Missouri Ozarks as a cantonment for 30,000 or more men. A force of 27,000 civilians and army engineers are now in the vicinity of Wayneville during construction of the camp. Contract for construction of the Ft. Wood was let in February and completion came after only 60 days.

C. A. Schultz and O. K. Mason of Commonwealth have reported 'biz very satisfactory. A second house, a 400-seater, was constructed previously to the Wood, and is being operated by T. J. Goshen, Sedalia exhibitor.

Camp Wood is skedded for completion in early July and is expected to house its full complement of men and officers. It is expected that a force of 8,000 or more civilians will be necessary accessories to the operation of the camp.

MGRS. UNION WINS WITH TWO DETROIT CIRCUITS

Detroit, April 29.

Having won a settlement in their first strike, which won them the reputation of having the town's 'best dressed picket line,' the Theatre Managers and Assistants Union now has presented contracts for recognition to two new circuits here, the Krim Bros., operators of the Harmony, Krim and Lasky, and to Moss Bros., operating the new Parkside and Van Dyke.

Union recently came to terms with Raymond Schreiber's circuit after picket line was put in front of his Palmer Park. Pickets got plenty of attention since managers paraded in tuxes, fresh flowers in buttonholes, etc. House's manager, Walter Morgan, was taken back, given one day off at same pay and other adjustments made in working conditions. Matters still are pending on Schreiber's other four houses.

Shirley Temple Signed For 'Rooney' by Small

Hollywood, April 29.

Shirley Temple was signed by Edward Small to make one picture, with options on further productions. Definitely set is 'Little Annie Rooney, with Lucky Starkey' in the offing. 'Annie' goes before the lenses in September, after Miss Temple has finished her job in 'Kathleen' at Metro.

Geo. Pal Ups Wages

Hollywood, April 29.

Tentative wage scale set up at George Pal studio averted a walkout over the weekend by cartoonists.

Salaries of all classifications were revised upward to satisfaction workers and goes to New York for official okay.

He'll Stay Awhile

Hollywood, April 29.

20th-Fox handed Richard Day a straight seven-year contract as supervising art director.

Day has worked on the Westwood lot for three years, after moving over from Metro.

BACK INTO THE CLOUDS

Hollywood, April 29.

'Forced Landing,' second Pine-Thomas production for Paramount release, hopped off yesterday at Fine Arts studio with Gordon Wiles directing.

Richard Arlen heads the cast, with J. Carroll Nash in the heavy role.

UP OR CUT PRICES ACCORDING TO PIX

Northwest Independent Circuit Owner Cites 'Gone With the Wind' and 'Northwest Passage' as Forerunners of That Idea Already

BIZ HYPO

Minneapolis, April 29. Bonnie Berger, prominent independent circuit owner, wants Northwest Allied to launch a move for flexible admission scales in the territory. Under his plan, theatre prices would vary according to the attractions.

In a limited way, he points out, this already has been done successfully by boosting admissions for such pictures as 'Gone With the Wind' and 'Northwest Passage' etc.

The Berger proposal contemplates an agreement by all the exhibitors to adhere to schedules of prices for pictures, with Northwest Allied committee and distributor representatives setting up the schedules. It does not mean that all houses would charge the same admissions, but the increase or decrease for a particular picture would start from a basis which had been established for the theatre in question, he explains.

'It's unfair to charge the same admissions for all pictures regardless of their merits,' says Berger. 'It's unfair both to the public and to the exhibitor. My plan, I'm confident, could be worked out in a practical manner, and it not only would help the boxoffice, but also result in the elimination of cash and other giveaways and rackets generally.'

Local independent neighborhood exhibitors are alarmed over Berger's decision to 'experiment' with reduced admissions by dropping his regular 28c scale to a dime for one day a week at his Paradise, de luxe uptown house. He says independent product and even may double feature on the 10c days, he says. He's also using giveaways and gifts at the house for the first time in two years.

'These measures are born of desperation,' asserts Berger. 'I'm trying to bring back business.'

Schenck Case

(Continued from page 14)

ernment's case was highly technical. The jury found Schenck guilty of evasions of the criminal income tax laws of 1936 and 1938 tax returns, but found him not guilty with respect to 1937. Moskowitz was declared guilty of aiding evasions in 1936.

Discussing the verdict and such portions of the evidence and testimony that had swayed the jury following the verdicts, a member of the jury declared that the wealthy (Mexican) hotel company and the race-track were the transactions which led to conviction on the first count (evasion of income tax).

The government's indictment against Schenck to report \$10,000 of Presidential election winnings was the pivotal point.

All financial transactions which Schenck had with Willie Bioff Coast labor leader, took place in 1937. Although the income tax features of these transactions have been disposed of in the criminal action, the Government has not pressed perjury indictments which came out of the investigation. It is said that Correa will make no decision as to pressing the perjury indictments until disposition of the appeal hearings.

A second juror said that little weight was given to the Government's case of excessive deductions from income listed as business expenses and of which much testimony was taken at the trial. He declared that the jury believed that the government could have challenged the returns and stopped the deductions.

H'wood Labor Unions Urge AFL Negotiate Immediately with Prods.; 'Subversive Scuttling' Fears Aired

Hollywood, April 29.

Charging that a subversive element in the studios is trying to scuttle the American Federation of Labor program, film unions in the Studio Basic Agreement have petitioned their international officers to seek an immediate meeting with the producers to negotiate conditions. The American Federation of Musicians was the only group not represented when the following telegram was drafted and sent to the international head of the electricians, laborers, carpenters, plasterers, machinists, etc.

'The business representatives of the crafts signatory to the Basic Studio Agreement have been confronted in the past few years with a stalemate in improving the working conditions of the men in their organizations. Also the outside crafts of the AFL and dual organizations have secured conditions exceeding those existing under the Basic Agreement and also due to the fact that there is again appearing in the studios a subversive element to upset the AFL. We, the business representatives, upon demand of our membership, urge the necessity of an immediate meeting between the international committee and the producers committee for the purpose of negotiating conditions equal to those in effect with other crafts and in other industries and preserving the membership of our organizations. Because of the present shortage of skilled crafts and manpower we believe the present an opportune time to demand the conditions submitted, taking into consideration the necessity of going to extreme limits to obtain adjustments requested.'

New Painter Demands

Demands for a five-day, 30-hour week, have been drafted by Moving Picture Painters Local 684, and will be presented to the producers and the Studio Basic Agreement negotiations are completed. The painters are also asking for a minimum six-hour call, a guarantee of 230 hours a year, and 10 years for permanent crew members, 10% above the scale for men not employed in permanent crews, and two weeks' vacation for men not employed in permanent crews.

The painters are offering to accept 10% under the scale when employed on location, but are demanding a schedule of 70 hours per week for 10-hour week for all time worked in excess of 10 hours daily. The union is asking that the label of the Brotherhood of Painters, Decorators and Paper Hangers of America be placed on all films before they are screened.

Recommendations for short week and pay scales for the various shifts including a 30-hour week for 10-hour rate men. Six hours per day, five days per week, Monday through Friday, shall constitute a regular work week, six within seven consecutive hours and seven days per 6 p.m. shall be termed regular work day.

Extra Earnings Jump

Total earnings of film extras in March showed an increase of \$90,000 over February, and the ratio of increase has been even higher so far this month. Because of the demands for high school students and youngsters 18 to 25 years the Screen Actors Guild has been necessary to issue nearly 1,000 waivers this month. Many of these were for film soldiers within the draft ages.

Earnings in March totalled \$359,740.17, as compared to \$218,719 in March, 1940, when placements totalled only 18,783. The job placements for March of this year were 22,384, an increase of 2,400 over the previous year.

Fearful that the proposed limitation on \$5.50 extra calls would increase budgets for 'B' pictures, producers are holding off negotiations for contract revisions demanded by Screen Actors Guild. Believed, however, that speedy agreement will be reached.

reached when E. J. Mannix returns from the east and a new wage scale is expected to be in force by next week.

Strike Stalemate

Negotiations between the Columbia Recording Corp. and striking employees has reached a stalemate. The strikers agreed to accept a compromise offer suggested by Edward Fitzgerald, U. S. labor conciliator, but the company turned thumbs down on the settlement. Homer Mitchell, attorney for the company, said no further move would be made to resolve labor tensions. The United Electrical Radio & Machine Workers of America said picket lines would be maintained, that a call for a sympathy strike of employees at the Bridgeport (Conn.) home office might be issued, and that plans were under consideration for a secondary boycott against six sponsors of the Columbia Broadcasting Co.

The workers are demanding that the minimum wage be lifted from 55c per hour to 75c, but had offered to compromise on 65c. They claim the only offer the company has made called for an increase of 17 cents per hour, but Paul Crowley, company general manager, said the increase would have been nearly four cents per hour. The strike was called April 15.

Walter Spreckles, former regional director of the National Labor Relations Board, has assumed his new duties as labor contact for the Walt Disney Studio. William R. Walsh, senior attorney for the NLRB, has been named acting director pending a permanent appointment.

Hollywood Newsmen's Threat to Sneak In On Sneak Previews

Hollywood, April 29.

Hollywood correspondents were to serve notice on studios today (Tuesday) they will catch all sneak previews following word from the Studio Publicity Directors Committee. If will continue to give serious cooperation, but cannot at this time promise Coast critics complete protection over the rest in matter of preview priority.

Correspondents have demanded that all films be shown here for preview before New York, some claiming their jobs are jeopardized if films are continued to be shown there first.

How Come For Jane?

Hollywood, April 29.

Next starlet for Jane Withers at 20th-Fox is a film version of the stage play, 'Not For Children,' written by Edmund Wolf and Ludwig Herschfeld.

Walter Morosco is producer and Francis Paraghi is doing the screen-play.

Paul Malvern at U

Hollywood, April 29.

Paul Malvern checked out at MGM to join Columbia's associate producer staff.

He draws 'Flying Cadets' as his first assignment. Pic was originally slated for Burt Kelly, who recently left the lot.

BARTON DIRECTS 'PANAMA'

Hollywood, April 29.

Charles Barton gets the direction chore on 'Girls From Panama,' with Jimmy Feltner in the top role. Filming starts May 15 at Columbia under production supervision of Wallace MacDonald.

been so frequently and nauseatingly repeated as a number of the others.

been so frequently and nauseatingly repeated as a number of the others WB uses in its swiftie group. Unfortunately, however, there's not quite enough of it for a 63-minute production and Lederman has had to dive into the stock barrel for a load of trite court and prison stuff which bogs the picture right down in the

Arthur Kennedy, recent find who played Jimmy Cagney's younger brother in *City for Conquest*, holds the key to the film's success. He is somewhat and does a nice job who is not suited by the B-picture dialog. He is a good guy. All the other guys and gals who like romance with their trigger-work, is almost completely blank. The only one who does is the kid-ling, Florence Bates, who also stumbles through without conviction, although many of the lesser players do a fine job. The film is a Warner cello-block contraption.

Kennedy plays a detective who arrives in town to investigate a murder, which has been broken between them. So that he can go over to the mob. Racket guy who is not a top player. He is straight and kill the chief planner of the murder on Kennedy, who is sent up for life. He breaks from prison and kills a wealthy young man in a fadeout cliff.

Herb,

(WITH SONGS

THE BLACK CAT

Universal release of Burt Kopp Production. Stars Basil Rathbone; Hugh Herbert, Brod Crawford, Bela Lugosi. Directed by Albert S. Rogell. Suggested by short story by Edgar Allan Poe; adapted by John Lee, Fred Rinaldo, Ed Taylor and Robert Neville; editor, Ted Kent; photographs, Stanley Cortez. At Rialto, N. Y., week ending Jan. 11. Running time, 78 minutes.

Hartley	..... Basil Rathbone
Mr. Penny	..... Hugh Herbert
Robert Smith	..... Brod Crawford
Eduardo	..... Bela Lugosi
Alan	..... Alexander D'Amico
Elaine Winslow	..... Anna Gwynne
Myrna	..... Gladys Cooper
Henrietta Winslow	..... Cecilia Loftus
Martha Gordon	..... John E. Lee
Stanley Borden	..... John Eldredge
Richard Hartley	..... Alan Ladd

Hollywood April 2

Like so many other B's of late, 'The Black Cat' is way down the alphabetical scale. Dating will probably be slow, as will action at the boxoffice where played.

Horror subject has been poorly written by no less than four scenarists and loosely produced by Burt Kelly, a pretty old hand in the B-making ranks. A large and capable cast tries to null a wagon with traces

made of string thus they can't be blamed for getting nowhere.

A short story by Edgar Allan Poe caused the picture to be made. Poe may not be so much at fault, however, as those who took his yarn in hand, moulded it into a 70-minute bore and are now out seeking an indulgent market for the finished work. Although four writers were required, the combined talent of all has produced little. Among other things the dialog is trite. Result at comedy is even less than that a typical crack being: 'Everything around here is for the cats, that's why the

Hollywood April

Rettered to is the bleak and gloomy day the two swimmers had. The woman who bugs about females. She even maintains a crematorium for those that kick off. A flock of relatives, near and fairly distant, are waiting for her to die. Knowing in advance what she is going to leave them one relative murders her whereupon they all learn that they don't get their bequest until all the relatives have gone. The man who has a housekeeper on minutes in charge. A succession of murders figure, but none in reality or on the screen, were ever so uninteresting.

Hollywood, April 29.

insted of Broderick) and Hugh Herbert are outsiders in the action, all of which takes place at and around the musty old house. Crawford then tries to buy it for a client, Herbert having come along to get it the way. He's an any kind of hound, but not a very good one.

Bela Lugosi plays a caretaker who is constantly leering in window while Basil Rathbone is one of the scheming heirs. His wife, played by Gladys Cooper, is another. Galton Sondergaard manages to be appropriately menacing and dubious while Ann Gwynne, as the heroine whose father is Crawford, adds sweetness to the story's fewest.

Warner Bros. release of WB-Fire

LOVE ON THE DOLE

(BRITISH-MADE)

London, April 8.

Anglo-American Film Corp. releases British National Film production. Features Deborah Kerr, Clifford Evans, Directed by John Baxter. Screen adaptation by Walter Greenwood. Barbara Ewing, Rollo Gamble, from Ronald Gower's dramatic novel, "Greenwich." Novel by E. M. Forster. Screenplay by John Galsworthy. Stars: Deborah Kerr, Clifford Evans, Barbara Ewing, Rollo Gamble, James Wilson. Running time, 95 MINS.

Sally.....	Deborah Kerr
Cliff.....	Clifford Evans
Barbara.....	Barbara Ewing
Mr. Hardcastle.....	Mary Merrall
Mr. Hardcastle.....	George Cargill
Mr. Hardcastle.....	Geoffrey Hibbs

(BRITISH-MADE)

[illegible]

The camera's facility in pinpointing the tenets of tragedy has been

(Continued on page 18)

Released right in time for **NATIONAL MUSIC WEEK, May 4 to 11.** Paramount's glorious music and youth show **"THERE'S MAGIC IN MUSIC"**

Freckles
KAYE CONNOR

The Fiddling Finn
HEIMO HAITTO

Dead Pan Patsy
PATRICIA TRAVERS

Wizard of the Keys
DOLLY LOEHR

SUSANNA'S the only girl
to hit B Flat above High C!

Paramount Presents

"THERE'S MAGIC IN MUSIC"

with
ALLAN JONES • SUSANNA FOSTER
MARGARET LINDSAY • LYNNE OVERMAN
Grace Bradley • William Collier, Sr.

Produced and Directed by Andrew L. Stone
From a story by Andrew L. Stone and Robert Lively
Screen Play by Frederick Jackson
Based on an idea by Ann Ronell

Golden-voiced
ALLAN JONES

ALL THIS COOPERATION TO HELP YOU SELL SEATS!

"GOOD HOUSEKEEPING" is sending a special mailing piece to 25,000 Women's Clubs throughout the country telling them to get behind "There's Magic in Music" when it plays in their communities!

3,700 LOCAL MUSIC CONTACTS made by Mr. C.M. Tremaine, Executive Secretary of National Music Week—urging showings of this picture during National Music Week.

1,500 MUSIC DELEGATES to Music Education Conference primed to carry the word about "There's Magic in Music" to their fellow teachers and pupils.

2,000 NATIONAL FEDERATION Music Clubs ready to place their full resources and cooperation behind "There's Magic in Music."

Just a small part of one of the most extensive campaigns ever placed behind a picture. The Press Book of **"THERE'S MAGIC IN MUSIC"** gives you all the details.





***...but action...drive...push and
aggressive selling bring results.***

That means advertising. That means Trailers . . . that means Lobby Displays consistently used . . . intelligently placed . . . expertly created . . . that means General Advertising Accessories tied in with your Lobby Displays . . . tied in with your Trailers . . . plentifully used . . . regularly used . . . full of selling action . . . full of selling drive . . . full of ticket-selling push.

Wishing is wonderful . . . but the Three Best Seat Sellers bring results.

**NATIONAL *Screen* SERVICE • NATIONAL *Screen* ACCESSORIES
ADVERTISING ACCESSORIES, INC.**

. . . Prize Baby of the Industry!

Inside Stuff—Pictures

Sanders-Barrie Series
Hollywood, April 29.
RKO starts a new group of pictures May 2, with George Sanders and Wendy Barrie in the top roles. Opener of the series is "The Gay Falcon," based on a story by Michael Arlen.

Sanders-Barrie Series
Hollywood, April 29.
RKO starts a new group of pictures May 2, with George Sanders and Wendy Barrie in the top roles. Opener of the series is "The Gay Falcon," based on a story by Michael Arlen.

Deliberate Overbuying By Exhibitor Not An Anti-Trust Law Violation

Minneapolis, April 29. Deliberate overbuying of product by one exhibitor in order to deprive an opposition theatre owner of film sufficient to permit the latter to operate and, thus, ultimately force him out of business or damage him extremely, does not constitute a violation of the Sherman anti-trust laws or provide a federal court cause of action for the damages sustained by the injured party. Upholding the motion of Stan Donnelly, attorney for the defendant, Judge R. C. Bell in federal district court made this ruling at the conclusion of the plaintiff's case and without hearing a defense. In the \$75,000 triple damage suit brought by David Ratner, White Bear theatre, White Bear, Minn., against Mrs. Jessie Jensen, owner of the competing Avalon theatre in the same town.

Judge Bell directed the jury to return a verdict in the defendant's favor and to assess the damages against the plaintiff, which was tantamount to dismissing the action. He held that, even though the defendant conducted previous Ratner from entering into film contracts necessary to keep his theatre open, no Sherman law violation was involved. Though impressed with the "wrong" done to Ratner, according to the plaintiff's side of the case, the defendant's acts didn't relate to interstate commerce and, therefore, the federal court has jurisdiction, according to the court's opinion.

L. B. Schwartz and S. P. Halpern, counsel for Ratner, announced they will appeal from Judge Bell's decision and the directed verdict.

The case was unique in that it involved the anti-trust laws for the first time in a damage suit by one exhibitor against another one also involving the "sawing up" of product, without joining in the action any of the film companies that made the deals and refused to sell the complaining theatre owner.

It was brought out that Mrs. Jensen was successful in buying up 330 pictures per season, although she played no more than 218, and was enabled to use the latter number only by inaugurating one double feature change a week and an extra feature for the Saturday midnight shows. Testimony also was brought out to the effect that she also overbought newsreels and shorts. The evidence showed that, although she uses only 150 newsreels a year, she buys a total of 312 from four companies.

FIELDING EX-SPENCER, STARTING OWN CHAIN

St. John, N. B., April 29. As a nucleus for a new theatre circuit, Arthur A. Fielding, of suburban East Riverside, has taken over the Capitol at Bridgewater and Digby, in Nova Scotia. These were formerly in the Spencer chain, of which Fielding was general manager for 15 years, and on the last 28 days of last month. Fielding has opened an office in St. John, within sight of the Spencer head offices. The Strand. Indications are he will add several more houses this year.

The Strand, in Truro, N. S., which was presumed to go with Fielding on the breakup between him and Spencer, is now adhering to the Spencer banner, and with likelihood of purchase or continuing in the lease. Spencer had announced a new theatre for Truro, which would make the third in a town of about 8,000, all controlled by Spencer. The agreement on disagreement between Spencer and his ex-manager, Fielding, is to have called for sale of the stock in the company held by Fielding to Spencer.

Opposition has been rumored for Spencer at Charlottetown, P. E. I., which he has sewed up with the Capitol and Prince Edward, old road-show houses. Charlottetown is probably the best profit bearer on the Spencer lineup at present. Among those connected with the rumor have been A. A. Fielding, erstwhile Spencer chief; Odeon circuit, F. P. C. Franklin & Herschorn, Bernstein & Lieberman. But, nobody is admitting anything.

'Movieless Dates'

Detroit, April 29. Again the pinch is put on the pictures. Students at the University of Michigan have started the "movieless dates" which has started to whittle down theatre attendance in Ann Arbor, Mich. Church groups originated the idea for the students with the idea that the money thus saved would be contributed to a fund to support the needy scholars from Europe and the Orient.

Variety Club Ties Up With Preakness Ball For Balto Charities

Baltimore, April 29. Preakness Ball which follows running of famous turf classic of same name at Pimlico, May 10, is getting much needed publicity here this season via tieup with local Variety Club. Previously operated by civic committee in highest style, the Ball this year has been taken over by the local showmen club, which plans to charity fund. Seated at \$1 and \$2, shindy is offering Vincent Lopez and Raymond Scott orchestras on two floor levels of the Armory here, plus a local combo filling in between switches.

Wealth of showmanship angles has town completely blanketed with neon signs on traffic towers on prominent corners, street banners stretched catty-corner and an advance ticket selling campaign which has tied in all local department stores, theatres and hotels. Trailers in all film houses and spots on all radio stations also spreading the word.

Committee headed by Howard A. Burman includes Bill Hicks, Izzy Maganzoff, Rodney Collier, Bill Saxton, Lawrence Schanberger, Leonard 'Chum' McLaughlin, Eddie Perotika, Nick Weems, Ed Sherwood, Joe Grant, Morris Olesky, Mark Silver, Ed Kimpel, Lou Roubin, Barry Goldman, Leon Back, Bernie Seaman and Ted Routson.

Pitt's Convention Crowd

Pittsburgh, April 29. Pittsburgh Trade, No. 1 of Variety Clubs, working like the proverbial beavers to bring back attendance trophy for second consecutive year from Atlantic City convention next month. Local chapter got the first leg on it in Dallas last April. More than 60 have already made reservations on special train pulling out of here night of May 14 and at least that many more are expected to sign up in next couple of weeks, according to I. Elmer Ecker, who is chairmen of the Pittsburgh end of the trip.

Dallas and Atlanta are already claiming the cup unofficially. Winner determined not by number of delegates but by number of miles travelled to reach scene of convention.

Dallas Variety's Fate

Dallas, April 29. The Variety Club of Dallas is making plans for a summer festival, continuing the policy of the past two years, and this time plans to present the Gainesville Community Circus as part of the program.

Two Selznick Reissues

Hollywood, April 29. Two oldies, "The Prisoner of Zenda" and "The Adventures of Tom Sawyer," both David O. Selznick productions, are being reissued by United Artists May 15. "Zenda" is a Ronald Colman starrer and "Sawyer" is filmed Technicolor.

SCHUBART'S APPENDIXOTOMY

Chicago, April 29. A. A. Schubart, manager of exchange operations for RKO, was stricken with appendicitis suddenly on Saturday (26). He was on a tour of the company's branches. Emergency operation was performed at St. Luke's hospital, where Schubart is said to be recuperating satisfactorily.

NSG for Indies South Of the Canadian Border

Minneapolis, April 29. Because the border is closed and Canadians on the other side of the line now are unable to come across on Saturdays and Sundays to patronize pix, northern Minnesota towns, affected exhibitors are very much up against it, with business almost vanishing completely. Many of the theatres have been placed on the market at bargain prices, but no buyers are in prospect.

Erich Remarque Novel Published After Film Version's (UA) Release

Unusual in the novel-to-film relationship is the novel being published after the picture into which it has been converted is released. That was the case last week with "Flotsam" by Erich Maria Remarque. David Lewis and Albert Lewin, United Artists producers, bought screen rights to "Flotsam" after it had run serially in Collier's back in 1939. From it they made "So Ends Our Night," a novel, some months ago. "Flotsam" just appeared, however, as a book last week. Publishers claim it has been generally revised and rewritten from the original version.

One of the principal reasons for publishing the novel is to give it the pre-selling of the picture obtained among those who have heard or read about a best-seller. Companies when they buy rights in advance of publication, usually wait a time before making the picture to allow the book to get a maximum number of readers.

"Flotsam," as a novel, got generally good review last week. The picture drew mild approbation from reviewers as a sincere effort, but did only mediocre business.

Rose Irks 4-A's

Continued from page 3

she declared, "we don't want to stop anything that's done right. However, we do want to know about it and know that it satisfies our conditions."

Rose's "medicine show" plan is to have a group of top performers do half-hour shows in the open air on collapsible stages let down from the tailboard of specially constructed Army trucks. Trucks would move from one portion of a camp to another and repeat the show three times an evening so that all the soldiers would get a standing-up look at it.

Flock of Names Wires whether they would be willing to play such benefits were sent to a large number of entertainers by Rose. Those who he declared yesterday have definitely signified they are ready to accept dates are Alolson, Eddie Cantor, Bill Robinson, George M. Cohan, George Jessel, Burns and Allen, Jane Froman, Ken Murray, Tony Martin and Ben Bernie.

Army will pay all expenses, transporting the performers by train to the station nearest the camp, where they will be picked up by the Army trucks. Rose plans to put on the first show May 15 and continue until July 1, when field maneuvers will start at many spots.

Real Shows In Fall Showmen declares that the plan is just a makeshift to fill in and promises "real shows" in the fall with paid performers.

Who's to do the paying wasn't clear, however, is the Army up to this point has no appropriation for the purpose. There are already other shows touring the camps at paid admissions.

Rose says his plans were worked out with Brig. General James Ulloa, chief of the Army Morale Division, and Commander Reynolds of the Navy. Sherwood and George S. Holt said the said, worked with him on the plan.

Four A's committee to handle camp shows was formed almost six months ago, but has gotten practically nowhere. Holt said that it was anxious to cooperate with the War Department but couldn't because the War Department would give it no information. That's why it was so slow to suddenly leap from the papers that Rose already had a scheme in operation. Mrs. Holt and Lytell are both on Sherwood's official committee, but Mr. Holt said it had never held a meeting.

Charlie Casey Sells All His Houses To Prudential; Retiring From Biz

Retiring from the exhibition field and show business, Charlie Casey on Friday (28) turned over his interests in theatres in the east to the Prudential Playhouses circuit headed by Joseph M. Seider. Desiring to remain partially active, however, he is leaving in about two weeks for Florida with his family to oversee real estate which was recently purchased there. It includes some theatres in Miami as well as undeveloped property on which others may be built.

Casey's interests included those held in theatres which he and Irwin Wheeler, his partner for many years, operated in Westchester, Connecticut and northern New Jersey. The Prudential circuit has held a share in these houses also, while in turn Casey has had an interest in those houses of the Prudential circuit over which operation rested with Seider and his associates. The entire circuit numbers 36 theatres.

Wheeler retains his interests. Originally an attorney as was his partner, Casey practiced law in the same office with Wheeler. They formed a partnership in 1917, though never having a contract between them, and went into the theatre business. Office headquarters were maintained in New York.

Casey is among independent ex-

hibitors who has nourished fears over the consent decree and that may have partly impelled him to step out of the field at this time.

PRODUCT DEALS

Leov's Spots 'Liberty' Into N. Y. RKO Houses—Rep's Pacts

With Leov's releasing the picture for sale away from its own theatres in the Greater New York area, RKO has closed a deal with Metro to play 'Land of Liberty.' Film, a cavalcade of Hollywood which was at the N.Y. World's Fair before being sent on general release; is dated from this week to May 14 in the RKO stands.

An early deal of major importance for Republic has been closed with Warner Bros., calling for the use of the company's 1941-42 product in 80 theatres in the western Pennsylvania territory and 44 in the Washington zone.

J. R. Grainger, general sales manager, headed the Rep forces on the Washington contract, John Payette being in the buying end for Warner Bros. For the Pittsburgh district Harry Kalmine handled the negotiations for the theatres while J. H. Alexander and Sam Fineberg, Rep franchise holders, acted for the distributor.

New York Theatres



Order Reserved Seats Now For Performances TWICE DAILY 2:30 and 8:30

Following the World Premiere THURS., May 1st

ORSON WELLES

CITIZEN KANE

THE MERCURY ACTORS

47th St. & 6th Ave. N. Y. C.

Box Office open 10 A. M. to 10 P. M.

Capitol
Held Over
Last Time Wed.
James STEWART
"ZIEGFELD GIRL"
A Metro-Goldwyn-Mayer Picture

State
Last Time Wed.
"PRIVATE"
On Sale
Held Over
Big Week!

4TH WEEK
BETTE DAVIS in
"THE GREAT LIE"
A New Warner Bros. Hit with
George BRENT & HARRY ASTOR
—In Person— Extra 1
JIMMY DORSEY Tip-Top & Too
and His Orchestra Broadway Schults
STRAND Broadway and 4th Street

PARAMOUNT
2ND WEEK
"ROAD TO ZANZIBAR"
BING CROSBY
Dorothy LAMOUR
A Paramount Picture
Held Over
In Person
HARRY JAMES
and His Band
COPACABANA
REVUE
Held Over

MUSIC HALL
"THAT UNCERTAIN FEELING"
Spectacular Stage Productions

"THE FLAME OF NEW PLEASURES"
RIVOLI Theatre
Held Over
and 4th St.

FANTASIA
WALT DISNEY'S
with STOKOVSKY conducting
his student music in RKO Fantasy
BROADWAY 10th & 42nd St.
Circle 2-5552

WANTED WINGS
ASTOR THEATRE
ALL RIGHTS RESERVED - Radio City 4-8487 P. M.
Held Over
75c
Seats for all performances on available at \$10.00

Landers on 'Mystery Ship'
Hollywood, April 29.
Jack Fier assigned Lew Landers
direct 'Mystery Ship' at Columbia
Production is slated to start
May 15.

JACK BENNY-TENTH YEAR IN RADIO



dear..

i saw a little man in a drug store last night. he was buying \$200 worth of aspirin. "what does this little man intend to do with \$200 worth of aspirin?", i said to myself. there was no answer. obviously, i didn't know. if my curiosity was to be appeased i sensed i would have to take my problem to the little man.

as he stuffed the last tin of aspirin into his duffle bag, i tapped the little man on the afra button. he looked up. our bleary eyes met. "pardon me", i said, "but what are you going to do with that \$200 worth of aspirin?"

"do", the little man croaked, "ain't you heard? jack benny is celebrating his tenth anniversary in radio this month".

"but \$200 worth of aspirin!"

"if benny stays in radio another ten years", he screamed, "i'm goin to need this aspirin". with this, the little man picked up his aspirin and scurried out into what was left of the night.

jack benny completing his tenth year in radio!

something should be done! benny's friend and enemies must have an opportunity to laud their idol or pan their pet peeve in the public prints. i hurried to the musty quarters of variety. i dropped a quarter on the floor. the entire variety staff scrambled out of a hundred cubicles.

"look, you mugs", i barked, "how about getting out a special variety section this month to immortalize a louse?"

"oh you mean benny", the variety editor replied. the die was cast!

so, variety will run a special jack benny section to commemorate the tenth radio anniversary of the lovable old rat.

sincerely....

Fred Allen
fred allen

p.s. what am i doing sponsoring a tribute to jack benny? i must be nuts.



\$3,478,492 FOR BENNY TIME

Jack Benny in Radio's First 10

(The Comedian's C.A.B. Since 1934)*

Broadcast Period	Benny Ranked	His C.A.B. Rating
March, 1934 to February, 1935.....	6	17
March, 1935, to September, 1935.....	1	28
October, 1935, to April, 1936.....	12	26
October, 1936, to April, 1937.....	1	28
October, 1937, to April, 1938.....	12	26
October, 1938, to April, 1939.....	12	26
October, 1939, to April, 1940.....	12	26
October, 1940, to April, 1941.....	1	28

*Averages as provided by VARIETY Information and Research Department.

†Major Bowes was No. 1 this period.

‡Edgar Bergen-Chase & Sanborn program was first these years.

TOTAL DOES NOT INCLUDE TALENT

Four Advertisers Span the Radio Career of Comedian — Talent Package Now Costs \$17,500—Canada Dry Paid Him \$1,500 Decade Ago

VAUDE SALARY

Jack Benny got \$1,500 per broadcast for his first radio sponsored series (Canada Dry, 1932). Today General Foods on behalf of its Jell-O product, pays Benny \$17,500 a week. Out of both figures, the smaller and the larger and 10 years apart, Benny paid for the writers, the supporting cast, the stooges, etc.

Benny was among the first of the 'package shows' which are bought by advertising agencies and sponsors because of their self-starting, self-driving showmanship. Benny and his aides are first of all a producing unit.

Estimates are hazardous on Benny's personal earnings over the 10-year period, since the radio build-up assured him his niche in pictures (see Arthur Ungar's account of the many false beginnings of that career from 1929 onward). Benny may have made less and had a lot more expenses than, say, Major Bowes so far as radio was concerned. But his film duties have now become a lush source of income.

Jack Benny is, of course, one of the actor-millionaires of his generation. (He did well in vaudeville, jumping up from \$150 around 1921 when he first became a single to around \$1,250 as a next-to-closer.)

In the following table, prepared by VARIETY's Information and Research Service, summer replacement program costs (he was NBC except for 1932-1933) have been subtracted from the 'gross' totals (wherever necessary), so that the dollar volume actually applies only to the Benny show in person.

YEAR	SPONSOR	TOTAL COST
1932.....	Canada Dry.....	\$135,988
1933.....	Canada Dry.....	71,836
1933.....	Canada Dry.....	32,588
1933.....	Chevrolet.....	211,252
1934.....	Chevrolet.....	111,053
1934.....	Gen. Tire.....	205,314
1934.....	Jell-O.....	92,286
1935.....	Jell-O.....	373,091
1936.....	Jell-O.....	205,296
1936.....	Jell-O.....	122,328
1937.....	Jell-O.....	401,095
1938.....	Jell-O.....	509,191
1939.....	Jell-O.....	518,355
1940.....	Jell-O.....	494,859

Total.....\$3,478,492

History of Jack Benny Broadcasts

SERIES DATES	NETWORK	NO. OF STATIONS	SPONSOR
May 2, 1932-Oct. 26, 1932.....	NBC Blue	16	Canada Dry
Oct. 30, 1932-Jan. 26, 1933.....	CBS.....	27	Canada Dry (Chevrolet)
March 31, 1933-June 23, 1933.....	NBC Red.	56	General Motors
Oct. 1, 1933-April 1, 1934.....	NBC Red.	57	General Motors (Chevrolet)
April 6, 1934-Sept. 28, 1934.....	NBC Red.	53	General Tire and Rubber Co.
Oct. 14, 1934-July 14, 1935.....	NBC Blue	62	General Foods
Sept. 29, 1935-June 21, 1936.....	NBC Blue	62	General Foods
Oct. 4, 1936-June 27, 1937.....	NBC Red.	60	General Foods
Oct. 3, 1937-June 28, 1938.....	NBC Red.	92	General Foods
Oct. 2, 1938-June 23, 1939.....	NBC Red.	98	General Foods
Oct. 3, 1939-June 16, 1940.....	NBC Red.	92	General Foods
Oct. 6, 1940-to date.....	NBC Red.	105	General Foods

*Including Canada.

A Comedian Who Gave Away Good Gags

By EDDIE CANTOR

It's quite a celebration they're having for Jack Benny's 10th anniversary in radio. Well, he deserves it... 10 years in radio—that's a long time in any branch of entertainment, but in radio, that's three or four careers... Who's around today who started in 1931?... Just a handful. It's a great job Jack has done—a real pioneer of the networks... He started a new trend in comedy—he made all the other comics tremble away their joke files. I threw mine away too, but not too far! I want to be able to lay my hands on it—just in case...

Yes, Sir! Benny deserves salutations, hurrahs, ticker-tape and confetti for what he has brought to radio and to the millions of listeners. But I wonder if the people know the Jack Benny I know?... this warm, big-hearted, sentimental, human sort of guy... It's a great running gag—that stingy Mr. Benny, who makes his friends drop a nickel in the pay telephone in his living room... Yes, that's a great running gag. People laugh—it's funny all right, but we, who have been the recipient of his liberality, can tell you that that 'miser' business is a swell radio routine.

Yep, lucky Jack Benny! He makes a helluva salary—lucky world to have a guy like Jack in it so they can share his salary with him... I first met this 'lousy violinist' back in 1918... My goodness! Do I know him 23 years? Yes, that's what it is—is this is 1941... He was doing an act—it wasn't good but it was different... That's it—it was different... He's always been different—on stage, off stage.

I can recall him at the Friars Club, giving an actor a good gag for the finish of his act... Imagine that—one comedian giving another a good gag! See what I mean—different... I'm just trying to think. Yes, I'm right—I've never heard the guy 'pan'

anybody... If a guy is an awful 'heel,' that nobody likes, Jack might say—(and get this—he might say)—that fellow is 'not too nice.'

He's a character—this Benny... When the big parties are going on in Hollywood, he likes to run over to the house and play casino for the evening. He'd rather have the good ten than two extra points in the C.A.B.... He's one of the few fellows who hasn't a Crossley stomach—maybe it's because he's always been up there. But then he didn't start with a terrific rating; but he had one pretty good idea. That idea was to get the best comedy program on the air and keep it.

Ten years... Yes, he deserves all the fireworks... The National Broadcasting Company is proud of him; so is his agency, Young & Rubicam, and his sponsor General Foods. But most of all his friends. I'm proud to be one of them.

BENNY'S GUEST DATES

March 20, 1932, CBS, La Geradine, Inc. (Ed Sullivan).	
June 3, 1934, NBC Red, Keep Chicago Aboard Civic Committee.	
July 24, 1934, NBC Blue, Armour.	
Oct. 1, 1934, NBC Blue, RCA Radiofans.	
Oct. 11, 1934, NBC Red, Maxwell House.	
March 15, 1935, NBC Blue, Borden.	
Feb. 20, 1936, NBC Red, Bristol-Myers (Allyn).	
Sept. 8, 1936, NBC Red, (Fred Astaire).	
March 2, 1937, NBC Blue, American Can. (Allyn).	
Dec. 22, 1937, NBC Red, Bristol-Myers (Allyn).	
Feb. 17, 1938, NBC (Good News).	
July 10, 1938, NBC Red, & Williamson.	
Jan. 20, 1940, NBC Red, March of Dimes for Infants Fund.	
May 26, 1940, NBC Blue, American Red Cross Program.	
June 19, 1940, NBC Red, Bristol-Myers (Allyn).	
Jan. 1, 1941, for	
Feb. 8, 1941, NBC Red, Greek War Relief Drive.	
April 10, 1941, Blue, Quiz Kids (Miles Lahn).	

Bill Morrow and Ed Beloin Admit Benny Is Useful

By JACK HELLMAN

Hollywood, April 29.

Gags are where you find them.

And who should know better than Bill Morrow and Ed Beloin, who have been dreaming them up for years for Jack Benny and his Jell-O cohorts.

But where to look for them is still the moot question. They've tried every corner of the continent, saved the blue Pacific and hied away to odd places in quest of the elusive spark to touch off a comedy situation or a running gag.

The frightening bugaboo is stale—and milked-dry locale. When inspiration doesn't come they start looking around. Close-by Palm Springs seems to be a favorite hang-out with the gagsters and with the headman along ideas seem to come easier and they can whip out a script in one good sitting whereas three or four days are required to keep the repartee flowing smoothly.

Ask the team where they have the best success and they'll let go with a gag, but not the answer. 'If we knew that,' puts in Beloin (he's the one with hair on his turtleneck), 'our worries would be over. Why we'd just go there and that's all there would be to it. No headaches, no fear of ulcers, no more corrugations in the brow.'

The boys will admit, however, that Palm Springs holds some attraction for them. There's only one attraction for a gag writer, and that's where the gags come as fast as the beads of perspiration. Whether it's the cauld, the balmy air or the remoteness from civilization, so-called, they know not.

If They Only Knew.

'If we knew then our worries would be over,' sighs Morrow.

'Hey, that's my line,' interrupts Beloin.

'Yeh, but ain't we a team?' and that puts that ripple to rest. Truth be told, they're probably the non-scrappingest writing team in the biz. That from those who know them well. They're the highest salaried comedy-writing gags on the air and it's their smooth-working teamwork that has helped produce such astonishing results. (See C.A.B.)

It's really a triumvirate that whips up those chuckles, week in and week out (with 13 off for the summer). Headman Benny, his writers admit, is sort of useful.

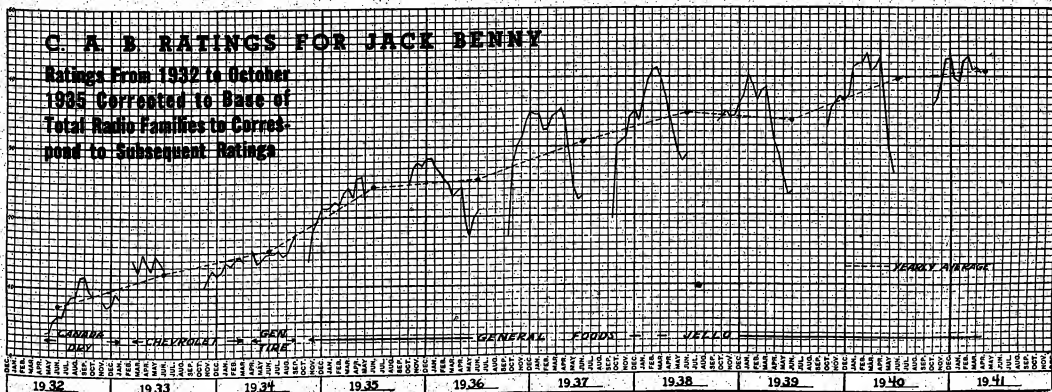
He can spot a gag a mile away and make a spot piece of his run on and on, chipped Morrow. 'One of us picks a piece of funny business out of the cold air and once it's warmed over by Jack it's ready to go into the script. And it's generally a gag. He can call the turn on them as fast as we dream them up.'

One might say that 10 years on the air must have taught him what the public likes and what rolls around like an egg. That's no more so than trying to name a few others, on the air much longer, who're still trying to woo that winning formula. Benny captured it almost from the start. Gag-writing, Morrow and Beloin will tell you, is serious business. It's an occupation like digging ditches or packing apples. When mental inertia sets in that's when it really puts one back on his heels.

'When putting those gags together comes hard and your head is spinning, that's when we know we're in a tough racket,' sez Morrow. Benny knows it as well as they, and that's when one reads that the trio has packed up for Palm Springs, or New York, or Honolulu.

C. A. B. RATINGS FOR JACK BENNY

Ratings From 1932 to October 1935 Correlated to Base of Total Radio Families to Correspond to Subsequent Ratings



JACK BENNY—TENTH YEAR IN RADIO



Dear Jack
We are proud and happy on this
occasion and want to be the first
of your many sincere friends to
pay tribute to you—
Love,
Arthur and Sam

JACK BENNY-TENTH YEAR IN RADIO

A Generation with Jack Benny

There is a sense of great pride in an achievement. And when the achievement is the pinnacle of radio success that alone would normally be sufficient acclaim. But Jack Benny is deserving of greater tribute.

His long record as radio's No. 1 comedian is not the complete story of Jack Benny. We know him as a master showman in every field of entertainment. We know him as an intelligent and hard worker. We know him as an artist who is cooperative. But above all we know him as a sincere friend.

We are justly proud of our long association with Jack Benny. Over the years, and through the years—and in the years to come—our relationship has been and will continue to be happily fraternal.

A. & S. LYONS, Inc.

ARTHUR LYONS

SAM LYONS

BILL STUHLER

DON STAUFFER

NAT WOLF

RICHARD J. MADDEN

And the rest of the gang.



"DIS IS ROCHESTER, BOSS!"

"Yassah, Mr. Benny! General Foods has sent ovah a great big cake with ten candles. An' dey's a cyard sayin':

Con-gratulations Jack to you on yo' tenth yeah on de air an' yo' eighth yeah fo' Jell-O.

"Yassah, Mr. Benny, you bettah git heah quick 'fo' Miss Mary an' de rest de gang sees dat cake.

"Nossuh, Mr. Benny. Dey wasn't nothin' to pay. Not a cent,"

JACK BENNY-TENTH YEAR IN RADIO

Mr. Marconi AND Mr. Benny

Mr. Marconi's wonderful invention has brought millions of people a great deal of happiness.

But . . . it would still be just a lot of dots and dashes if it were not for *talent*. Talent makes radio. Talent is more important than all the tubes and wires and scientific principles in the world. And Jack Benny is the greatest talent radio has known.

That's why Jack Benny deserves the thanks of everyone who has ever twisted a dial.

We take this occasion to salute him. And to proclaim publicly that we're very proud to be associated with Radio's Number One star.

Young & Rubicam, Inc., ADVERTISING

NEW YORK • CHICAGO • DETROIT • SAN FRANCISCO • HOLLYWOOD • MONTREAL • TORONTO

JACK BENNY-TENTH YEAR IN RADIO

NATIONAL BROADCASTING COMPANY, INC.
A RADIO CORPORATION OF AMERICA SERVICE
RCA BUILDING · RADIO CITY
NEW YORK, N.Y.



April 30, 1941

ROY C. WITMER
VICE PRESIDENT
RED NETWORK
SALES

Dear Jack:

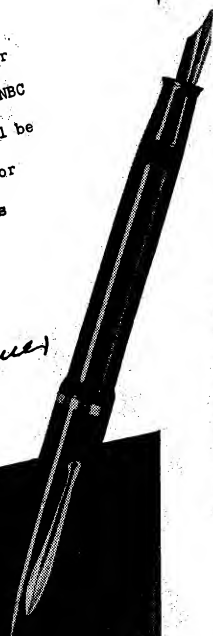
You're going to get loads of flowers and messages and speeches as you begin your tenth year as a great radio personality. We here at NBC, however, want to send you our own fan letter on the subject. You have made a real contribution to a way of life during one of the country's most difficult periods—times in which a wholesome laugh and a message of good cheer were the best of medicines. You've been a welcome interlude in the week's business of doing business, and a family friend in millions of American homes—homes where the cheerful note of your program carried over into the daily lives of your legion of listeners.

And now as you begin your tenth year and each week add still further to your laurels we want you to remember one thing in particular. NBC is just as proud of your record as you must be and we hope it will be our privilege for many years to come to carry your sparkling humor to the millions who look forward to your weekly visit over NBC's Red Network.

Jell-O again Jack—and naturally we're delighted.

Mr. Jack Benny,
Beverly Hills, Cal.


Roy C. Witmer



JACK BENNY-TENTH YEAR IN RADIO

LAUGH WITH
GEORGE KELLY
AT THE
48TH ST. TAVERN
Rare Old Jokes
Joe Miller Steaks

LAUGHING SAM
AT THE
ROXY BAR AND GRILL
148 W. 46th St., N. Y.
*Drink Your Vitamins
Help Nature the Easy Way*

LAUGH with impunity
Get a New Set of Uppers

DR. I. YANK
YANKEE BLDG., N. Y.

Lindy's
CHOPPED LIVER
HERRING
AND
SONG WRITERS

LONELY HEARTS!
Billingsley Correspondence Club will find love, romance, happiness and bliss for you. Our members are most congenial, and many have independent means. Beautiful girls, handsome men are searching for their mates through the Billingsley Correspondence Club. Confidential, dignified introduction. We have made thousands of lonely hearts beat with happiness and contentment. Why not you? Write today for sealed particulars in pit's envelope.
Billingsley Correspondence Club
Jackson, Calif.

CARDS—DICE
Expert card-work on any pattern of Card, Readers, Strippers, Trimmers, Inks, Shiners, Daubs, Thumb-Picks, Check-Cops, Luminous Card Work, Glasses, Visors.
True Precision Dice, Weights, Shapes, Tops, Poker Dice, Dice Magnets, Dice Tools and Accessories. Send for catalogue.
BUTCH POWER, BOX 711, FROMHUNGER, PA.

Regards
MINK'S MULES
c/o Bing Crosby
DEL MAR, CAL.

Straight Men
RENT YOUR TUXEDOS
No Money Down! No Co-Signers!
Our Occultists Simply Remove Your
Right Eye as a Deposit
JACK'S BLUE FRONT
BOWERY, NEW YORK

Jack Benny is celebrating his tenth anniversary in radio. variety talked me into taking this full page and I've got two black eyes and a hole in my head to prove it. why should I get stuck for a page because benney is a success? I have sold part of my space to these tradesmen and merchants I have dealt with for many years. these people have been in business more than ten years! these people are reliable! patronize these people!
fred allen
p.s. and eh, yes! congratulations jack benney!

"What Became of the Gas Man?"
TEXACO
"Maxwells Gassed Reasonably"
Visit Your Texaco Dealer

TOUPEES Dry Cleaned
OVERNIGHT SERVICE
"Ask the Man Who Combs One"
SANITARY SAM
Putnam Building, New York

TEXACO
STAR THEATRE
Winner of the Fred Allen
Radio Poll for 1941
Be the Life of the Party! Listen to the Texaco Star Theatre. Tell the jokes to your friends the next day. Hear them scream. Tune in the Texaco Star Theatre.
Here's all you have to do. Next Wednesday night at 9 p.m. turn your radio dial to WABC.
Sit Back, And Listen
You'll Chuckle! You'll Laugh!
You'll Roar!

Pawntickets Bought
Consult Us for Higher Prices
JACKSON & JACKSON
Jackson Bldg., Jackson, N. Y.

NON-SKID SPAGHETTI
LUIGINO'S
115 West 48th Street
New York

Famous Bartenders


BENNY KUBELSKY
At **BARNEY DEAN'S TAVERN**
Sixth and Kline, Hollywood, Cal.
Benny is not only an accomplished mixer, but a versatile musician. He can drop a nickel in a jukebox with either hand. Because of his pleasing personality, he is a great favorite with the customers, and is complimented every time the house buys.

LEARN TO PLAY
The Violin by Mail
You can be a Rubinoff in 10 easy lessons
Mr. Jackson writes: "After a double helping of your lessons, I am now able to play 'Love in Bloom'. What am I waiting for? It's ASCAP."
Write: Box 12, R.F.D.
Okmulgee, Okla.


If you're getting that over-forty Bay Window use Ship-Shape belt with front-laces for easy adjustment. Don't let your waist-line bulge.
"Ship-Shape has done wonders for my paunchy abdomen."
—Mr. Jackson.
Ten-day free trial. We ship "Ship-Shape" on approval.
NO FATSO COMPANY
POTTSVILLE, PA.
A Friend

CORN FOR ANY OCCASION
We Bushel It—or Write It
Add.: MORROW & BELOIN
General Delivery, Hollywood, Cal.
"My brother is coming with pineapples"
TO
SLOPPY MOE'S

BLACK'S BLOCKS
An Extraordinary Treatment for
STOMACH ULCERS
INDIGESTION
GAS PAINS
Due to Gastric Hyperacidity
Prompt Relief for
Comedian's
Stomach and
Will Positively
Cure Sponsor's
Stomach

Why go on suffering with horrible, burning, gnawing pains? These famous tablets will cure you in ten days or lame us. Radio comedians, shoestring producers need suffer no longer.

Note happy expression on the face of Mr. Jackson, pictured above. He writes, "For eighteen years my stomach ulcers were so bad I had to do a double act so my partner could lay two eggs. Black's Blocks cured me in ten days." There is only one Black's Blocks. Be sure and get the original Black's Blocks, packed in a convenient egg-crate to fit your prop trunk.

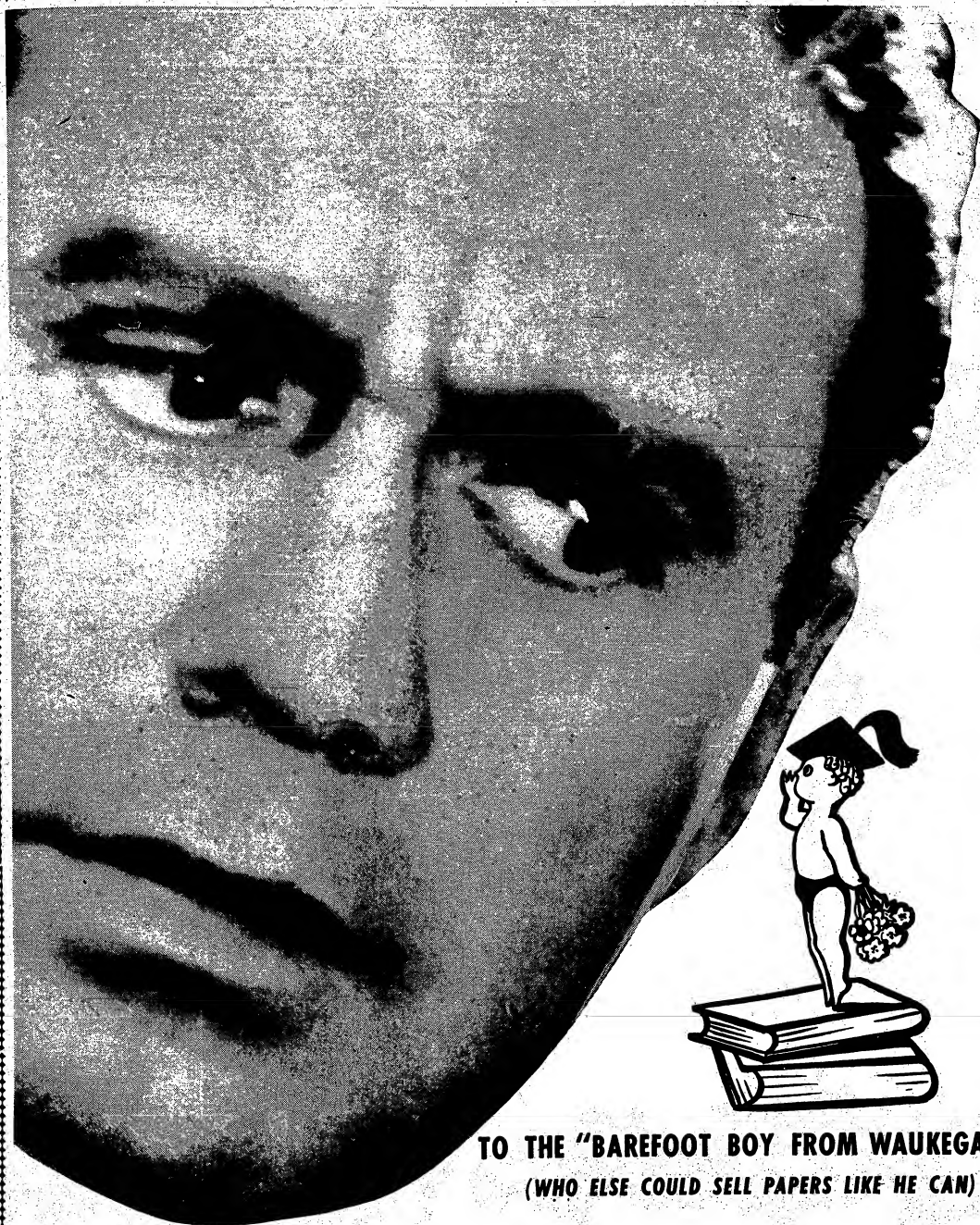
JACK BENNY-TENTH YEAR IN RADIO

TO JACK BENNY

*On Your Anniversary
No. 10,
Don't Get Smart
I Knew You When*

MARY LIVINGSTONE

JACK BENNY—TENTH YEAR IN RADIO



TO THE "BAREFOOT BOY FROM WAUKEGAN"
(WHO ELSE COULD SELL PAPERS LIKE HE CAN)

We pay our respect
To the GREAT intellect
Of radio's funniest he-man!

— Quiz Kids

QUIZ KIDS

Presented by Alka-Seltzer every Wednesday
8 p. m. E. D. S. T. — N. B. C. Blue Network

Wade Advertising Agency
Program Created by Louis G. Cowan

JACK BENNY—TENTH YEAR IN RADIO

*You deserve it Jack...
Now settle down and make it 20*

EDGAR BERGEN

*P. S.--I'm open to any offer
Your Pal,*

CHARLIE

Hiyah

MISTER BENNY!

FIBBER McGEE and MOLLY

Salute You for 10 Years on NBC

JACK BENNY-TENTH YEAR IN RADIO

*To Mary and Jack
Love and Kisses
Ida and Eddie*

JACK BENNY—TENTH YEAR IN RADIO

Hiya Jackson!

You put me in business,

I love ya.

PHIL HARRIS

Management—M. C. A. ARTISTS, Ltd.

Nice Goin' Boss!

ROCHESTER

Management—M. C. A. ARTISTS, Ltd.

**HAPPY ANNIVERSARY
DEAR MR. BENNY...
HAPPY ANNIVERSARY TO YOU!**



Maybe we shouldn't have asked the Quiz Kids to extend Paramount's congratulations to Jack on his Tenth Anniversary in radio—after all, we really like the guy!

Paramount Pictures



JACK BENNY—TENTH YEAR IN RADIO

"Listen fellows, if I told you once, I told you a thousand times . . . you've gotta have the script written before Sunday."

"Now don't get excited, Buck"

BILL MORROW AND ED BELOIN

TO

JACK BENNY

A Very Promising
Young Fellow!

RALPH RANGER and LEO ROBIN

Congratulations, JACK

MYRT BLUM

JACK BENNY-TENTH YEAR IN RADIO

Best Wishes

of the

EASTMAN KODAK
COMPANY

JACK BENNY-TENTH YEAR IN RADIO

*Congratulations Jack,
Hope you have 110 more...*

BOB HOPE

Congratulations
JACK BENNY
and your "gang"

Congratulations to you, Jack, for the laughs you've given a whole generation of Americans. That you keep your place in another generation's hearts is our sincerest wish. Good luck.

K P O

N.B.C.'s Northern California Red Network Station



"EVERYBODY'S HAPPY"

Affectionately,
ADA and TED LEWIS

HIS GREATEST ROLE!

Jack Benny



as Charley's Aunt

From 20th CENTURY-FOX...

FOR NEXT SEASON!



JACK BENNY—TENTH YEAR IN RADIO

Kudos Where Kudos are Due!

To the Benny:

For having the horse sense and the showmanship to assume his rôle as the butt of the gags.

To his supporting Company:

For having the horse sense to put up with the eccentricities of that toupee-bearing mammal.

To the Sponsors:

For having the horse sense to permit ribbing in their commercials.

To the Agency:

For using horse sense in their very efficient co-ordination of all these things.

To the National Broadcasting Company:

For having the horse sense and the long-range vision to provide the world's finest facilities.

To the P. B. C. Associates:

For having the horse sense to become a part of the greatest public service medium of the greatest nation on this earth.

To the American Public:

For having the horse sense to make all of this possible and logical, under the American scheme of life.



WDAY
FARGO, N. D.

Bing Crosby
Hollywood

Dear Fred:

Merely the fact that you're toasting Benny in a commemorative Variety issue makes the gesture a guaranteed philanthropy and I must get on board. Not knowing the space rates, I shall let you select me an appropriate crypt, and I will even let you write the copy. I don't want more than five good laughs therein, and make KRAFT MUSIC HALL stand out like Mae West in an open barouche.

Best regards,

Sincerely,

Bing

BC:rc

Mr. Fred Allen
154 West 46th Street
New York City, New York

**Congratulations and Best Wishes
To My Favorite Comedian**

JACK BENNY —

But Don't Tell Fred

— KENNY BAKER

WELCOME to Warner Bros. JACK BENNY

EDDIE ALBERT
HUMPHREY BOGART
GEORGE BRENT
JAMES CAGNEY
GARY COOPER
BETTE DAVIS
OLIVIA DE HAVILLAND
MARLENE DIETRICH
GERALDINE FITZGERALD
ERROL FLYNN

JOHN GARFIELD
JACK HALEY
RITA HAYWORTH
PRISCILLA LANE
JEFFREY LYNN
IDA LUPINO
FRED MacMURRAY
FREDRIC MARCH
BRENDA MARSHALL
DENNIS MORGAN
WAYNE MORRIS

JACK OAKIE
MERLE OBERON
GEORGE RAFT
MARTHA RAYE
RONALD REAGAN
EDWARD G. ROBINSON
ANN SHERIDAN
SYLVIA SIDNEY
BARBARA STANWYCK
JAMES STEPHENSON

JACK L. WARNER
In Charge of Production

HAL B. WALLIS
Executive Producer

JACK BENNY—TENTH YEAR IN RADIO

Thanks to the grandest guy in the
world for giving me the break of my
life.

DENNIS DAY

In Oklahoma City it's
WKY 3 to 1



thanks to you

JACK, MARY, PHIL,
DON, DENNIS, ROCHESTER

and all—

Gayle Grubb
MGR.



KDYL

is proud to take

JACK BENNY

to his thousands of inter-
mountain listeners. We con-
gratulate him warmly on his
ten years of ever-growing
popularity.

Because KDYL carries
leading programs in all clas-
sifications, it is known
throughout this vast inter-
mountain territory as the
popular station.

KDYL

The
POPULAR
Station

JOHN BLAIR
& COMPANY
National Representatives

NBC
RED
NETWORK

Congratulations to my swell boss

JACK BENNY

My eight delicious years with you
have been grand

DON WILSON

CENTRAL FOODS TOPS C.A.B.

'Great Guy' Stuff Pianissimo At Benny Dinner; Allen Waxes 'Insult'

Hollywood, April 29. Speech-making at the testimonial dinner to Jack Benny in Biltmore Bowl May 9, commemorating his 10 years on the air, won't all be on the lighter side. "Nor will serious tribute run the length of the speakers table. So far only Niles Trammell, NBC proxy, as spokesman for radio, and Louis B. Mayer, conveying the sentiments of the picture industry, are down for straightaway talks. Benny's response is expected to be tintured with persiflage.

Fred Allen, unable to make the trip here between broadcasts and shunning travel is sending along a transcribed 'tribute' to be played at the festivities. He was the natural choice for emcee.

Rudy Vallee instead will emcee. NBC is making three pickups on the half-hour nationwide broadcast just before dinner. Vaudeurs who trouped with Benny will be cut in from N. Y. Film stars will pay tribute from here, and for a comedy bit, there will be a switch to Benny's Beverly Hills home where Rochester is dressing him for the banquet.

Phil Harris is the only member of the Jell-O program cast missing from the shindig because he is booked for an out-of-town broadcast.

Clay Morgan, dispatched here by NBC to handle the arrangements, is anticipating a turnout of better than 1,000. If all requests were to be taken care of then the wrong Bowl was picked. He should have been Hollywood Bowl.

Morgan is emphasizing the sartorial requirements, being a strictly formal affair, but he apparently doesn't know his Hollywood. He made a bet the other day that out of the thousand or more there wouldn't be a dozen show up without black or white ties. Even at that figure it would constitute some kind of a miracle.

That NBC is going first class all the way on the Benny testimonial is best shown by the \$10 a head dinner to be served the guests, which will include imported wines and fancy vittles.

Big or Nothing

Continued from page 24

situational comedy on the air. 'Joke-tellers' were corn when the Benny formula began to flower.

INFUSES NOVELTIES

Periodic infusion of new showmanship elements keeps the Benny program from lagging. Perhaps his greatest program developments of recent seasons were (1) the pseudo-feud with Fred Allen, (2) the discovery and embellishing of the flip Negro-burlesque Rochester (Eddie Anderson) and (3) the current exchange with Lou Cowan's Quiz Kids of Chicago and Alice-Seltzer.

On May 9 in Hollywood at the Biltmore Bowl 1,000 celebrities will salute Benny's 10th year (beginning) in radio. Clarence Francis of General Foods, Chef LaRoche of Y. & R., and Niles Trammell of NBC will toast the comedian.

Amos 'n' Andy were the symbol par excellence of radio's startling-down-the-boulevard period. The black-and-white pair achieved the first big, class line-jumping audience. It is the distinction of Benny that he has been the comedy king, the giggle-master of the great years of fabulous expansion that took radio from the startling onsets of 1930-35 to the astoundings of these latter years.

Along the way Benny, the next-closer of the Palace, became, thanks to radio, one of the great personalities of his era.

ARMREISTER TO NBC

Cyril Ark. Barker, formerly a program director for Benton & Bowles, has joined the NBC production staff as a director.

He succeeds Wynn Orr, who resigned to join Decca Records.

BENNY IN 1921 ON VERGE OF BIG TIME

[The comedian's New York break-in, date at the old Proctors Fifth Avenue, was reviewed by *Sim* in VARIETY. From this time onward Benny's career was in high gear: Keith, Orpheum tours, Broadway revues, the first big M-G-M film musical, then radio followed.—Ed.]

(From VARIETY, Jan. 21, 1921)
JACK BENNY
Monologist:
14 Mins.; One
5th Ave.

Jack Benny has a violin and talk. Mostly talk. He handles himself as though having played small time, though his talk material is new. When Benny said he had stopped smoking as smoking is now too effeminate he waited for the expected laugh which was not as hearty as he looked for, so he repeated the gag. Later when nearing the finish and the right exit, he pointed to his name on the card, while playing the violin, and saying, 'Jack Benny. That's me. They couldn't get my right name on it.'

His talk is along the lines of his girl, who lives in Philadelphia, with an idle brother and a father who died. Benny said, the same evening he was to take his girl to the theatre. On account of the death of his girl's father, he added, they were late for the performance. The 5th Ave. audience thought that was funnier than the smoking gag, which about sums up the 5th Ave.

In outline of turn, Benny has been a student of Ben Bernie, it seems. He talks much like Bernie, but has none of Bernie's gags. His violin playing is negligible for results. He holds the instrument in the regular way, under the neck, whereas Bernie is his wife's assurance. He has the other bookings in between and below, which Green of Green and Myra, on the same bill, must have been intensely observed, as he played his violin along that style.

It wasn't vaudeville to have two violins on the same bill and have both of them recall Bernie, although Bernie may not mind it. It certainly did not help Benny. But Benny seems able to help himself. He has a good presence and assurance. His only worry just now may be how he is going to follow Bernie if he can make the big time. The answer seems to be for Benny to throw away his violin and Bernie is using one, and try another method of working in his talk, if he doesn't care to become a monologist, outright.

The Delmar team can handle Benny, also the Orpheum Circuit, and the other bookings in between and below, while Benny looks good enough to make all the time, he can't make the best as at present framed up.

Here's a gag all talkers may take. It was brought from the Coast by Bill Halligan and released for their benefit just before he sailed. It is: 'An optimist is a bartender still paying dues to his union.' *Sim*.

Milton Burgh Quits NBC For Tracy-Locke-Dawson

Milton Burgh has quit as news editor in NBC's special events department to become radio director for the Tracy-Locke-Dawson agency in New York.

Francis C. McCall moves up into Burgh's spot.

It's Tom Mix' Again

Ralston has decided to return to its spot on the NBC-West Coast by the Tom Mix' serial Sept. 29. Its new contract with the network calls for five additional stations.

The 'spirit' of the late Tom Mix has keynoted the script show since his passing.

SPONSORS NIGHT, DAY LEADERS

Latest Report of Cooperative Analysis of Broadcasting Reveals Jack Benny Still Tops in Night Series—Meantime Kate Smith Noontime Commentator Series Moves Into Daylight Front Spot

'McGEE' IN SPURT

General Foods currently has a monopoly on the highest-rating network programs, both day and evening. Latest C. A. B. report indicates that Jack A. (Jell-O) continues to keep a hammerlock on the No. 1 evening spot, although his ratings shows a 2.4 drop, part of which may be seasonal. Meantime, Kate Smith has nudged out P & G's 'Ma Perkins' for the top daytime honors. 'The warble-commentator' now rates 9, while the 'Perkins' show stands at 8.9.

Also on the ascendancy is the 'Fibber McGee and Molly' series. With a gain of 1.8 (and a total rating of 36.6) the Johnson wax stanza has slipped—into second place, right on the heels of Jack Benny, and ahead of the Charlie McCarthy show, which so far has had the No. 2 spot pretty safely to itself.

Otherwise, median ratings continue to ease off toward the coming summer levels. For some reason, however, a couple of shows are bucking the trend with mighty gains. Aside from Fibber McGee, these include Kraft Music Hall, Ford Sunday Evening Hour, and Blondie.

Meantime, the C. A. B. has added a new member to its governing committee. He is Robert B. Brown, assistant v. p. of the Bristol-Myers Co.

PACIFIC RADIO LISTENING IS A PUZZLE

Situation which deeply puzzles network sales and research executives is the consistency shown by the metropolitan centers on the Pacific coast for low listener ratings. Not only are the ratings for network daytime shows in such areas about a third less than the level prevailing for eastern cities but they are substantially below the average for the nation. The exceptions in the way of individual programs are few.

No particular attempt has been made so far to determine the cause for this wide difference in network program interest among the Coast cities. Two speculations advanced are that the women in the Coast cities have become too sophisticated for the daytime serial chatter, and that the radio habits are such as to keep them more out of doors than eastern and midwest women.

REORGANIZE TEXAS STATE

Mrs. Elliott Roosevelt As Is—Gene Cagle Is Promoted

Fort Worth, April 29. Gene Cagle, manager of KFJZ, has been appointed general manager of the Texas State Network, a chain of 18 stations. Charles F. Roesser, a director and member of the executive committee of the chain, states that reorganization of the network will be completed within 90 days.

Mrs. Elliott Roosevelt is retaining the presidency. Hardy Harvey was named assistant chain manager in charge of KFJZ.

Tributes, Hollywood Style, Poured Out and on Fellow Radio Artists

U.S. RUBBER E.T.'S ON 157 STATIONS

San Antonio, April 29. Transcontinental hours new series of transcribed programs, will debut over 157 stations under sponsorship of the United States Rubber Co., with local tie-ins by outlets in the past week. Program will be aired here through KTSA each Sunday afternoon starting May 4, under sponsorship of the Broadway Auto Supply Co.

Each week a 'tour' in a different state will be conducted. Hal Ayres will be narrator. Others who will be presented in the programs include Jan Rubin, violinist; Salvatore Santella, pianist; Mavis Lee and Stevie Merrill, vocalists; Dick Terry and Mildred Stone, motion picture players, and Bob Moore, announcer.

Hal Ayres and his wife were here last week gathering material for the local opus of the broadcasts. Mrs. Ayres will do the scripts. Broadcasts are a quarter hour in length.

Carleton Morse Feels Strain Of Writing Two Series; May Vacation 'Mystery'

Fleischmann Yeast may have to shelve its 'I Love a Mystery' series, which is on the NBC-Blue Monday nights, because Carleton Morse, the writer, would like to ease up on his work for the summer. Morse also does 'One Man's Family.'

Layoff would become effective at the end of June and entail 13 weeks, with the account meanwhile signing up for a full return.

TED STEELE UPCOMING

Two Years Ago a Fame Boy—Now NBC Guarantees Him \$250 Weekly

NBC has given Ted Steele a new contract which guarantees the singer-leader-m.c. \$250 a week for five years. No further contracts to provide him with at least \$500 worth of weekly commercials within a year. To earn the maximum of this, he must sustain a show as a week. Steele is currently on Harry Salter's 'Song of Your Life' show on NBC-Blue.

Steele started a Monday-Tuesday-Wednesday 9:45-10 p.m. series Monday (28) on NBC Blue and Red, picking up whatever stations are open, using his band and vocals. In addition a 6:30 p.m. Sunday show is being built for the Welbourne (Web) Kelly and Eddie Byrnbire are writing program and Elliot Jacoby is arranging music for Steele's 16-piece band.

Steele is 23 and two years ago was an NBC page boy.

Gottlieb Gandering

Lester Gottlieb, Mutual press representative, New York, leaves Friday (2) for a visit to the network affiliates and radio editors in the principal cities where Mutual has outlets. He'll also attend the National Association of Broadcasters' convention. Due back three weeks.

Among the cities he'll visit will be Baltimore, Washington, Pittsburgh, Wheeling, Cincinnati, Indianapolis, St. Louis, Des Moines, Minneapolis, Chicago, Detroit, Cleveland, Buffalo and Boston.

BOB MCNEILL'S OPERATION

Bob McNeill, radio ace with the New York office of Blackett-Sampson-Hummert, is recovering from a minor operation performed at the New York Medical Center last Thursday (24). He will be back on the job next week.

Hollywood, April 29. John Barrymore — 'Jack Benny should have the luck with his writers that I've had with my wives. Egad, he'd still be playing 'The Bee' on Waukegan street corners for the Salvation Army.'

Bob Burns—'Ten years! Why I used to break in my act in two weeks.'

Frank Morgan—'There are comedians in the radio business who won't let making less money and rating lower in the Crosseley stand in the way of their congratulating Jack Benny on the 10 years he's managed to stay on top. We've learned to take our Angostura bitters with the sweet.'

Irene Rich—'Has it been 10 years? What did it do before Rochester?'

Jim Jordan (Fibber McGee)—'Ten years, hey? With or without a toupee?'

Jerry Colonna—'You could be taking delightful naps every afternoon in your own clothing store in Waukegan now, but you had to go and open your big mouth. Now you'll probably have to stay in radio 10 years more. Disgusting, isn't it?'

Bob Hope—'Congratulations Jack Benny! Certainly, he deserves it. After 10 years in radio he's still got his stomach.'

Bing Crosby—'Any comedian who can stay in the radio for a decade without alluding disparagingly to my horses deserves the world's greatest tribute.'

Rudy Vallee—'What other man could make us eat Jell-O and like it? What other man could have a bear eat a gas man and make us think it's just good clean fun? What other man could be so funny with only a Fanny (Baby Snooks) film—congratulations, Phil Harris, Don Wilson, Dennis Day and the best gag writers in the business to help him? The Sealest cast salutes Jack Benny.'

At Fearce—'Happy days, super-salesman, and no returns, I hope, I hope, I hope.'

After blowing out candles on nine other birthday cakes you ought to know enough not to get too close. Halr will stand only so much singing. Good luck.'

Hedda Hopper—'It took him 10 years to work up to being a Quiz Kid.'

Edgar Bergen—'Ten years! He should have gotten life.'

TEXACO OPERA SET FOR '41-'42 ON BLUE

Texas Co.'s board of directors voted last week to pick up the company's option for the Metropolitan Opera broadcasts on the NBC-Blue next season. Account holds a five-year option for the Saturday matinee events.

Sponsorship costs Texaco somewhat over \$250,000 a season.

ACTOR-FINANCED SHOW

'Nobody's Children' Returning to Don Lee Network

Hollywood, April 29. Only program on the air sustained by contributions from film and radio performers returns to the Don Lee-Metropolitan Network May 4. It is Walter White's 'Nobody's Children,' dealing with social service problems. It is 13 weeks on the chain is assured by \$10 weekly donations from 20 air and screen actors, who prefer to remain anonymous, for the period of the series. Stars also make appearances on the program, and on the new start being Jeanette MacDonald.

WASHINGTON REMAINS CONSISTENTLY INCONSISTENT; B'CASTERS CONFUSED

What Mark Ethridge's 'Investigation' Means Is Theme of Much Conjecture—Whole Monopoly and Newspaper Issue Is Fog-Bound

Washington, April 29. Just where the Roosevelt administration stands on the newspaper-radio issue, let alone what it proposes to do, even more of a puzzling brain twister, than before. Actions and words do not jibe, and there are some very badly garbled signals.

Front men for the radio industry and more perplexing the issue as a result of President Roosevelt's table commandeering of Mark Ethridge (WHAS, Louisville) to make an independent study of numerous controverted policy matters and the Federal Communications Commission announcement Saturday (28) that all newspaper applications will be put on the hook. The Commission's implication that "this hurts you more than you" is even more confusing, especially since the regulators have been so insistent that they were not acting from bias and they gawgued at least the highest order for an inquiry to decide regulatory principles for frequency modulation would have an immediate effect on standard stations.

Either the White House doesn't know what the Commission is up to or President Roosevelt is unaware of actions of Chairman James L. Fly and his echoes. That's the way more and more industry observers are feeling about the latest shenanigans.

Bewildering
The most bewildering of all the Federal maneuvers is the Commission statement that "in keeping with the policy of deferring action on all FPM pleas, all requests for new standard stations and transfer of control where newspapers are involved will be shunted to the 'pending file.' The Commission said "this supplemental action is in conformity with Order No. 79, which disclosed the intention of another of those alleged fact-finding studies. Ironical sarcasm said existing press-owned plans may get permission to improve their facilities if they show "the proposed increase in service" conforms to public interest, convenience and necessity and to the engineering requirements.

Suspension of action on such pleas hardly fits in with the President's assurances to Ethridge that no action is contemplated, and that would effect any present ownership. The Commission tried to justify its action with observation that shelving of all newspaper pleas would safeguard the press from incurring substantial radio expenditures that might later be jeopardized when the fact-finding study is over.

More apparent—at least unexpected—contradictory penalties from comparison of Ethridge's statements with the Commission announcement. While the WHAS executive said he had been assured the newspaper-radio issue was not to be a "hot" issue, the FCC sessions will open soon, but the tenor of the several announcements is that the regulators' evidence-taking will be deferred for more than a few weeks. (Suspension of action on the Commission will let things ride and the hearings are months away.) At the time the investigation was under way there was scoffing at the WHAS was likely to smack the existing standard press-owned plans. That was a case of seeing things under the bed, inquirers were told, and anyone who felt the order implied a threat was a jittery alarmist.

Another upsetting aspect, the seeming (and unexplained) conflict between the way the Commission intended to call the inquiry and the President's comment that "nobody can object to airing of the subject in this democratic way." The order was adopted by a 3 to 2 vote after the original suggestion had been buried by a count of 5 to 1. Heat was applied with at least some Commission members being led to believe the President wanted the investigation conducted post haste, while comments of certain influential people in the FCC law department together with other indications of the way the war is being waged, do not harmonize with the suggestion the only intent is to ex-

plore the subject. With increasing frequency, industry watchers have noticed signs there is a very potent element in the Commission which is convinced newspapers, by and large, ought to be driven out of the radio field.

Relisting of Ethridge to make an independent study for the President's guidance has raised several very important questions. Among the foremost is whether the Commission or the White House makes radio policy. For if Ethridge is to give the President his slants on the whole problem of radio in America—its ownership, its regulation, and its position of public service, that long-pending chain-monopoly report may have to go on the shelf. How the WHAS exec can be helped if the Commission goes through with the idea now written into the report which has been under discussion for several weeks is a regular Houdini.

If everything is on the up-and-up, there is apparently a tug of war or no insignificant proportion of the Commission's of Ethridge to weigh the various problems is presumably a temporary victory for the industry. The President's letter to the Louisville broadcaster-publisher came after Lowell Mellett, one of the White House advisors with a "passion for anonymity," reported the issues too complicated for him to make a useful study while handling of the other chores and followed by less than a month a brief White House visit by Ethridge.

From the standpoint of industry watchers, it's another case of where do we go from here?

KMBC PROMOTES SHIRER LECTURE

Kansas City, April 29. KMBC was sponsor of the appearance today (29) of William L. Shirer in the arena of the many auditorium. Shirer, former CBS correspondent from Berlin, is currently on lecture tour.

Appearance here was means of a test to KMBC which promoted lecture through use of radio announcements. Arena seating, over 10,000 was scaled at \$112, 56c and 28c.

Mullen Urges All NBC Employees To Become Promotion-Minded

In connection with recent emphasis within radio concerning senior officer responsibility for public relations the following memorandum from Frank Mullen, NBC v.p. and general manager, to all NBC employees is significant. Memo reads:

I am sure that each of you shares with me a feeling of pride in the position of leadership which NBC occupies in the field of radio broadcasting. This position of leadership is our most prized possession and is the result of the individual efforts and improvements of all departments and of each and every member of our widespread personnel.

However, the maintenance of this leadership carries with it a responsibility which all of us share in order that we may maintain it. Practically every day some department or some individual does an outstanding job which contributes materially to the maintenance of our leadership. Many times only a few individuals know about the matter and we are too often prone to work on the basis that "virtue will be its own reward."

This letter is a plea to all of you and to your organization to become promotion and publicity minded in regard to everything we do. We have excellent promotion and publicity departments set up to do this and effectively to tell the world

ALLEN-PEARSON CONTINUE

Stay NBC Sustaining—Brazil Contract Expires

NBC is dickering for another account to underwrite the Bob Allen-Drew Pearson news program on the blue Sunday nights. Meanwhile the network will keep the pair running on a sustaining basis.

Team's contract with the Brazilian government has expired.

MASON, ARMY MAN, NAVY'S PUBLICIST

Frank Mason, starting May 1, will divide his time and his presence between the United States Navy department in Washington and his regular vice-presidency at NBC. He will be a 41-year man in charge of the Navy's radio publicity staff while continuing as NBC's publicity overseer.

Mason is a lifelong Army man and former World War officer. He goes to the Navy at the call of Secretary Frank Knox who was a fellow-exec in the old Hearst newspaper setup.

Knox too is an Army man. At the moment Mason's plans are vague, but he will probably spend two days a week each week.

VON STROHEIM VS. BACHER

Slight Tiff at Metball Cerebral on in Chicago Tonight

Chicago, April 29. WGN is dropping its "Chicago Tonight" show for the summer and will replace with a new comedy show tagged "The Great Gunns," a backstage serial. Will be produced by William A. Bacher, who was also producer of "Chicago Tonight," a show which used top-flight show talent names as guests and who occasionally became a bit hard for Bacher to handle.

Bacher had a little run-in last week with Erich von Stroheim, currently in Chicago with "Arsenic and Old Lace." According to witnesses von Stroheim won the decision on a technical knock, when Bacher refused to come out of his corner.

about the worthwhile things that NBC accomplishes. But these departments must know about these things before they can start the publicity and promotional wheels rolling.

On Saturday, April 5, NBC scooped not only the broadcasting field but the newspapers and news services as well on the announcement of the German match against Yugoslavia and Greece. Due to the alertness of George Tobler, interpreter on duty at the NBC short-wave listening post, and Robert Maxwell, engineer, NBC scored another notable first.

As a result of their enterprise and the appreciation of certain other individuals of the publicity value involved, it was possible for the company to get out an effective promotional release covering the scoop within 24 hours—despite the fact that the next day was Sunday. Just one example of what can be done when we are publicity minded.

I want each of you from here out to consider yourselves as "roving reporters" for NBC permanent assignment. When you know of something that has been accomplished by NBC that will make good news or good promotion, be sure to see that the information is immediately placed in the hands of K. R. Dyke, director of promotion.

PAYROLL TRAFFIC

Salt Lake City—Artie Clark, selected for RCA, reports for active duty as Ensign in the Naval Reserve at Los Angeles. No Replacement at KUTA as yet.

Spokane—Hemmer Mason, from KOMO-KJR, Seattle and KSL, Salt Lake, added to announcing staff of KFPY.

San Antonio—KABC staff has Joan Moore as receptionist and vocalist.

Longview, Texas—Sue Rainwater will conduct a new series of airings over station KFBO.

Bob Olsen added as announcer. He's from KGNO, Dodge City.

Madison, Wis.—Edwin C. Allen, from Chicago, has been appointed general manager of radio station WISN here. He's from Reynolds Fitzgerald advertising agency. William E. Walker, WISN station manager since 1930, has resigned from the position to head his own local advertising agency here.

Nashville—Mac McGarr, hillbilly fiddler, has been added to NBC's "Down South" program from WSM.

Pittsburgh—Herb Morrison, announcer at WCAE, named assistant to James Murray, publicity director for station. Morrison will continue on the speller's staff.

With moving of Johnny Boyer from KQV to KDKA as an announcer, Jim Thompson, salesman and former announcer has taken over Boyer's Today's Sports program on the former station.

Columbus, S. C.—Fred B. Maness back to WCOS after stay with WTCC, Savannah, Ga.

Philadelphia—Betty Hurd, former feature writer on Philly Record, joins WCAU to do a film chatter series.

Joe Handschetz, engineer at WFTC, Atlantic City, returning to WHAT, replacing J. C. Geise, Jr., who has been ordered to Navy Submarine base in New London. Geise is a lieutenant in Naval Reserve.

Robert C. Stone, Jr., of Wilmington, Del., transferring to WPEN, here.

John Irvine, formerly with RCA-Victor and WCAU, Camden, N. J., joining engineering staff of WIP.

New York City—Charles C. Bud Barry, night supervisor of NBC station in Washington, has been appointed assistant to William Hilltop, program director of the NBC blue (WJZ) network, succeeding Robert Button, who was called in the draft.

Albert A. Grobe, newscaster of WINS, New York, has added the duties of executive director, succeeding Harry W. Pascoe, who resigned last week to become continuity and program head of WAAT, Jersey City.

Ogden, Utah—Howard Flynn, announcer-producer at WJLS, Beckley, W. Va., takes a similar assignment at KLO, Ogden, effective May 1. He was once an NBC page boy.

ERZA STONE DRAFTED; AGENCY HUNTING SUB

Erza Stone, who is starred and plays the part of Henry Aldrich in the "Aldrich Family" series for General Foods, expects to be called in the draft in about two weeks. He is unmarried.

Francis Van Hartsfeldt, director of the program for Young & Rubicam, has been auditioning for a possible replacement, but hasn't yet selected a successor. Stone is under the draft to get \$1,500 a week for the show. Not known what, if any prospect there is of his being put back on the program when he returns from his year's military training.

Katherine Roche in N.Y.

Katherine Roche (June Baker) of WGN, Chicago, is in New York on one of her periodic visits.

Will continue her Chicago series through the Mutual wire out of WOR.

PRIORITIES MAY KILL KEGLINED SHOW

American Can Co. and the Young & Rubicam agency find themselves in a ticklish position over the stand taken by the O.P.M. Priorities Committee on the use of metal for beer containers. The "Amazing Mr. Smith" mystery comedy, now running on Mutual, had been bought to plug the Keglined brand and because of the curb imposed from Washington the manufacturer, which on the four broadcasts to date hasn't mentioned that product, would like to cancel the series at the end of the first 13 weeks of the contract, namely July 28. Obligation on the show itself runs through 1941 and this may cause some legal controversy.

The priorities angle came up just at about the time that the program went on the air. An ironic twist to the predicament is that when the offer from American Can came along the Lyons office, agenting the script, was in the process of negotiating a deal with a soap account.

Ex-Amer. Legion Lady Exec Joins NBC to Tour U.S. Contacting Groups

Mrs. William H. Corwith has joined the National Broadcasting Co. as an aide to the National Council James Rowland Angell. She former president of the American Legion Ladies Auxiliary and also served for a time as radio chairwoman. She's from Rockville, Conn., L. I.

Mrs. Corwith will spend much time traveling for NBC, contacting ex-patriotic, civic and cultural groups.

NBC's educational counselor, James R. Angell, has the following speaking schedule: May 12, Barnwell Foundation, Philadelphia; May 18, William College Alumni; May 19, New York Academy of Medicine; May 24, Taft School.

TOM PARRY IS N. A. B. ST. LOUIS PUBLICIST

Thomas W. Parry, a St. Louisan, has been hired by the National Association of Broadcasters to handle general publicity for the St. Louis convention.

George Burbach of KSD and Merle Jones of KMOX made the choice.

VAQUE LADY ESTHER

Keeps Time on NBC but Lombardo Continuance Indef

Lady Esther intends to retain its Monday night half-hour on CBS through the summer but it hasn't decided on the program that will replace Guy Lombardo.

Fedier & Ryan, agency on the account, reported yesterday (Tuesday) that it didn't know how long Lombardo would be continued and that everything connected with the talent and the spot was pretty much up in the air.

Chick Allison Gets Tapped

Kansas City, April 29. Milton "Chick" Allison, former director of publicity for KMBC here and now sales promotion manager at WLW, Cincinnati, and John Bondeston, promotion director for WENR, Lawrence, Kansas, were designated last week to membership in the Legion of Honor of the Order of De Molay.

Others of the radio and entertainment world designated this year include Clyde Luce, orch leader; Olan Soule, radio dramatic actor of "Bach" children; Marvin Elliott Mueller, formerly of KMOX and one time "Quiz Kids" announcer, now acting in the "Peter Quill" show via Mutual; Charles Thornton Snyder, program director of KWBZ, Hutchinson, Kansas; Frank Cuyler Gorman, g.m. and part owner of KJL, Salt Lake City.

Charles Tabli, philharmonic violinist, and John Tompkins, tenor, also received the degree locally.

STAGEHANDS RIVAL AFRA

WGN Not Party to Press Defense

Initial rift in the ranks of newspaper-owned stations in connection with the FCC's forthcoming investigation of such ownership has been caused by WGN, Chicago, and there are indications that other newspaper-controlled outlets affiliated with Mutual will follow the action of the Chicago Tribune's station of resigning from the Newspaper Radio Committee, WGN, in its letter of resignation, expressed the fear that the newspaper group in its activities might become allied with other groups faced with pressure from the FCC and that the station would prefer to handle the monopoly allegations in its own way. The implied alliance is NBC and CBS, which Mutual has charged in FCC hearings with monopolistic practices.

Following is the letter which WGN (E. M. Antrim) sent to the Newspaper Radio Committee (Harold Hough) and the reply which the committee made to WGN:

1. ANTRIM TO HOUGH (Copy)

I hereby resign as a member of the Newspaper Radio Committee. I am further authorized to state that WGN, Inc., cannot support, or continue to be represented in, the Committee.

Our for this action is that developments to date indicate to us that there is not sufficient assurance that the large fund of \$200,000 to be collected from the newspapers will be devoted exclusively to the preparation and presentation of the case on behalf of newspaper ownership of broadcasting stations on the basis of the issues involved, and that there is not sufficient safeguard against intermingling of these issues with other unrelated issues and activities in which the newspaper group, as such, have no interest. We believe that the course indicated by these developments will seriously prejudice the interests of the newspaper group by linking its fortunes with those of other groups having entirely separate problems.

As has been repeatedly stated by our representatives, particularly at the meeting held in New York on March 28, 1941, we believe that the issues involved in newspaper ownership of broadcasting stations have not been prejudged by the Federal Communications Commission, that the facts and arguments bearing on these issues should be gathered and presented exclusively on the basis of their merits, without regard to whether such facts and arguments help or hurt the cause of other radio interests before the Commission, and that with such preparation and presentation the newspaper group should be able to convince the Commission not only that there is no basis for any charge of monopoly against news-

2. HOUGH TO ANTRIM (Copy)

I acknowledge with regret the receipt of your letter of April 23 resigning from the Newspaper Radio Committee. If you lack confidence in the Committee, which was appointed by approximately 250 newspaper publishers at the meeting which you recently attended, you have, of course, no other course open to you but to resign.

At the same time I must insist that any lack of confidence on your part is wholly baseless. The Committee subscribers must, while heartily to the principle that any hearings on newspaper ownership of radio stations should be limited most strictly to the actual issues involved. It is our belief that a dispassionate consideration of the question will demonstrate that the newspaper publishers who have had radio facilities entrusted to them have been operating them in the highest public interest. It is neither legal nor social justification for the classification of newspaper publishers as a category of persons whose rights are in any way different from other citizens of the United States.

I am convinced that the progress and actions of our committee will ultimately convince you that your present suspicions with respect to the Committee are wholly unjustified, but meanwhile I must acquiesce in your decision.

paper owners of stations, but also that such ownership has served, and will continue to serve, the public interest.

DIFFERENT SHOW DAILY

Four-Station Web Rotates Originals for Beer Sponsor

San Antonio, April 29.

This is believed to be a radio first. Every station of a network will originate one program per week for the same sponsor. Deal is being presented here by the Gulf Brewing Co., bottlers of Gand Beer, and was set through Rogers-Gano Advertising Co.

Broadcasts are being aired through the Texas Quality Network comprising WOAI, here, KPRC, Houston, KFAA, Dallas, and WDAF, Fort Worth. Each broadcast presents a variety type of musical entertainment such as San Antonio, Spanish Serenaders, Fort Worth, Cowboy and range songs, Dallas Popular music and from Houston a variety show.

Programs are aired each Tuesday through Thursday.

WTAG's Enlistment Spurge

Worcester, April 29.

An all-out program to promote enlistments in Army, Navy, Marine and Air corps is under way at WTAG. National defense drive is aimed at increasing enlistments by publicizing opportunities in armed services.

From sign-to sign-off, seven days a week, announcements are inserted at very available station break. At least 100 weekly spots are carried as a vital contribution to defense.

SOUND EFFECTS RULE AS ISSUE

Meantime Other Conflicts in Unionism Seen Involved—Mahoney of WIOD, Miami, in Cordial Call on Union

OTHER NEWS

Jurisdictional dispute is threatened between the American Federation of Radio Artists and the International Alliance of Theatrical Stage Employees over representation of radio sound effects men. New York local of the stagehands' has asked AFRA, which now represents many of the men in question, to turn over its jurisdiction. AFRA has countered with an offer to let the sound effects men themselves decide the matter of representation in an election supervised by the American Arbitration Ass'n. Stagehands have not yet answered that proposal.

Stagehands' move is regarded as another attempt by that union to get a foothold in the radio field, which it has thus far never been able to crack. Union tried several years ago to gain jurisdiction over technicians, but the International Brotherhood of Electrical Workers was able to get recognition from the American Federation of Labor. However, the American Communications Ass'n. (CIO) has also made some progress in organizing the radio engineers, so the field is divided. Another subsequent move by the stagehands to represent various classifications of television workers likewise made little success.

INVESTIGATIONS

In some quarters, the stagehands' move to take over the sound effects men is viewed as a renewal of the battle of two years ago with the Associated Actors and Artists of America, AFRA's parent group. Another possibility is that the stagehands, closely allied with the musicians' union, are trying to exert oblique pressure on AFRA to bring about a settlement of the pending fight by the radio union and its affiliate organization, the American Guild of Musical Artists, against the musicians. Since the entry of the Department of Justice into the picture with a grand jury probe of music union president James C. Petrillo, the musicians have been in an uncomfortable position. Withdrawal of AGMA would obviously weaken the Government's case.

Although AFRA's jurisdiction over sound effects men is not completely clear, many of the men in question have joined the organization willingly. AFRA has a number of contracts, including one with NBC and CBS, covering them. And in fact, the contract with NBC has just been renewed, with increases in wages for all the sound effects men involved.

OTHER BATTLES

On its other fronts, AFRA is carrying on struggles through three of its local chapters in various localities. In Cincinnati, the union has been unable to make much progress toward obtaining a contract with WKRC. Hyman Feine, national organizer, is in charge of the situation. Chicago local is glowing at stations WJJD and WAAF. Situation in Detroit is at a virtual standstill, with Vic Connors, the union's new national organizer, due to arrive tomorrow (Thursday) from the Coast.

AFRA's national paid-up membership was officially tabulated last week at 3,865 members. Of this total, 1,528 are in New York. 1,161 in Los Angeles, 680 in Chicago and the balance scattered in various localities. On the basis of the tabulation, New York will have 18 delegates at the union's annual convention, with Los Angeles having 13 and Chicago eight. Total number of delegates will be 48.

Transcription code, approved last

Censor Group Mulls Labor Complaints Of Not Getting Fair Share of Air Time

WAR DEPT. OKAY NEEDED

For WLAC Description of First Vultee Test Flight

Nashville, April 29. WLAC will broadcast formal opening of the Vultee Aircraft plant in Nashville. Opening ceremonies are set for Sunday (4) with Tim Sanders handling the mike.

Permits of the War department have been secured by Sanders could describe initial test flight.

'SIMILARITY' RAP DELAYS COAST 'KIDS'

Hollywood, April 29.

National Broadcasting Co. refused to put 'The Kids of the Week' on 11 stations of its Coast network Sunday (27) to start off series for Lime Cola, and is threatened with legal action. Donald Davis, head of David-Pearson agency, said the network ignored a formal demand to put the program on the air and 'will be made to suffer the consequences for breaching contract.'

Davis said the show originally was approved by the NBC program department but later was tabooed and postponement ordered. It was indicated by Davis that the reason for the NBC action was that it verged too closely on the formula of Alka Seltzer's 'Quiz Kids' and that representations were made by the Wade agency for that show. Don Gilman, NBC western head, said the complication which has developed should be ironed out shortly.

Davis said the setup of the show differs from 'Quiz Kids' inasmuch as the only quiz angle used is grilling of an outstanding personality appearing as a guest. Highlights are discussions of current topics by seven youngsters ranging in age from 10 to 14 years and the picking of the 'kid of the week' for some meritorious deed.

Kids appearing on the program are selected by schools and from letters sent in by dialers. Program was to have begun its origin in Seattle and by easy stages move down the Coast to Hollywood. Davis said that unless NBC gives the show a clean bill of health he will move it to the Don Lee chain.

week by the union and the negotiating committee for the transcription producers, was submitted over the weekend to the producers themselves and was slated to be signed late yesterday (Tuesday). Producers in other parts of the country are expected to sign the pact in the next few days.

Dan Mahoney, president of WIOD, Miami, where AFRA recently secured a contract with the NLRB, was in New York last week for the newspaper publishers' convention. During his stay he visited the AFRA national office and was said to have had cordial meetings with union executives. Both sides pledged efforts to maintain peaceful relations in the future.

NBC Men With AFRA

Hollywood, April 29. Sound technicians at the National Broadcasting Co. here have voted for affiliation with AFRA. Current contract with network under the name, Radio Production Guild, continues in force until expiration.

AFRA now holds jurisdiction over all soundmen in the country.

A luncheon meeting was held last Thursday (24) at the Maris City Club, New York, by the radio committee of the National Council for the Prevention of Censorship. This is an offshoot of the American Civil Liberties Union. Meeting was called to consider what action or position to take on three issues:

1. Labor complaints of not getting a fair share or share of radio time compared to manufacturers and business.

2. The divorce of newspapers and radio stations, a move often proposed by Morris Ernst, who is active in this group.

About 15 persons attended the luncheon, over which Quincy Howe presided. Joseph Miller represented the National Association of Broadcasters, and Sidney Kaye the newspaper-owned stations. Morris Novik of WNYC, Ernst and Hazel Rice were also among those present.

Meeting took no action.

15 NBC LINKS GET KROGER

Cincinnati, April 29.

Some 15 NBC stations are now carrying the 'Hearts in Harmony' dramatic-comical series, which the Kroger Grocery & Baking Co. inaugurated March 31 on several outlets. Programs are recorded in New York by the Ralph H. Jones agency. Shows run 15 minutes and are aired Mondays through Fridays.

Special piano arrangements, scripting and directing are handled by Victor Arden, Larry Klee and Martha Aldrich. Joan Allison, who is in the 'Aldrich Family' series, is the Queen in the 'Hearts in Harmony' stanzas. For first time in radio work she is voicing. Supporting her are Andy Donnelly, Irene Hubbard and Louis Hall.

Stations carrying the Kroger show, which blurs Tenderly meat, are: WLWX, Cincinnati; KDKA, Pittsburgh; KMOX, St. Louis; WBNS, Columbus, O.; WGN, Chicago; WIBC, Indianapolis; WMBD, Peoria, Ill.; WJPD, Detroit; WTLW, Ft. Wayne; WSPD, Toledo; WTAM, Cleveland; WCHS, Charleston, W. Va.; WDBJ, Roanoke, Va.; WAKB, 15 minutes, Rock, Ark.; and WOOD, Grand Rapids, Mich.

More stations will be added gradually, according to Malcolm D. MacPherson of the Jones agency's office here.

Flamm, Weinberg Need Not Be Examined In WMCA Commish Suit

Donald Flamm and Emilie Z. Weinberg need not be examined before trial, Justice Carol G. Walter ruled yesterday (Tuesday) in N. Y. supreme court, in connection with Alexander J. Jacoby's \$117,500 and \$21,250 suits against both of them and the Knickerbocker Broadcasting Co. Inc. Jacoby claims breach of contract, alleged failure to pay commissions on the sale of WMCA.

Jacoby avers he was hired by Flamm, president of WMCA, in Dec. 3, 1935, to secure a purchaser for the station. Certain percentages of the sale price were agreed upon and Weinberg was to act as co-broker. It is claimed that a purchaser was secured but Flamm declined to go through with the deal. It is then asserted Weinberg secured Edward T. Noble to buy the station for \$950,000, and no commissions were paid Jacoby by Flamm, and no split was made by Weinberg.

ALIEN TONGUES OUT AT WPEN

Philadelphia, April 29.

Arthur Simon, general manager of WPEN, yesterday (Monday) declared that within the next two months all foreign language programs will go off the outlet, part of the Arde Bulow chain. The 'Americanization' process will coincide with the increase in power from 1,000 to 5,000 watts. Simon explained that although the foreign language broadcasts represented lucrative big, many large national accounts balked at having their programs follow the line in another tongue, the ground that no audience was built up for their shows.

Another factor believed behind the 'Americanization' of the outlet is the publicity given to the recent investigation by Government agencies of foreign-language broadcasts and announcers. Although WPEN's stations were given a clean bill of health, station officials feel that the station's prestige would be helped when the 'foreign' stigma is removed.

Relinquishing by WPEN of foreign language programs will leave only WDAS and WHAT in this field.

Andy Devine, film actor and his wife arrived Friday (28) for a ten day visit with J. T. Ward, owner of WLAC, Nashville.

Inside Stuff—Radio

'Information, Please' costs Lucky Strike \$8,500 weekly for the program alone. Budgeted expenses to Dan Golenpaul, owner of the quiz, are understood to be as follows: Clinton Fadiman, \$1,500; John Kieran, \$750; Oscar Levant and Franklin P. Adams, \$500 each. Guests usually get \$250 queries. Research and clerical expenses are around \$1,000 weekly.

'Information, Please' newspaper feature, containing Q's and A's from Lucky Strike show, is being offered gratis gratis with exclusive territorial guarantee by NBC press department.

German short wave radio continues nightly to 'answer' the radio-grammed questions it asked Americans to send a couple months ago. Queries, answered, however, are not those sent, it was learned through authoritative sources, the Nazis merely having used the question-asking gag in the hopes of building up American listening audiences.

Example of the type of question being replied to is: 'What is Germany doing for the health of its children?' Announcer then goes into a long and very complimentary spiel.

Deal under which WTRY, Troy, and the Fabian Theatres was to jointly sponsor a one-night stand of the Metropolitan Opera Co. at the Palace theatre, Albany, May 6, is off. The Met management has decided that it would rather rent the house and assume the entire responsibility for the date. Practically all the seats for the engagement have been sold. The station had gone into the venture merely for the promotion value that it would get out of it, since the guarantee was too high for allowance of much profit.

Thomas D. Thatcher, former Federal jurist, who has been retained by the newspaper-owned stations to head legal staff in the forthcoming probe of such outlets by the Federal Communications Commission, was at one time employed by ASCAP. He served as special counsel at the trial of the Government's monopoly suit against the Society in the N.Y. federal court the summer of 1935. Thatcher was brought in to make the opening argument in ASCAP's behalf on the legal questions involved.

William Ackerman, a Princetonian, is the librarian who is organizing a reference library at the New York headquarters of CBS. He spends much of his time tracking down out of print volumes on radio. At CBS, as at NBC, the scarcity of records, logs and facts pertaining to the early years of broadcasting are painfully realized. Cross-indexing and cataloging of radio material of the last few years is fairly complete, with many universities now taking an interest in the medium.

Kate Smith's 10th anniversary broadcast last Friday (25) was marked by dignity and class, obviously consciously sought by Ted Collins. Event was followed by a reception in a private ballroom at the Hotel Astor, which was too notable for the talent and quality of event. Clarence Francis and William S. Paley participated in both affairs. A clock with diamond hands was presented by CBS to the star.

Art Donahue, RAF flyer and author of 'Tallyho' in the current (May 3) issue of the Saturday Evening Post, is a brother of Bob Donahue, manager of WLLH, Lowell, Mass. 'Tallyho' deals with his experiences fighting the Luftwaffe and was written during the aviator's six-week confinement in a hospital. Incidentally before becoming a radio manager Bob Donahue was an actor in Broadway musicals.

In line with a policy adopted by Louis Warner, Inc., owners of Spokane stations KHI and KGA last September, employees of the announcing and continuity staff received their semi-annual increase in salary, March 1, on a range from \$15 to \$25 monthly. This is separate from the annual bonus, which amounted to two and one half months salary, last December.

R. E. Miller of Omaha has been named to succeed the late Senator Morris E. Sheppard of Texas as treasurer of the Woodmen of the World association, which has its head offices in Omaha, and which owns radio station WOW, red net outlet for NBC.

For 'audience reaction experiments' on the WHO Iowa Barn Dance Frolic, John Beeson, chief engineer, Stuart Winick, producer and announcer; Ken Houchins and Anne Coon of the talent department, are paying unannounced visits to farm homes around Iowa.

Dorothy Kilgallen, N.Y. Journal-American gossip columnist whose 'Voice of Broadway' program Saturday mornings on CBS is sponsored by Johnson & Johnson, expects to become a mother early in July. She has an 'act of God' clause in the contract.

Fred Allen program, one of the last of the full hours on network radio, may go either to the NBC Red or Blue next season. That possibility develops in inquiries made by Bristol-Myers for available time spots and hook-ups.

NBC expects to use native South American musical (serious kind—not sambas, etc.) as background for its now-organizing series of 'Good Neighbor' programs glorifying Latin republics. Series starts May 22 on the Red network. Musical research is now under way.

NBC blue has distributed its own time under among advertisers and agencies this year. Device, which shows the clock standings in over 300 localities during the period of daylight savings, is more simple in mechanical operation than it has been in previous years.

Forthcoming book by Lee DeForest and a collaborator bears the same title, 'Television, Today and Tomorrow,' English volume of some years ago by Sydney A. Moseley.

WOR INCORPORATED IN NEW YORK STATE

Albany, April 29.
Bamberger Broadcasting Service, which operates WOR, New York, has become a N. Y. state corporation. WOR recently changed its local identification exclusively to New York and the incorporation charter was taken out to conform with this move. The New Jersey corporation covering the operation, which probably be dissolved soon.

Papers filed with the N. Y. secretary of state gave the total amount of stock authorized as 200 shares, of par value. The directors named in the application were: A. J. McCosker, president; T. C. Strieter, vice president; Emanuel Dennett, WOR lawyer.

STOKOWSKI'S YOUTHS

To Tour Canada, Mexico and U. S.—46 Dates in All

Leopold Stokowski and his All American Youth orchestra will make a tour of 46 cities in the U. S., Canada and Mexico, including a single concert May 16 at Carnegie hall, N. Y. Rehearsals are currently going on in Atlantic City.

In line with Stokowski's previous announcement that he would take the orchestra on tours of North America and abroad during alternate spring and summer seasons, he revealed plans for a second South American trip next year.

Lanny Ross fell off a horse Monday, One rib. Singing for Franco-American spaghetti strapped up.

MILTON FLAMM'S JOB

Brother Donald Denies Any Link to WPAT, Fairport, N. J.

Milton J. Flamm, formerly with the WMCA, N. Y., sales department, is national director for WPAT, the new Fairport, N. Y., outlet which starts operations Saturday (30). He is a brother of Donald Flamm, former WMCA owner.

Rumors in the trade have had it that Donald Flamm has an interest in WPAT, but Flamm Monday (28) not only stoutly denied this but said that the first he knew of his brother's connection with the Jersey outlet was when Milton told him about it the day before.

12 Profs Give Announcer A Fast Smarting-Up

Detroit, April 29.

Designed solely to drill into one city radio announcer's head some of the firm problems and background, Duncan Moore's one-man, two-day bits, "The Public's 12," in education from four States. The 12 rural experts spent April 25-26 coaching Moore in the requirements for the "Farm Forum," new rural service which WJR, Milwaukee, here April 30 on daily schedule from 5:30 to 6:30 a.m.

Those who drilled him in his rural chores were:

John Baker, Department of Agriculture, Washington.

Joseph Ryan, Surplus Market Administration, Milwaukee.

Clad Patterson, Surplus Market Administration, Detroit.

Philip B. Lush, Surplus Market Administration, Detroit.

Ewing Jones, Radio Information, Soil Conservation, Dayton, O.

G. E. E. Perry, Radio Editor, Agricultural Extension, Ohio State Uni.

R. E. Crowell, Forest Supervisor, Huron State Forest, Mich.

Gordon Zimmerman, U. S. Soil Conservation Service, Washington, D. C.

Daniel A. Wallace, Surplus Market Administration, Milwaukee.

Everett Swingle, Assistant Extension Editor, Michigan State College.

Robert J. Coleman, Manager Station WKAR, Michigan State College.

Elmer Isaksen, Farm Security Administration, Milwaukee.

DICKER FOR WILLSON ON FORD HEAT SHOWS

Ford Sunday evening hour (CBS) goes strictly popular with the 'May 18 Broadcast. Talent for the summer series has not been set.

McCann-Benson, agency on the account, would like to have Meredith Willson for the baton assignment. This would require Willson's commuting between Hollywood and Detroit until the Maxwell House (38) show takes its hiatus from the NBC red late in June. Jane Pickens may be the first guest for the summer Ford series.

Florence George (Mrs. Everett Crosby) has been booked to appear Sunday, June 4.

WITNESS SUES WGRC

Citizen Alleges News Report Prejudiced Public Against Him.

Louisville, April 29.
Making the charge that news aiting over WGRC, Mutual's Louisville outlet, was slanderous, John B. Pryse of Jefferson, Ky., a department store floorwalker, asked damages of \$25,000 in a Circuit Court suit against the Northside Broadcasting Corp. and S. A. Cisler, president.

Pryse charged the station aired a news report Feb. 17 in which it stated the Commonwealth Attorney had prepared an indictment charging him with obstructing justice in the John-C. Mass case, which was recently closed. Pryse contended the report on the radio exposed him to public hatred, distrust, contempt, and ridicule and caused him to lose his job.

Mass is in the reformatory serving 21 years for the killing of his estranged wife last December. Pryse was supposed to have witnessed the tragedy.

From The Production Centres

IN NEW YORK CITY

Helen Walpole, scripter of 'Our Gal Sunday' and 'Amanda of Honeymoon Hill' did an acting stint on NBC's 'Listeners' Playhouse' last week... radio author who has written the legit comedy 'Lullaby for Husbands' is Doris Frankel, not Doris Krangel, as reported last week... Coca-Cola has renewed the Kosteletzky series for over the summer... 'Creative Americana', a half-hour dramatic series, is around the corner... A network summer replacement by Mitchell Grayson, production head of WNYC, N.Y., Joe Julian playing the 'Big Sister' lead... 'Alice Frost' no longer billed on the series... Monday (28) night's 'Cavalcade of America' script, 'The Heart and the Fountain', was the first radio writing attempt by actress Peggy Riley, former Chicago smelter who came to New York about a year ago and has appeared on various programs... Cy Walter, classic-pop pianist, doing Friday afternoon series on WOR-Mutual... Addison Smith is directing 'Colgate Spotlight' with Ed East... Lyn Murray, CBS composer-conductor, has taken a summer place... Hyack, N. Y., which he describes as 'resembling a set for a murder-triller'.

Joe Delinich's French Hour on WBNK held its fourth annual banquet for its fans recently at the Champlain... NBC delegation to Ohio State's Institute for Education by Radio includes Walter G. Preston, Lewis Titterton, Harry Summers, H. M. Beville, Blevins Davis, Dr. James Rowland Angell, William Kostka, Judith Waller, Jennings Pierce, William Drips, Tom Edgewood, Bill G. Webb... AFRA will hold annual dance May 9 at Waldorf-Astoria.

Jim Parker, manager of WATR, Waterbury, Conn., on weekly safari to Manhattan for Earle McGinnis' production course at N. Y. U.

Wythe Williams has bought a farm in Stockton, Calif., near Easton, Pa., and will move from Greenwich, Conn. Frankie Hynes, Pat Harrington and Jack White auditioned (again) last week for a series being readied by Al Rinker for CBS... Arlene Francis and Martin Gabel being considered by Ruthrauff & Ryan for a 'Girl Lawyer' series to sub for 'Big Town' during the summer... Hi Brown's 'The Hammer' show, with Donald Cook and Edna Brown, is in possibility for the same spot... Margalo Gilmore, being written out of WOR-Mutual's 'We Are Always Young' series, so she can accompany her husband Robert Ross to St. Louis, where he'll direct the Mundy Opera summer season... Dick Pack, of WOR's publicity staff, scripting 'Weekend Review' series for the station's PM outlet, WINX... and time on the air... Reassignment of Procter & Gamble series brought following changes in announcer assignments: Richard Stark replacing Nelson Case on 'Against the Storm'; Alan Kent, already doing the 'O'Neill's' first show, replacing Kenneth Roberts for the repeat; Ed Herlihy replacing Stuart Metz on 'Pepper Young' and Bill Rogers succeeding Jim Delinich on 'The Goldbugs'.

Paul Douglas doing sustaining sports series at 6:45 p.m. across the board on NBC red (WEAF)... Brown & Williamson moving 'Uncle Walter's Doghouse' to Friday nights and putting a new show called 'College Humor' into the vacated Tuesday night spot on NBC red (WEAF)... Whole NBC red schedule for Saturdays has been changed... Happy Jack Turner, for Fitch shampoo, and 'Texas Jim'... Ray Nelson's 'Spice of Life' new oddities series five mornings a week on WEAF locally... Women's shows on NBC blue (WJZ) moving from afternoon to morning hours, opposite the red network's series, effective May 12. Old Gold Gold red schedule for Saturdays has been changed... of his consultants on Ed East's 7-55 a.m. 'Breakfast in Bedlam' show on NBC-Blue.

IN CHICAGO

Louise King goes off the Carnation 'Contented Program' next week, and the show in the future will be based exclusively on classical music rather than mix in occasional pops as has been the policy since Percy Faith came in as conductor... Gail Henshaw moves into the cast of 'Romance of Helen Trent'... Ken Fry singing the Drake Relays broadcast out of Des Moines for NBC... O. B. Hanson from N. Y. for a quick o.o. of new studio construction at NBC here... Buddy Clark and Edna Evans visiting WSBT, South Bend on May 12 to aid station in celebrating 10th anniversary... Eddy Howard bowing off the Land O'Lake Butter program for a month to snatch off some vaude dates in the midwest, and Eddie Guest will continue the show on his own... Nikki Kaye, writer and commentator of the 'That's Show Business' program on WAAF, told a story to the Chi Daily News tagged 'Call Me Dad'... Arthur Peterson, producing a 'little theatre musical labelled 'VVV''... Cornelius Peeples is now in with 'Road of Life'.

NBC Chicago Athletic Ass'n holding its first social of the season in the Edgewater Beach Hotel with Dorothy Masters of the press department as chairman of the shindig along with association president Lynn Brandt.

IN HOLLYWOOD

Shirley Temple makes her second guest stand on Chase & Sanborn May 4... Seaside oil barker of Tom Breneman's 'Spelling B-Liner' keeping show on the hop, covering cities all over the state and edging into Arizona. Paul Pierce is the peripatetic producer... Abe Reynolds, veteran burlesque comic, getting plenty of radio work since he enlarged on his versatility... Arch Oboler presides over panel discussion at Ohio State Institute for Education by Radio next week... Upton Cloos pitching here for his NBC commentary series... Edna Evans and Buddy Clark... Allen Allen (Vague) packaged in half-hour show by NBC... John Christ of the Walter Thompson N. Y. radio force, given a breather before shipment to an army camp... Amos 'n' Andy going east to look over the shows and pick up some ideas... The Jim Jordans made another of their occasional jaunts to Kansas City last week after interests there... Bob Hope taking his Peppercorn troupe to March Field, Riverside, Cal., for a broadcast from the air base... Frances Langford goes along as guest vocalist... Reed Kilpatrick, KJH staff announcer, takes on the added duties of television director for Thomas Lee's WGKA... Ben Alexander, radio-scrreen actor, takes the Edgewater Beach Hotel summer party interests there... Joe Bigelow as J. Walter Thompson... Don Thornburgh, CBS copy chief, heading east for home office parleys and the NAB convention in St. Louis.

Beer Night on WOR CONVENTION IN HOME, BROADCAST IN YARD

Monday nights on WOR, Newark, has become known as 'Beer Night'. The station has four accounts that evening plugging the suits between 8 and 11 o'clock.

At 8 o'clock its Kegged Red Cans with 'The Amazing Mr. Smith' and for the succeeding program (8:30) there's 'Pie's Beer with Boake Carter, P.O.N. is the beer brand at 9:15 and Red Barber, the talent, while the 11-11:15 news-period plugs Hoffman's Beer Beer.

Nashville, April 29.
Tom Williams, Columbia's Old Dirt Dobber, will air his Saturday morning program May 10, from his eight and a half acre garden. The occasion of the broadcast is the annual meeting of the American Iris Society to which the Dobber is the 'Dirt Dobber's' home on May 9 and 10.

The Dirt Dobber has introduced 20 new iris varieties in the commercial field. Program is aired weekly at 8:30 EDT, Saturdays.

More NBC Portugal-Spain Newscasts; 24-Hour Day for Shortwave Looms

Added newscasts to Spain and Portugal, every afternoon in those languages has been instituted at NBC in New York. It's an open secret that the Government is disquieted by developments in those countries, which are well-fed on Nazi propaganda.

Meantime, it is possible NBC's shortwave department will shortly go to a full 24-hour daily service. John Royal, NBC vice-president, has made this recommendation and the matter is up for conference this week.

NBC reports 14 South American stations linked with NBC took Secretary of State Hull's speech last Thursday.

BBC INCREASES ITS GOVERNORS

London, April 28. New governance setup for BBC went into effect this week, when Parliament announced appointments of Captain Sir Ian Fraser, J. J. Mallon, Lady Violet Bonham-Carter, and Arthur J. Mann. These personalities will operate in control of radio, along with Sir Allan Powell and C. H. G. Mills, present governors. Sir Ian Fraser was on the governing board of BBC from '37 to '39, and has a close association with air matters. J. J. Mallon also held a governorship for the same period. Arthur J. Mann is former editor of the Evening Standard and Yorkshire Post. Lady Bonham-Carter is daughter of late Lord Asquith. She is prexy of Women's Liberal Federation.

Increase in the board is result of recent flare-up in Parliament over matters of censorship and the People's Convention fiasco, when BBC put a personal ban into effect against hiring performers who were members of the leftist group.

WLWO's Razor Shortwaver

Cincinnati, April 28. American Safety Razor starts on WLWO, Crosley's short-waver, this week with a series of Tuesday and Thursday 15-minute sports review programs, on at 6:30.

Bayer Aspirin is renewing its Tuesday night quarter-hour Bajo el Cielo de Mexico series on this station for another 13-week stretch.

London Calling

London, April 28. 'Front Line Family' will give North American listeners a line on life under the blitz this side. New series hits shortwave (27) and will star Ernest Butcher, with Neil Bantyne, Dulcie Gray, William Ashely, Tony Halpenny, and Nancy Nevison as members of his brood.

Elise Carlisle renewed for the air with her vaude session Carlisle Express. Show returns (16) with same principles and Billy Tennent orchestra.

Johnny Glase, trumpeter with Teddy Joyce outfit, before barker's death, has formed his own aggregation and will air from current dance spot, Palm Beach Club. Further radio dates will be lined up.

Frances Day, Arthur Askey and Tommy Trinder have given their okay to an appearance on new Flanagan and Allen alper. Dates not yet set.

George Formby takes to the air again, heading a unit playing to troops and on which BBC will run a cut-in.

Oscar Wilde's 'A Woman of No Importance' has been readied for radio.

'The Old Town Hall' is being revived to fill spot vacated by 'Music Hall.' Setup of the variety show is as close as the titling, one to the other, and will bring gladness to many vaude acts.

Charles Heslop inked for a series of six weekly airings. Actor will travel on his own script around comedy professor of music.

New Glens Falls Station

Glens Falls, N. Y., April 29. Glens Falls Broadcasting Corp has been chartered to conduct business in Glens Falls, with a capital stock of \$25,000, \$100 par value. Directors are: John R. McKenna, of Kingston; Louis P. Brown, and Attorney Francis W. McGinley of Glens Falls, as directors.

John R. McKenna is president and station manager of WKNY in Kingston. McKenna and Brown own 81 shares each in the new company; McGinley, 18.

MARGE'S SON TO DAD

Kreislinger Gets Custody of Late Radio Actress' Second Child

Custody of Richard Kreislinger, four-year-old son of the late Marge Damarel Pick, of 'Myrt and Marge,' was awarded to his father, William J. Kreislinger, Kansas City advertising man, last week in New Jersey Court of Common Pleas. Child's mother died Feb. 15 on the birth of another son, Donnie, by her third husband, Peter Pick, a swimmer. Film and legit actress Helen Mack has since succeeded to the Marge part in the radio series.

Charles Griffith, 12, Mrs. Pick's oldest son by her first husband, Frank W. Griffith, is a student at Staunton Military academy and is in the custody of his father. Children were the beneficiaries of insurance policies on their mother's life. 'Myrt,' who is Mrs. Myrtle Damarel Lambert, wife of Eddie Lambert, has placed money in trust for them.

Drop Swing As Drawing Poor Spenders

Boston, April 29. 'No more swing music on the 920 Club,' is the edict handed down by George Lusker, manager of WORL. The 920 club is a recorded session from two to five p.m., music by different band leaders on 15-minute stints, interspersed with commercials.

The sweet music encourages an older listening audience, more favored by the clients because of their purchasing power, according to the station.

New WCFI Buys ASCAP, Only One in Rhode Island

Pawtucket, R. I., April 29. ASCAP music is being heard locally in Rhode Island through the state's newest radio station WCFI. The station began test programs Saturday (26) and is planning dedication ceremonies for next Saturday and Sunday. It is an affiliate of the Mutual Broadcasting System and will also carry Colonial Network shows.

Station is operating on 1420 kilocycles and will carry its Mutual broadcasts on a special high fidelity transmission line. Howard J. Thornley, a stockholder, is chief engineer; Theodore Allen, formerly with NBC in New York, is commercial manager; George Sutherland, formerly of WLW, Cincinnati, is program director; Arthur Paquette, musical director; Don Graham, chief announcer. Other announcers are David Brooks, formerly with WEAN, Providence, and David Adams, Brown University graduate and former member of the television department of NBC. Engineers are Jefferson Borden, John Perry, Barton Albert and Charles Hayman.

Daily Is Well-Licensed

Milwaukee, April 29. Extent of The Milwaukee Journal's radio activities may be gauged by the fact that it has FCC licenses for eight stations. Starts with the regular AM station, WTMJ.

To recently commercialized FM station W55M, the newspaper adds licenses for a television station, W9XJM, being constructed this year, and for five short wave relay stations—WEIN, WEIP, WEIO, WJER and WAHB, operated as part of the regular program service.

Marquette's Radio Studios

Milwaukee, April 29. Indicative of the growing importance of Marquette University faculty attaches to radio is the establishment of a fully equipped campus studio in the School of Speech building. Here will originate a half hour broadcast by WTMJ every Saturday, the program being made up of original radio plays written, directed and acted by students, interviews with the faculty and a resume of varsity news.

Aim is not only publicity for Marquette but development of future professional radio talent.

Some Possibility Armament Burdens May Usher in Radio Gross Tax

Washington, April 29. Dat O' radio! As Debbs is proving around the Capitol now, that Congress has begun wrestling with the problem of finding billions more of revenue to help the Treasury cut down next year's Federal deficit and help meet the costs of the extraordinary defense program. Nothing has been said publicly but the House Ways and Means Committee has taken up the suggestion of a special levy on broadcasters' receipts.

The Treasury Department was revealed to have given some consideration to such an idea as is being plugged by the printing trades as a means of limiting radio advertising. Assistant Secretary John L. Sullivan admitted that behind closed doors last week.

A question whether in canvassing the field for every possible additional dollar of taxes the radio industry had been given a thought was tossed at Sullivan during the confidential discussion of fiscal headaches. Sullivan confessed there has been some talk, but said no conclusions have been reached because there are many angles. Still, he agreed a levy on gross revenue of radio stations and networks would yield a handsome total and added an opinion that it probably would be framed so it would not be especially harmful.

A report on the possible revenues from such a tax was asked and promised, without any talk of the rates which might be imposed. Figures given the House Appropriations Committee some months ago showed a possible take of \$15,000,000 to \$18,000,000 annually. This is the guess of the printing trades, based on 1939 financial reports to the Federal Communications Commission.

Exempt Low Waters

The idea put forward by the American Federation of Labor crafts embodies exemptions for the little stations. By starting with stations having a yearly gross income of \$50,000, only the big fellows whose receipts are more than ample to meet their stated operating expenses would be nipped, the laborites insist. A scale of 10% on everything from \$50,000 to \$500,000 would not be out of line with the levy of 10% on all admissions tickets from 20c up, the argument goes. And the

25% bite on anything over \$500,000 fits in with the idea of soaking the rich, which Congress likes to do.

Real danger, as far as radio is concerned, lies in the way the House group writes tax bills. After sending up an assortment of trial balloons and seeing many of them shot down immediately, the legislators customarily retire to their sanctuaries and begin drawing on their ingenuity for other possibilities which weren't even mentioned at public hearings. What comes out of the executive sessions usually is vastly different from the indicated schedule of taxes at the outset. So far, since nobody publicly has recommended a special radio levy, the industry cannot very well appear to protest, that would be inviting trouble. At the same time, it is definitely being ogled as a possible object of a 'painless' tax that would bring in badly-needed revenue.

BOB HOPE SUB STILL NOT SET

Lord & Thomas is still dickered for a show to take Bob Hope's place on the NBC-red for the summer. Agency's main interest is a script held by a Hollywood literary agent. As yet it has no title for the comedy drama, nor a name to head the cast.

Hope does his last broadcast for the current season June 17.

Claude Dorsey Injured

Kansas City, April 29. Claude Dorsey, KMBG newscaster, hospitalized as result of an automobile accident last week.

Suffered torn ligaments of the knee and some other strains. Dave Partridge, of the publicity staff, riding with Dorsey received minor injuries. Partridge returned to work following day.

John Cameron Swayzee is filling in Dorsey's shift as well as his own regular newscasts in the interim. Dorsey is scheduled to be bed-bound for another week or ten days.

WE LAID SOME EGGS

and we're proud of it!

Our town always has a big municipal Xmas tree. Puts on a Fourth of July celebration second to none. And, when we had the idea something should be done about Easter, the now-famed Annual Easter Egg Hunt came into being.

Before crack of dawn on the eve of Easter, our staff was out hiding thousands of gaily-colored eggs in two of Cleveland's city parks. Not long after, the happy youngsters began to assemble—a thousand, two, three, five, SEVEN THOUSAND EGG-VENTURERS to search for the hidden "hard-boiled."

This is the third year the event has been conducted and broadcast by WGAR, Cleveland's Friendly Station. The third year of sponsorship by the Kroger Grocery & Baking Company.

We believe that a radio station owes something to the civic life of its community. We believe it should offer advertisers more than simply time on the air. Judging by our loyal audience and the growing preference of advertisers for WGAR as their Number One choice in Northern Ohio—we must have something there!

WEED
AND COMPANY
NEW YORK
DETROIT
CHICAGO
SAN FRANCISCO
★
RADIO STATION
REPRESENTATIVES

CBS Staff Takes Over Scripts For Ontario (Ned Sparks) Program

Columbia's program department has stepped in on the preparation of the Ned Sparks show which the Ontario Travel and Publicity Bureau carries on that network Sunday afternoons. Initial move the CBS department made after the initial broadcast (20) was to bring in Al Lewis and Hank Garson, comedy writing team, to punch up the series scripts.

Sparks wrote the initial script and Columbia programmers suggested that it lacked surefire touch for American listeners and that it might be advisable for the Ontario setup to send on the scripts to New York for 'extra treatment.' It is figured that CBS' next move will be to dispatch a staff producer to Toronto, the program's originating point, to lend Sparks a hand in whipping the thing together.

Ken Stowman, WCAU Philadelphia publicity director, teaching at Temple University 'principles of radio'

Spears Manages Clauser

Cincinnati, April 29. John C. Spears, for the last two years in charge of publicity, advertising and road show bookings for the WLW artists bureau, has resigned to take over personal management, bookings and publicity for Al Clauser and his Oklahoma Outlaws, cowboy band currently heard over WCKY, local CBS outlet. He'll maintain offices at WCKY.

WCKY Opens at 5 A.M.

Cincinnati, April 29. Starting Monday (28), WCKY advanced its week-day kick-off 45 minutes to 5 a.m. EST, for its earliest regular eye-opener and a half-hour ahead of WLW, also a 50,000-watt. Hillbilly platters are aired 45 minutes as a warm-up for WCKY's rural combo, Al Clauser and his Oklahoma Outlaws, which continues in the Hot Coffee period, 5:45 to 7 a.m.

WOR SUBSIDIZES STAFF BRAINCHILDREN WITH \$

Management of WOR, New York, is soliciting 'suggestions' from members of the staff. Any ideas used will bring a bonus of between \$5 and \$25. Suggestions may cover program or production ideas, slogans, more efficient office or business methods, etc., and may be offered by any employee of the station, except that members of the program, special features or publicity departments may not receive awards for program ideas.

At the end of each half-year first, second and third grand prizes of \$75, \$50 and \$25 will be given to those who have submitted the three best individual suggestions during that period. Also, if any suggestion proves in operation to be more valuable than at first estimated the original bonus may be adjusted. All ideas are to be submitted in writing, in sealed envelopes, to the Suggestion Committee, composed of J. R. Poppele, chief engineer; Joseph Creamer, sales promotion head, and Julius Seebach, Jr., program director. Special forms for the submission of suggestions have been distributed to the staff.

• Radio Daffodils •

Washington—Quote: 'Radio news reporters all say "quote" but only one reporter always says "unquote".' How are we to know what the quotation is if the reporters do not say 'unquote'? Issue an order and enforce it! Unquote.

This is the latest headache of the Federal Communications Commission, which is constantly bumping its head on problems sent in by the radio public. Above request was received from a California listener who was quite stern about it.

Other sticklers received during the week include: (Quote) 'A Houston resident objects to news rebroadcasts from Berlin as propaganda; a Los Angeles resident objects to rebroadcasts from London on the same ground.' (Unquote.)

Washington—Ultimate in service was demanded last week from WJSV. A listener to John Charles Daly's quiz program, 'Magic Carpet,' called the studio and requested 'one of those magic carpets,' 'foot-sweet.' Attempts of the management to explain that they could not furnish the article failed to convince the lady. Even after it was explained that magic carpets had not been available or in use since the Arabian Nights era.

Philadelphia—Buck privates who have a yen to tell their sergeants where to head in will get their chance on a program skeddaddled to start Saturday (3) by WCAU. Broadcast will originate in Indianatown, Pa. (28th Division). It's called 'The Old Army Game' and works this way.

A squad of four bucks and four non-coms is chosen. Each buck will order his opposing three-striper to do whatever 'pops into his mind, in the manner of the "Truth and Consequences" game.

BLUE PLANNING HOUR OF KID PROGRAMS

Chicago, April 29.

The NBC-Blue network is going ahead with plans for a full hour of children's shows as a business-getting magnet for the coming radio season. Plan will take the 5-6 p.m. slice of NBC-Blue time and devote it exclusively to kid programs. One-fourth of this period is already set for the Ralston's Tom Mix show, and it is likely that another quarter-hour will be taken up by General Mills for its pending 'Treasure Island' children's show.

Remainder of the time, if not sold for children's programming, will be devoted to sustainers for the children by NBC. And should these commercials drop off the ether for the summer—which is likely—NBC would keep the session going along with its own kid shows so as to hold the youngsters' loyalty until the commercials return the following season.

Third for Charlotte

Charlotte, April 29.

Authorization for a third radio station for Charlotte has been granted by the Federal Communications Commission. The station, to be operated on 610 kilocycles, will have power of one kilowatt with unlimited operating time. It's owned by Greenville News-Piedmont (also own station WFBC of that city).

Other Charlotte stations are WBT, 50,000-watt southern key station for CBS, and WSOC, locally owned NBC affiliate.

WSTV Now Full Time

Steuvenville, O., April 29.

Grant of full-time operation has been received from the FCC by WSTV, local Mutual affiliate. Station was formerly off the air from 7:15 to 8:45 p.m. Tuesdays and Thursdays, and from 4:30 to 5:30 p.m. Sundays. Those periods were used by WSAJ, operated by Grove City (Pa.) college.

WSTV's regular schedule will now be from 7 a.m. to 1 a.m. daily.

LOCAL SPONSOR 12 YEARS

Ft. Wayne, April 29.

Perfection Biscuit Co. has signed for its 12th consecutive year of radio advertising. Firm is currently sponsoring a 10-minute news program six days a week on WGL.

Vicki Harris, WOWO-WGL feminine newscaster, has been set in a new series of programs sponsored by Troy Dry Cleaning Co. Broadcasts consist of five-minute shots of Hollywood news twice weekly on WGL.

Edward Flynn of the Leighton & Nelson agency, Schenectady, and Sally Martin, of WABY-WOKO, Albany, have announced they'll wed June 14.



concerning SPOTS

They're serious business. And that's why picking the right station in the right market for national spot advertising is so important. WEEI is the only station that knits Boston and 190 other New England communities into a single, easily-sold market. In this rich area WEEI

produces so successfully that, during the March period of 1941, WEEI's net income from the sale of station time for national spot advertising increased 34% over that for the same period of last year. For actual sales results in New England national advertisers consult WEEI or Radio Sales concerning spots.

WEEI ★ CBS IN BOSTON
Operated by CBS. Represented by Radio Sales.



ED SULLIVAN
With Will Bradley Orch. Adele
Gerard, Lynne Gardner, Terry
Allen, Harry Von Zell
INTERNATIONAL SILVER
Sustaining, 6-630 p.m.
WABC-CBS, New York
(Young & Rubicam)

This summer replacement for the Silver Theatre (dramatic show) is a variety entertainment headed by the N. Y. Daily News' Broadway columnist, Ed Sullivan. It's a variation on the 'new faces' theme and shapes up as acceptable light summer fare topped by Sullivan's chatter about Hollywood and Broadway, in order named.

The gossip is divided into sessions, which is a good idea, meaning is by Sullivan. Harry Von Zell is confined to the straight commercials.

Will Bradley's upcoming crack band, with Ray McKinley featured, will be within the scope of the program's 'new faces' theme. There's emphasis on the band's jukebox and popular music. Sullivan's harpiste, Adele Girard, handling intermezzo as her major specialty, was in like category. Lynne Gardner and Terry Allen, regular vocalists with the Bradley-McKinley band, will continue. But Miss Girard is a one-dish performer by now of professional men and manner at the mike. His address is authoritative and his host and Broadway chit-chat of general interest.

Sullivan, no novice at conferring, is kind by now of professional men and manner at the mike. His address is authoritative and his host and Broadway chit-chat of general interest. Bradley's band wisely leans to middle excerpts instead of filler ditties, only sizzling off with 'Beat Me Daddy Eight to the Bar' as the major bounce barrage; for the rest it veered to 'Amanha', 'What Do You Do With Your Heart?', 'You Walked By' and kindred foxtrot balladeering. Featured drummer Ray McKinley only got a couple of opportunities with his stick work.

George McCarrett produces half-hour variety frolic. Okay for sound. Abel.

Wilson as Ramban N.Y. Rep
William M. Wilson has been promoted by William G. Ramban as manager of his New York office. Wilson's predecessor, Roy Shults, has gone with International Radio Sales.

VACATION SHOWPLACE

FOR SALE

Will sacrifice beautiful Thousand Islands, N. Y., Estate. Convenient terms.

BOX 291

Variety, 154 W. 46th St. New York



24 HOURS
A DAY
EVERY
DAY

Represented by Blair

5000 Watts Day

THE CAROLINAS
BEST
FREQUENCY

NBC RED

560kc

FREE &
PETERS, Inc.
NATURAL
REPRESENTATIVES

COLUMBIA S.C.

WORLD WITHIN REACH
With Helen Dwyer, Patricia Doebler,
Paul Knopp, Lytle Burt, John
O'Hara, Al Morris, Dick Kirk, Al
Weisberg, Art Williams, Hal Weinstein, Betty Evans.
30 Mins.-Local
Tuesday, 8:30 p.m.
KOL, Seattle

This weekly dramatic program, written, directed and produced by Alice Emel, of the University of Washington drama school, with characters portrayed by members of the U.S. Campus Radio Players, is an adaptation of Michael Foster's novel 'The American Dream' on the night heard. The group shows talent and direction and sound effects were handled with a professional touch.

Miss Emel's adaption dramatized the portion of the book up to the separation of Captain Thrall and the emancipated Joanna, with a nice feeling for contrast, showing good dramatic unity in the selection of scenes afforded in the half hour. Lines were fumbled a few times, but the production was clearly recognizable with 2 high standard intelligibility and unhammy diction reached throughout. Helen Dwyer, as Joanna, was an attractive and distinctive voice.

Program is put on by U. of W. drama school and Seattle Public Library and carries a plug for the use of the library's facilities. Read.

MAURICE C. DREICHER
Ghost Stories
15 Mins.-Local
Sustaining
Daily, 11:15 p.m.
WJPM, Jersey City

Maurice C. Dreicher, who has literally conceived and aired several dozen different idea programs on radio, was kind, yet a not-to-be-forgotten last year (he brain-sired and has a piece of 'Where Are You From?' with Dr. Henry Lee Smith), recently launched this series on WJPM, Jersey City. He had to discontinue it last week when he went away for rest, but plans to resume it when he returns. It's worth resuming, for it has distinct possibilities, but with all Mr. Dreicher's ideas, the program is a little too much more to a physique-crushing routine.

As heard Wednesday (23) night, the show carries straight reading of spine-chilling supernatural yarns. In this case it was 'Maxim's Yarns'. It's still a little too killer, but a not-credible concoction about a scientist who creates a chess-playing robot which finally rebels against being checked-and strangles his master. Naturally there is a terrible thunderstorm at the time. There's obviously a large market for shudder-fables, particularly at this hour of the night. Moreover, as a straight narrative, it's worth the negligible production expense. Dreicher has a tendency toward klugey-gawing, but otherwise the show is a natural.

WOW's Sponsored Races

Omaha, April 29.
Falstaff Brewing (Omaha plant) will sponsor WOW broadcast the Ak-Sar-Ben Races May 27 to July 5. Tentative schedule which is subject to fluctuations, will cover the feature race every day.
WOW is now airing spot announcements described as complete one-minute musical comedies for Schulze Butter Nut bread. These capsules are announcements representing something entirely new, were evolved by R. J. Potts & Co. Kansas City, in charge of the account. Jane Rodgers wrote group of singing spots. They involve commercials combined with these verses. Recordings made in Hollywood.

Follow-Up Comment

Edgar Lee Masters guested Thursday (24) on Against Storm, playing himself and reading some of his poems before Prof. Allen's class in English literature. It was the first of several such appearances by the poet on the show. Masters read several of his 'Spoon River' verses, answered a couple of questions and read a couple of capsule anecdotes. If any serial can get away with it, 'Against the Storm' can. But regardless of that, Masters is a distinct, colorful air personality, as well as a fine American letter. His appearance on the show was skillfully worked into the script, with the air of informality admirably retained. However, as a classroom, students was the only dubious phase of the production.

Leopold Stokowski did a spectacular stunt program last week when he aired 30 minutes of his rehearsal of a Brahms orchestra concert on New York. Only a Stoki would have the audacity to attempt such a broadcast and only he would have the talent and showmanship to bring it off successfully. Composition being rehearsed was the fourth movement of the Brahms symphony. Being a highly melodic portion of one of the best known of all symphonies, it made ideal material for such a broadcast. However, as Stoki guided the young musicians through the piece, it took on a new and fascinating character. Obviously on his best benign behavior for the radio-eavesdroppers, the conductor was kindly, yet firm. Obviously for the listeners, was careful to clarify the intent and flavor of the music. It not only provided a stimulating and educational experience, but suggested a fertile new program idea. However, possibly only in a Stoki broadcast can such a thing be broadcast be a click. For he is not only a great musician—he is also a personality and an intuitive showman.

Vera Glimer, whose photogenic blue eyes and blonde curls are a mag cover, sings with Matty Malneck's ultra-modern band at the Rainbow Room, New York, from whenever she was heard Monday night on a regular NBC pickup from the Rockefeller niter. Miss Glimer is still a little too killer, but a not-credible concoction about a scientist who creates a chess-playing robot which finally rebels against being checked-and strangles his master. Naturally there is a terrible thunderstorm at the time. There's obviously a large market for shudder-fables, particularly at this hour of the night. Moreover, as a straight narrative, it's worth the negligible production expense. Dreicher has a tendency toward klugey-gawing, but otherwise the show is a natural.

'I'll Find My Way.' Mutual sustainer serial out of WGH, Buffalo, has not maintained the promise of its early chapters. Wednesday's (23) edition was hyper-melodramatic and painful. The show was over-intense drama about everyday doings of everyday people. Chapter was a take, the first a cliché-studded love scene between the boy and girl, the second a confab between the latter and 'what seemed to be her roommate. Direction and playing were rather plant. Procter & Gamble's plug for Crisco was brief, but the episode about cash prizes for jingles was interminable.

'The Bartons' sustaining serial on NBC blue (WJZ) out of Chicago, is the revised stanza formerly titled 'The Story of Bud Barton.' It's a much-improved version. Caught Wednesday (23), it related the minor crisis injected into the Barton household by Midg's young beau, apparently a copy-boy and would-be journalist-journalist who comes to the Bartons too early in the day, talks too much and stays too late. It's all folksy family stuff, with an amusing comedy flavor, shrewd character drawing, clear and fine good pacing. In other words, expert writing; much superior to most of the sponsored series on the air. Incidentally, NBC is still mis-billing it as a children's program. It's thoroughly adult.

'Mail From Constituents,' an evening broadcast by senators and representatives from Washington over NBC blue, had a good title and a promising idea for a regular program. However, in the unfolding participants did too much stumpy speaking and too much obvious script-reading. Royce Powell of the 'House of Americans' was one. He, too, made the shot seem rather

'The CA LAGHAN TOUCH'
With Jack Livesey, Betty Hardy, Macdonald Packer, Lytle Sherwood, Thea Holme, James McKechnie, Victor Kier
20 Mins.
Thursday, 8 p.m.
BBC

Super-sleuth is latest entry to the whodunit urge now frequently hitting BBC. It's a tightly framed affair from Victor Cheyney, who scripts this kind of thing between bouts of thinking. As listener fodder it's grade A stuff for radio, asks little in the way of concentration while supplying a return of very listenable entertainment to lovers of the detective story.

Hero Callaghan takes the folks along on one crime per week. He mounds not much to work on, but what there is comes over with commendable punch. At this opener (3) he successfully ripped the cloak from a credit woman when the tale would frame her ward on theft of a diamond necklace.

Callaghan's pace, crisp dialog sustained that effect, and playing provided all the support needed. Pies has been given the better class performers in BBC Repertory Company, and benefits by that attention. Macdonald Packer holds down comedy stuff as Callaghan's assistant; he has little to do but supply the occasional wise-crack, and handles the assignment effectively. Characterization is being plucked as Canadian. Livesey's reading as the sleuth is punchy.

Callaghan's pace, crisp dialog sustained that effect, and playing provided all the support needed. Pies has been given the better class performers in BBC Repertory Company, and benefits by that attention. Macdonald Packer holds down comedy stuff as Callaghan's assistant; he has little to do but supply the occasional wise-crack, and handles the assignment effectively. Characterization is being plucked as Canadian. Livesey's reading as the sleuth is punchy.

Callaghan's pace, crisp dialog sustained that effect, and playing provided all the support needed. Pies has been given the better class performers in BBC Repertory Company, and benefits by that attention. Macdonald Packer holds down comedy stuff as Callaghan's assistant; he has little to do but supply the occasional wise-crack, and handles the assignment effectively. Characterization is being plucked as Canadian. Livesey's reading as the sleuth is punchy.

Edmund Taylor was the second of the persons talk-guided on NBC by Rex Stout on behalf of the Council of Democracy. Taylor proved a body speaker, with a lot of plain speaking about Nazi war aims and defeatism as weapons for his own advantage. A year ago such a talk would have been a sensation. Today it is just a little franker than the average Stout. Stout is also emerging as one of the latter-day personalities in the post-lendlease era.

Sammy Kaye's poetic readings on his Sunday midday dancs, on NBC hookup, are a neat change of pace. They blend quite smoothly into the swing-and-sway stylist's program. Coming on Saturday, classical poetic interludes, well recited by maestro Kaye, against an appropriate musical background, is a class departure, with a capital K.

Leon Keller's stringophone music from the Hotel Bismarck (Chi) on WOR is very listenable stuff Sunday nights.

Dick Gilbert (now night manager of WOR, New York) is doing daily sessions. The 5-8 p.m. Latin dancsation daily, and the two and three hours later in the evening (pop stuff) more than the usual platter chatter. He has created a style of singing with the disks, skillfully blending his own voice against the instrumental passages.

'YOUNG AMERICA ASKS'
30 Mins.-Local
Sustaining
Friday, 10:15 a.m.
WVBT, New York

Originating at Newark Academy and heard locally over WOR, New York, 'Young America Asks' is something along the lines of 'Town Meeting of the Air' or WOR-Mutual's 'American Forum of the Air.' However, it's a new radio edition.

For each Friday morning's program a guest speaker, the diplomatic representative of some foreign country, answers questions submitted by students of Newark Academy and a few visiting pupils from other nearby New Jersey schools. What might provide provocative material is made innocuous by having the whole thing prepared in advance. All students about to ask questions are announced by name, then stand up and obviously read their queries.

Naturally, nothing combustible is permitted, so the entire affair becomes classroomish and stilted. On the program heard Friday (25) the guest was Victor Kier, Swiss consul general in the U. S. Hobe.

H. E. JAMISON
'Armchair Cruises'
15 Mins.-Regional
FISHER FLOURING MILLS
Tuesday-Friday, 8:15 p.m.
KOMO, Seattle

The bass part of Mendelssohn's 'Fingals' Cove sets the right mood for these tales of the sea, ship and sailors, and Jamison's yarn-spinning style sails along shipshape. Old tale of sailor rescue from raft on the Caribbean, who picks up his rescuer, a Swedish captain in the Atlantic years later made a story that held interest throughout the program caught.

Jamison also reads the commercials which are toned down to blend with the program, and his salty style and leisurely manner is a welcome change from strident news flashes of the day's disasters. Read.

Billboard
Annual Radio Publicity and Exploitation Awards
In recognition of outstanding achievement in radio publicity and exploitation, according to selections made by the Editorial Staff of The Billboard and radio clubs of both newspapers in the United States and Canada.

Presented to
David O. Alber

First Place in
Press Agent Exploitation Division
Exploitation, Awards Committee

DAVID O. ALBER
ASSOCIATES
Publicity and Exploitation
30 Rockefeller Plaza
New York City Circle 6-9595

ARTHUR GODFREY

"The Friendliest Voice on the Air"
THIRD YEAR RUNNING FOR
IRRADIATED CARNATION MILK
Coast-to-Coast by Transcription

WABC, New York—6:35 to 7:45 A.M. EDST Daily
WJSV, Washington—6:45-9:00 A.M. EST Daily

Otherwise Unemployed

See WABC Sales for WABC Participation
Radio Sales CBS for WJSV Participation

Exclusive Management
ARTHUR M. GODFREY PRODUCTIONS
808 Earle Building, Washington, D. C.
Metropolitan 3200

Addenda to Ohio State Schedule

Herewith are revised and added meetings to be held next week (May 5 and 7) at the Institute for Education by Radio, conducted by Ohio State University at the Deshler-Wallick hotel, Columbus.

MONDAY MORNING

Radio in the Present Emergency—A Town Meeting Discussion.

Participants:

George V. Denny, Jr., president, The Town Hall, Inc., Moderator.
 Ed Kirby, Office of the Chief of Staff, United States Army.
 Robert Landry, Radio Editor, VARIETY.
 Clifton Dyer, Chicago Council on Foreign

Discussion from the floor.
 Announcement of awards for the Fifth American Exhibition of Recordings of Educational Radio Programs.

MONDAY AFTERNOON

Agricultural Broadcasts

Chairman, John C. Baker, Radio Extension Specialist, United States Department of Agriculture.

Participants:

Devonle Dietzen, Iowa State College.
 C. M. East, New Albany, Indiana.
 Mrs. Alene Hazen, WPA, University of Wisconsin.
 Woodrow Huttie, WNY, New York City.
 Richard H. Hull, Minnesota Extension Service.
 C. Emerson Alkham, General Electric Co.
 Arthur G. Papp, U. S. Department of Agriculture.
 Morse Salisbury, U. S. Department of Agriculture.

Broadcasting by National Organizations

Chairman, Charles Dillon, in charge of radio, American Red Cross.

Participants:

W. W. Innes, American Medical Association.
 W. H. Chabrier, National Safety Council.
 Mrs. W. B. Cavanaugh, National Y. A. Congress.
 Gloria Chabrier, Association of Junior Leagues of America.
 Vera Ellet, National Girl Scouts.
 Delmont Parley, National Education Association.
 John D. Fitzgerald, National Association of Manufacturers.
 Henriette K. Harrison, National YMCA Council.
 G. W. Johnson, President's Birthday Celebration.
 Edward McNeill, American Legion.
 Laurence D. Redway, New York State Medical Society.
 Mary M. Robert, American Nurses' Association.
 Sam Taylor, Community Chest and Councils, Inc.

Educational Broadcasting for Adults

Chairman, Joseph Ries, director, Public Service Programs, Station WLW, Cincinnati.

Participants:

Josephine Smith Horchow, Western College Club, Columbus.
 Herschel W. Nisonger, Ohio State University

Children's Programs

Chairman, Dorothy Lewis, vice-chairman, Radio Council on Children's Programs.

Participants:

Mildred Batchelder, American Literary Association, Chicago.
 John S. Carlin, director of Radio Activities, University of Alabama.
 Marjorie Cooney, Station WSM, Nashville.
 Louis Cowan, Chicago.
 Margaret Culbert, director of Women's Activities, National Broadcasting Company.
 Mrs. Ralph T. Edwards, editor, Parents Magazine.
 Vera Ellet, radio chairman, National Girl Scouts.
 Dorothy Pratt, Seattle Public Schools.
 Earl J. Glade, Salt Lake City.
 H. Clay Harbarger, Department of Speech Arts, State University of Iowa.
 Herta Herzog, Office of Radio Research, New York City.
 Harriet Heister, educational director, Station WLS, Chicago.
 Mrs. Lowell F. Hobart, president-general, National Society New England Women, Cincinnati.
 Rita Hochheimer, New York City Public Schools.
 Hazel Kenyon, Portland Public Schools.
 Paul F. Lazarfeld, director, Office of Radio Research, New York City.
 Howard K. LeBaron, dean of Graduate School, Boston University.
 Jessica McFarland, Station WMBD, Peoria, Illinois.
 Mrs. Harold V. Milligan, president, National Council of Women.
 Mrs. Bryan L. Mitchell, Winnetka, Illinois.
 Frank Monaghan, Tulsa University.
 Mrs. George Palmer, Radio Council, Minneapolis.
 Jennings Pierce, educational director, National Broadcasting Co., San Francisco.
 Mrs. A. W. Prosser, Gardner, Ohio.
 Arthur Pryor, Station, Barton, Durstine & Osborn, Inc., New York City.
 Mrs. Knox Reeves, Knox Radio Agency, Minneapolis.
 Joseph Ries, director, Public Service Programs, Station WLW, Cincinnati.
 Howard Rowland, research associate, Evaluation of School Broadcasts.
 Lavinia Schwartz, midwestern director, Columbia Broadcasting System.
 Mrs. Nathaniel Singer, United Parents Association, New York City.
 Margaret Stoddard, Cedar Rapids, Iowa.
 Dorothy McFadden, Junior Progress, Inc.

Broadcasts in Religious Education

Chairman, James H. Scull, publicity manager, the National Conference of Christians and Jews.

Participants:

Gilbert Harrison, University of Religious Conference.
 Barnett R. Bricker, Euclid Avenue Temple, Cleveland.
 Edward J. Heffron, director, Department of Catholic Men.
 H. B. Summers, NBC, New York.
 Sterling Fisher, CBS, New York.
 Frank Nelson, Bureau of Institutional Broadcasting.
 Roy Burkhardt, First Community Church, Columbus, Ohio.

Research in Educational Broadcasting

Chairman, A. L. Chapman, director, Bureau of Research in Education by Radio, University of Texas, Austin.

Participants:

Elitha Hamilton Beal, University of Texas, Austin.
 H. M. Beville, research manager, National Broadcasting Company.
 H. L. Evelyn, Department of Speech, University of Wisconsin.
 H. C. Harbarger, Department of Speech Arts, State University of Iowa.
 Robert B. Hudson, director, Rocky Mountain Council, Denver.
 Paul F. Lazarfeld, director, Office of Radio Research, New York City.
 Howard Lumpkin, director of broadcasting, University of Texas, Austin.
 Mrs. Bryan L. Mitchell, Winnetka, Illinois.
 Leonard Power, coordinator of research, Federal Radio Education Committee.
 Secretary Roll, Evaluation of School Broadcasts.
 Edgar Willis, Detroit Public School.
 Norman Wolfelt, associate director, Evaluation of School Broadcasts.
 C. B. Hooper, C. B. Hooper, Inc.

CBS research director, manager, CAL.

MONDAY NIGHT

Women's Organizations

Presiding Jessie F. Magee, Radio Council of Greater Cleveland.

Participants:

Gloria Chabrier, Association of Junior Leagues of America.
 Mrs. R. H. Inman, Federation of Women's Clubs of Greater Cleveland.
 Mrs. J. L. Conner, Ohio Congress of Parents and Teachers.
 Mrs. Frederick T. McGuire, Jr., Cleveland Junior League.
 Mrs. Harold V. Milligan, National Council of Women.
 Mrs. Lawrence Smith, American Legion Auxiliary.
 Mrs. Keith Weigle, Ohio Congress of Parents and Teachers.
 Robert K. Stepien, radio editor, Cleveland Radio Dealer.

Advertising Agencies

Presiding Arthur Pryor, BBD&O, Inc., New York.

Farm Editors of Radio Stations

Presiding John F. Merrifield, agricultural coordinator, Station WHAS, Louisville.

Participants:

Hill France, Station WAIL, Atlanta.
 Arthur C. Page, Station WLS, Chicago.
 Emerson C. Matthews, Station WGY, Schenectady.

Radio Councils

Presiding Robert Hudson, director, Rocky Mountain Radio Council, Denver.

Participants:

Genevieve Allen, Western Massachusetts Radio Council.
 Doyl F. Baldwin, Montana Council on Civil Broadcasting.
 William H. Brown, Jr., Virginia State Board of Education.
 A. L. Chapman, Texas Radio Council.
 Julius D. Allen, Colorado State College of Education.
 Ruth L. Gooding, National Council on Education by Radio.
 H. R. Hyde, Oklahoma Radio Council.
 Harrison Jolly, KFRC, Los Angeles.
 Harold W. Kent, Chicago Radio Council.
 Hazel Kenyon, Portland Public Schools.
 Dorothy Lewis, Radio Council on Children.
 Jennings Pierce, California Radio Council.
 Leonard Power, FRBC.
 Burton Paul, WJLB, Minneapolis.
 Thomas D. Rahn, WJLB, Minneapolis.
 Luke Roberts, KOIN-KATZ, Portland.
 Ralph E. Steite, Louisiana State University.

TUESDAY MORNING

Radio and Cultural Relations with the Americas

Presiding W. S. Hendrix, professor of Romance Languages, Ohio State University.

How Radio Can Improve Cultural Relations:

John M. Begg, Division of Cultural Relations, United States Department of State.
 Needs in Inter-American Broadcasting.
 Manfredo Calzadilla, head, Department of Fine Arts, Republic of Mexico; novelist and literary critic.

Developments in Short-Wave Broadcasts to the Americas:

Philip L. Bourque, Office for Coordination of Commercial and Cultural Relations between the American Republics.

Short-Wave Broadcasts Today:

Antonio Gonzales, assistant director, Pan-American Relations, CBS.

Activities of NBC:

Edward Tomlinson, NBC representative for Latin America.

TUESDAY NIGHT

Special Responsibility of Radio

Chairman, Lavinia S. Schwartz, midwestern educational director, Columbia Broadcasting System.

Writing for Radio

Chairman, Lewis H. Titterton, script division head, NBO.

Chairman, Arch Obler, noted radio and screen writer.

WEDNESDAY MORNING

Radio in War Time

Presiding Shannon Allen, United States Department of Interior.

Speakers:

R. C. Newton, BUC, "The Role of Radio in Wartime England."
 Ernest Bushnell, CBC, "Status of Radio in Canada at War."

Participants:

Louis Francis, National Defense Advisory Commission.
 Helen Hiett, NBC European observer.
 Colonel Parker Hitt, U. S. Army.
 Harold Lasswell, Social Scientist.
 H. B. McCarthy, WPA, University of Wisconsin.
 Caesar Sarchinger, American Historical Association.
 Eric Sevareid, CBS commentator.
 Norville Sharp, U. S. Navy.
 Louis White, University of Chicago.

Theatre Visio

Continued from page 2

producer would get from the exhib for each event would be variable, but on a starting basis of from 50 to 100 theatres he suggested 10c to 20c per seat for ordinary affairs and 40c for a Joe Louis championship fight or something of that sort. In addition, special service on the machinery might run from \$25 to \$50 a week, although an ordinary projectionist quite easily could be taught to operate it, Joyce said.

NBC Out of It

He declared that David R. Sarnoff, RCA topper, had ruled out NBC as a producer of the programs for theatres. Sarnoff's stand is that NBC is strictly in the field of home entertainment and should remain so, Joyce explained.

Press confab was a prelim to a demonstration for newspapermen and exhibs of the new RCA equipment on May 8. Company will televise to the 1,000-seat New Yorker (NBC) theatre from Madison Square Garden the Billy Soose-Ken Overlin midweight championship bout.

Joyce, who admitted RCA had made a considerable study of the question, estimated that a top of 500 theatres throughout the country were in situations that would make the visio setup practical within the next five years. He guessed that 50-100 might find it practical in the metropolitan New York area now.

He stressed the fact that RCA is only in the equipment-manufacturing business so far in the visio is concerned and it is up to someone else to be the producer of the shows that would make installations desirable. He suggested that the film industry, instead of fighting television, as it is inclined to do, get in on the ground floor.

Victor Records' Object Lesson

He pointed out, as an example, the Victor Record Co., which refused to go into the radio business because it

felt that was out of its line. Finally, although it had many artists under contract and could have made a profitable deal, Victor's business got so bad the company virtually went on the shoals. RCA stepped in at that time and took over and in 1941 will sell as many discs as Victor did in its top year, 1931. Don't fight 'em, join 'em, was Joyce's moral.

Two reasons were advanced for wiring the pictures instead of etherizing them. First is the fact that it would be necessary to get a special channel and permish from the FCC for air transmission, which might be impossible. Second is to prevent non-subscribing theatres or home television owners from copping the shows out of the sky.

Transmission by wire for long distances is entirely feasible from an engineering standpoint, Joyce said, although he admitted it is highly expensive. Sky-pix must be sent for long distances over a coaxial cable (the one from Philly to New York, 90 miles, cost \$1 a foot) but for shorter stretches a "balanced" telephone line can be used, which is cheaper. That's why Joyce sees an immediate future only in and around New York.

U. S. Dept. of Agriculture has picked Lee Vickers, WJVS announcer, for commentaries on a series of film shorts which the Government is producing.

My thanks to the

BILLBOARD'S RADIO AWARDS COMMITTEE

for choosing me winner 2nd place, Independent Press Agents Division, The Billboard's 4th Annual Exploitation Survey.

Deeply grateful to the NBC, CBS and MBS Publicity Departments for their cooperation, and to my clients for their quality.

IVAN BLACK

Publicity-Public Relations

128 E. 58th Street, New York

Statesville, N. C., to File

Charlotte, N. C., April 29. Dr. James W. Davis was re-elected president of the Statesville Broadcasting Co. at the annual stockholders meeting. Other officers elected were: Frank L. Johnson, first vice-president, and R. M. Lazenby, secretary and treasurer.

It was announced at the meeting that an immediate application for a radio station for Statesville will be filed with the Federal Communications Commission.

ZANESVILLE

A Fort Industry Market

Zanesville

IS GROWING

(and as Zanesville

grows, so grows

WHIZ, Ohio's big-

gest little radio sta-

tion). 1940 census

figures showed a

definite population

gain for Zanesville.

1940 audience fig-

ures showed a defi-

nite popularity gain

for WHIZ. (And

we're still growing).

Tell It and Sell It

to

Southeastern Ohio

Through



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., EOST

IN WABC-6:15-6:30 EOST-CBS

COAST TO COAST

By COLUMBIA ADVERTISING AGENCY

MGT. ED WOLF—RKO BLDG. NEW YORK CITY

Woman's Home Companion on KFRC Via Jean Abbey's Femme Stanza

Comparative Unit Cost		
	April 26, April 19	% of
Network	\$8.215	16.58%
Local	2.793	4.42%
Special	3.839	2.76%
Total	21.803	22.75%

Comparative Unit Count		% of	
April 26, April 19, Change			
Network	9,805	9,835	-0.3
Local	6,787	6,788	+0.0
Nat'l Spot	11,530	11,550	-0.2
Total	28,122	28,173	-0.2
(Included: WBMM, WBNR, WGN)			

Tiny Hill, Okeh Artist, Makes Play For Bartenders-Waiters' Goodwill

Lincoln, Neb., April 29. Tiny Hill, who records for Okeh (Columbia), carries on a one-man exploitation campaign in behalf of attending meetings of waiters and bartenders' unions and getting acquainted with these gentlemen at their place of employment. He has found that the waiter and the bartender are often the middle-man between the customer and the jukebox, and by gaining the goodwill of these two people he can build himself into a much-heard item around the moist spots.

Hill says he got his idea from overhearing a customer tell waiter, after handing her a quarter, to get him a pack of cigarettes and pick out a couple of tunes for him in the music box. To his calls on union meetings, Hill brings along a playback portable and a couple of his records. His first gesture is to introduce himself to the chairman. He then suggests that he be allowed to put the meeting in the right mood with some music. Hill says that permission has never been refused him. If it's a bartender's gathering, he gives 'em a novelty tune, 'The Guy at the End of the Bar.'

When the performance is finished, Hill makes the rounds of the men. He shakes hands, autographing union cards, etc., and if allowed, he even sits in on the meetings. Day or two later he makes the rounds of the local jukebox stands to see whether the follow-through is working, and invariably, he reports, his efforts have been to his advantage.

Incidentally, Hill is so busy attending to the needs of the waiters and bartenders' union that he never gets around to attending one of his own—the musicians' local.

Stable Orch Conflicts Theatre, Nitery Dates

Dick Stable is in midst of conflict since he is scheduled to open here in 10 weeks at the Playhouse, Plainfield, N. J., and Loew's State theatre, N. Y. C., has him down for May 15. Stable will use relief band members, including the Chatterbox run; he goes to Tybee Beach, Savannah, Ga., for four weeks and two weeks at the Surf Club, Virginia Beach, Va. George Niverville, first alto, who plays piano, returns to Stable, whom he left recently. Ray Little, formerly vocalist with Tony Pastor and Bobby Byrne, has joined Stable, replacing Edythe Harper, who is rehearsing with Muggsy Spanier.

Old Covered Wagon Inn Using Imported Music

Old Covered Wagon Inn, Stratford, Pa., a music club, has decided to widen its budget for musical talent this year, first time it has gone in for anything other than local music. Spot is starting Cecil Golly's band as definite act, May 14 or 21. Owners are putting in a network wire, whereas in the past they've had only local spots.

'BUMBLEBEE MUSIC'—NOW That's the Style Slogan—Theme of New Gray Group

Urge to hang a style label on an orchestra apparently hasn't died. Latest is an outfit led by Lew Gray, which works under the tag 'Bumblebee Music' and begins and ends each of its numbers with a buzz. Gray, former director of pit music for all of Earl Carroll's second Victor takes the band, a new one, into Rustic Cabin, Englewood, Cliffs, N. J., May 7, for 18 days.

Replaces Alvino Rey and King Sisters' little party at Paramount theatre, N.Y., Rey and Kings return to the Rustic for four more weeks after the Par.

Art Jarret With Victor

Art Jarret orchestra, the new band now being rehearsed which will use the library of the late Hal Kemp, has been signed by Victor Records. Outfit will cut its first sides as soon as possible after opening its first job at the Blackhawk Club, Chicago, May 14.

Kemp's band replaced for Victor at the time the leader died.

Campus Best Sellers (UNIVERSITY OF CALIFORNIA)

- Berkeley, April 29. Six best record sellers on the campus:
1. 'Bluesing' (Duke Ellington).
 2. 'Flag of the Bumblebee' (Harry James).
 3. 'Amapol' (Jimmy Dorsey).
 4. 'Music Makers' (Harry James).
 5. 'Do Worry' (Tommy Dorsey).
 6. 'Oh, Look At Me Now' (Tommy Dorsey).

Maybe It Was Ghosts That Made Cafe Society Mob a Bit Self-Conscious

By BERNIE WOODS
Medical Fund of Local 802 of the American Federation of Musicians benefited approximately \$1,500 from the \$2,900 grossed by Cafe Society's concert at Carnegie Hall, N.Y., last Wednesday (27). First concert of type, involving colored and white talent from Uptown and Downtown Cafes, drew three-quarters of capacity into the 3,000-seat hall, at prices ranging from \$1.10 to \$2.50. Audience was almost exclusively pay.

Atmosphere of Carnegie Hall seemed to leave its mark on the various performers. Stiffness of individual interpretations gave the impression that each turn was heavily weighed down by politeness. Leonard Leibling, m.c., didn't help the situation any either, by pointing out that some of the history of the building and its headline tenants.

However, the lifeless initial three hours was forgotten in blowoff jam session when Count Basie and six or seven of his best stars came on to back up John Kirby's sextet; Eddie South's group and Henry 'Red' Allen's combo, and brought along such instrumentalists as Woody Herman, Ray McKinley, Bunny Berigan, Max Kaminsky, Paul Leval, Henry Levine, et al. The audience howled its appreciation.

True to form, the jam session evolved into a conglomeration of noise that began to get out of hand with nobody up front to keep it within listenable bounds. Soloists were so eager to start their turn that they were working in pairs, trombone against trumpet, etc., neither aware of the other. About a dozen mixed artists got together on the first piece, however, and managed to pull away with something that had some form.

Boogie-Woogie Tease

Concert proper was an in and out affair for reasons already mentioned. Pete Johnson and Albert Ammons, boogie-woogie pianists, started off working singly and as a duo. Test of boogie-woogie fingering is to make a listener usually unimpressed by the style, sit up and take notice. Johnson's work on 'Roll 'Em Pete' did just that. Helena Horne (Lena Horne when with the Charlie Barnet band recently) exhibited nice style on a group of rhythm and blues tunes; Art Tatum, a crack pianist, displayed studdish with touches of humor, preceded Kenneth Spencer, understudy to Paul Robeson in last year's 'John Henry' legit production of the same title. Singer displayed smart pose, but his choice of selections didn't seem to show his voice to advantage.

John Kirby's orchestra seemed most bothered by the Hall. Numbers it handled lacked the usual punch; Eddie South's group was unimpressive, though South's violin, particularly on an unbridled encore, hit the spot. Henry 'Red' Allen's combo, Hazz Scott ran off several well handled piano arrangements, and the Golden Gate quartet followed her with a trio of spirituals. Henry 'Red' Allen's combo displayed some fine rhythms, the only punch to work without music. Allen's trumpeting and Jay C. Higgenbotham's tromboning stood out, particularly the latter.

Harney Josephson, operator of both cafes, claims that though the concert cost him some cash personally, he's more than making it up via heavily increased busby at the interest generated by the concert.

EARS AND OVERHEAD Mrs. Kramer In and Out on Dinner Dances Policy

Smitten by the idea, following a tour of the classier east side (N.Y.) spots, that perhaps the customers would like their dinner sans dancapostion, Mrs. Maria Kramer, president of the Hotels Lincoln and Edison, in the Times Square area, cut out the bands until 10:30. Besides a thought for the customers' ears, drums, it means a 35% saving on band bills when she has Blue Baron start at the Edison and Harry James at the Lincoln for supper only.

However, biz has been so good at the Edison (Baron) that experimentally she reverted to dinner dances Sunday (27) and was to have continued the experimentation on Tuesday. The bands swing night is Monday. The bigger James band (18 men) for supper only since the Lincoln couldn't afford the extra 35% cut.

Incidentally, Baron has six radio shows and James five, making these prize jobs for bands, for exploitation purposes.

802 Tightens Rule On Traveling Bds. Fines Goodman

New York local 802 of the American Federation of Musicians is clamping down on infractions of its rules and regulations and demanding that certain ones which it has been lax to live up to, fully. One of the rules it is tightening up on is the filling of dates within 802 territory by traveling bands. Local's trial board fined Benny Goodman \$500 week before last for disregarding the law and it has ordered Tommy Tucker's crew to cancel a string of dates he has lined up.

In addition, Tucker may be forced off his local New York City Gold program because of the union's insistence that his working on it, with a travelling band, is filling a spot which should be handled by an 802 group. The union is a mixture of the national network show which uses Horace Heidt and is sponsored by the same manufacturer, as carried by WMCA, WJIN, and WNEW.

Another regulation won't allow broken any more pretends to recording dates. Local demands that all data on popular recording and transmissions, men used, etc., must be filed with it on union form, printed for that purpose, but used to allow leeway of a few days after the date for the information to be filed. It requires that the dope be spiked prior to a date or else.

'Hemisphere Character' for Music Week

WPA Music Will Have Many Dates Before Military Bodies

Washington, April 29.

With the field expanded by recently-established Army and Navy posts throughout the country, the WPA Music Program is planning an even larger program for National Music Week than in 1940. Some 10,000 musicians in all sections of the U. S. will participate in more than 700 separate performances, between May 4 and May 11, according to Mrs. Florence Kerr, Assistant Commissioner in charge of Community Service Projects. Appearances before large concentrations of men in military camps and bases will be held, in addition to the usual public concerts in schools, parks, institutions and other public places.

National Music Week will assume a 'hemispheric character' this year, with the U. S. cooperating with North and South America in cooperative popular native compositions from both continents. The Pan American Union and the Inter-American Commission are assisting in the task of procuring the necessary scores.

Proser Mollifies N. Y. Daily News, Denies Its Harvest Ball is Scuttled

Sister Tarpe Spirituals For Millinder Jive Orch

Sister Tarpe, spiritual singer who worked the run of the last Cotton Ball, New York, show, which folded last fall, is to join the Lucky Millinder orchestra as a featured vocalist. Moe Gale, Millinder's manager, has signed her to debut her 'holy roller' stuff with the band at the Savoy Ballroom, N. Y., May 30. Millinder's is a hot swing outfit.

Pennsylvania Legislature Resolves It's Bad To Swing Negro Spirituals

Philadelphia, April 29. The Pennsylvania legislature last week passed a resolution condemning the swinging of Negro spirituals and requesting that radio stations in this State limit the use of religious music to the Sabbath and holidays. The resolution was introduced by Rep. Ralph Tenneyson Jefferson, Philadelphia Democrat, who declared that swing and jazz arrangements of spirituals were 'ribald desecrations' and 'an absolute derogation of the composer's expression.'

'Today Negro spirituals are being used by leading orchestras through the country in arrangements which are sacrilegious if not blasphemous,' said Jefferson. They were not for solemn occasions and were for the edification of jittersbugs,' he said.

Copies of the resolutions were sent to all radio stations.

Stop Non-Union Music At Soldier Dances

Camp Edwards, Mass., April 29. The Cape Cod Musicians' Union has stopped military bands from competing with organized civilian musicians, cancelling Saturday night parties for the soldiers provided by the Falmouth Women's Club and other groups, which charged no admission fees.

Col. Paul Murray cancelled last Saturday's party (28) after conferences with President Benjamin F. Teel, of the Cape Cod Musicians' Union, and Charles Brightbill, Federal entertainment coordinator, who urged the disclusion at the request of Falmouth groups.

The previous weekend, Teel permitted the 101st Medical Band to play at the Falmouth Girl Scouts picnic. The band, which they paid \$17.60, the minimum fee; to the Evening Star orchestra of Santuit, which had bid for the engagement. The latter collected its money without playing the dance.

SALAMA COLUMNISTS

Columbia-Stock Tie on Their Pay Tunes For Album

An album of records inscribed with 'favorite tunes' of columnists who frequent the Stock Club, New York, or have in the past, is being made by Columbia Records and set by Sonny Kendis band, a fixture at that spot. Kendis has already made some of the tunes, but further progress is being held up awaiting okay from various writers on the use of their names and pictures. Each will write short comment on why they like the song they prefer.

Eight sides are to be made: Columnists and favorite tunes are Walter Winchell, 'Stardust'; Louis Sobol, 'Pretty Girl Is Like a Melody'; Ed Sullivan, 'My Buddy'; Damon Runyon, 'Stumbling'; Hedda Hopper, 'I Had You'; Louella Parsons, 'My Blue Heaven'; E. J. Thompson, 'You're the Cream in My Coffee'; Dorothy Kilgallen, 'Diggs Diggs Doon.'

Benny Goodman, Larry Clinton and Charles Barnet are the triple threat dance band setup for the inaugural two weeks of Monte Proser's Dance Carnival at Madison Square Garden. They induct the Garden's new summer hokey policy May 30. Dinah Shore may be an extra added attraction.

Proser's emphasis to the N.Y. Daily Mirror, promotion manager, Bill Fritzinger, that the Dance Carnival was no 'dance contest' and, hence, no encroachment on the News' Harvest Moon annual shindig at the Garden, straightened what, for a time, threatened to be a very delicate situation. The daily's 2,000,000 circulation is nothing to be antagonized, especially since the News immediately clamped down on all space for Proser's other New York nitery ventures, the Beachcomber and Copacabana. On Monday (28) the News' lead off its amusement column with an item on the Dance Carnival.

The Harvest Moon ball comes to a climax Aug. 27, two days after Proser's 100-day deal for the Garden expires. Proser pointed out in the paper that his venture might, in fact, constitute a trailer for the daily's own promotion stunt; furthermore, the booking of acts and name bands indicated it was straight show biz venture.

BOOKS CANADA BUT ALL COIN MUST BE YANKEE

Jimmy Dorsey isn't taking any chances on currency exchange or anything else in playing two dates in Canada the end of May. Band is booked at the Arena, London, Ont., and at the Regent, Toronto, May 29. Contract calls for 50% of salary on deposit and remaining half to be paid before band climbs on stand at London, all in U. S. dough.

29. Contract calls for 50% of salary on deposit and remaining half to be paid before band climbs on stand at London, all in U. S. dough. is posting required bond at the border for men and instruments.

Abe Lyman Injects Some Swing Stuff

Auburndale, Mass., April 29.

Abe Lyman brought a rejuvenated band here (25-26) that tickled the kids as well as the oldsters, according to Roy Gill, manager of Tolem Pole Ballroom.

'After listening to Abe Lyman wait-time programs, and realizing that the business of business is such a long time, we were expecting a bunch of long-hair musicians,' but were agreeably surprised that the band's repertoire also included pop, boogie and swing tunes,' said Gill.

This change was brought about by Lyman's new arranger, Bob Mersey, formerly with Woody Herman, plus the following changes in the band's personnel.

Al Parker, trumpet, formerly with Dick Stable, replaced Frank Bruno, who went to Muggsy Spanier; Don Moore, first trumpet from Paul Whiteman; for Ray Charles; and Kimmel, first sax from Joe Cardullo, for Ray Keyes who shifted to third alto; Phil Brodwin, second tenor from WOR studio band, for Tommy Mace to cut and sing; and Gil Roberts, piano from Bob Crosby, for Jack Plescia to Jan Savitt.

Jukebox Femme Trio Now A Dance Hall 'Attraction'

Milwaukee, April 29. Helen, Bunny and Marge, who answer the calls when the nickels drop in a local tavern jukebox circuit and sing to the women at the customers' with 'Wired Music' have won such a following during the winter months that they are now making personal appearances billed as 'The Melody Mads in the dance halls.'

'You've heard 'em, now see 'em in person' is the gag that seems to be working out in much the same way as the 'Wired Music' has been stars, although the juke girls still hold onto their regular jobs for steady income.

Coin-Catching Possibilities

Al Donahue 'Torna A Surriento-You're a Double Lovely' (Okeh 6159)
Al Donahue once fitted into the Rainbow Room, New York, with the style of band he led. He rebuilt to a more popular groove. It didn't work out as well as expected and he recently rebuilt the group again. On third or fourth release for Okeh the new band and new arrangements represent 100% improvement. Work on 'Torna A Surriento' and 'You're a Double Lovely' is clean and full of fresh life. 'Surriento' as done by Woody Herman with English lyric, has been out some time, but it makes little difference. Phil Brito's smooth vocalizing in Italian and Donahue's instrumental work furnishes the strong melody. Fact that Brito's lyric is foreign to most listeners won't matter much, a fine melody takes any language. Coupling shows the band in a gold rhythm light with good tempo, arrangement and playing. Early tenor break is bright. Dee Keating does neat vocal.

Inkspots 'What Good Would It Do?' 'When Heartaches Begin' (Decca 3726)
Spots have been consistent late and these two don't break the string. Both ballads, they sit easily right off and grow stronger with additional playing. Tenor interprets both melodies with usual background.

Artie Shaw 'Alone Together-Who's Excited?' (Victor 27385)
Records are to be Shaw's only popular music outlet. He should find an easy market for the smartly tailored arrangements he uses. 'Alone Together' is not as well known a melody as some of his recent string, but it's equally effective from any angle. At average tempo, everything blends nicely. Reverse picks up speed and draws similar comment. No vocals.

King Sisters 'I Understand-My Sister and I' (Bluebird 11122)
Both good. Kings handle 'Understand' in neat fashion, cutting an excellently turned arrangement at slow tempo. Break up quartet work in spots to ring in fine solos. Group rips equal comment on 'Sister,' which is done at slow tempo. The arrangement of so many other low-speed versions of the tune, Eddie Howard's (Columbia 36074) for instance, which starts out with a trumpet playing 'Taps,' then goes on at so slow a speed that it almost topples. He backs it with an equally draggy version of 'Do I Worry?'

Jimmie Lunceford 'Dinah' (two sides) (Columbia 36054)
Cutting was probably done some time ago. When it was recorded makes no difference. Only corners from which it will get play will be heavily indiscriminate jive fans huddle. Spilling over two sides work is heavily over-arranged, almost completely hiding tune's identity. Wild pitching.

Woody Herman 'Let's Get Away from It All-Ohio' (Decca 3712)
Herman's cutting of first is best version of the tune. Band gets a solid but easy tempo. Arrangement and playing and Muriel Lane's vocal clean it up. It's backed by a Herman vocal of 'Ohio.' Okay, but would have been better with less lyric. Gene Krupa's 'Let's Get Away from It All' (Okeh 6159) and takes away a lot of the tune's pull with a brittle and driving arrangement coupled to n.s.g. Anita O'Day vocal. He backs it with 'Just a Little Bit South of North Carolina,' so-so.

Cal Calloway 'Special Delivery-Greedy Joe' (Okeh 6147)
Calloway jive buyers with both tunes worth the time. 'Special' is aptly titled. It's a driving arrangement that rides hot and strong all through and it's set with several sock breaks. 'Greedy' is twist on leader's 'Minnie,' utilizing hi-de-ho style of vocalizing in slow tempo.

Lanny Ross 'Mother's Day Song-Ave Maria' (Victor 27390)
With 'Mother's Day' coming up in a few weeks this pair should find good reception. First tune, collaborated on by Alice Templeton, is an okay melody and it's nicely handled by Ross at various tempos. Background helps. 'Ave' needs no comment. It'll sell.

Kay Kyser 'Wise Old Owl-Tell It to Marlene' (Columbia 36051)
Kyser's 'Owl' gets a back seat to none of previous versions. Only fault is late release. Playing lifts at fairly fast tempo. Sully Mason vocals. Reverse stacks up as good novelty. Tune sells at march tempo, with good lyrics.

Tony Pastor 'Braggin'-Copley Square' (Bluebird 11119)
Almost all vocal, first tune boosts Pastor's stock. Guy turns out listenable vocals on such as 'Braggin', a distant cousin to 'Let's Do It,' one of his heaviest clicks. Reverse picks up speed and evolves into a well-played original with standout breaks.

Band Reviews

EDDY OLIVER ORCHESTRA (9)

LaMartiniere, N. Y.
Eddy Oliver has a very danceable band for the class rooms. He has also a personable setup with his nine men, including himself as pianist-conductor from the Steinway (at LaMartiniere, where Danny Kaye is the prime draw, the band's major function is that of Oliver's and Herbert Copley's conga-bamba combo just dispense serviceable danceation. The name element is a secondary aspect. Coming north on a mission at the Hotel Hollywood Beach (Fla.) Hotel, Oliver is also a bit of a globe-trotter, having long been at Les Ambassadeurs, Paris, and at LeFouquet, French spa. In fact he almost got caught with his hand following the Nazi blitz, and only was able to get out by way of Brussels in November, 1939.

His present combo comprises an effective steel guitar (Ry Glantz), three reeds (who double-violins), one trumpet, drums, string bass and violin-concertmaster. For Oliver, who also arranges. Latter with Ted Stanley, on the violin, are both Juilliard alumni. All handle vocals but, primarily, Oliver's is a pert terp combo, excellent for the forthright dance purpose thereof. Abel.

HANK WINDER ORCHESTRA (10)

Club, Putnam, Mo.
Fla-Mor Ballroom, Lincoln, Neb.
Groomed and musically brought up in the territorial field when he was a trombone-playing member of Ralph Slade's orchestra, Hank Winder, very new and still a little rough, is making his bid as the main attraction to be offered in the midlands by the Vic Schroeder bookery. Winder's

unit is a compact outfit, every man, including the leader, working. Prime mover in the tempo is his two-bass setup which includes a sax bass and a bull fiddle-bass horn combo, which heavily underscores the rhythm. The music is in slower vein most of the time, and the jivists won't find a thing for them here. On the other hand, the span of his reach to older people who can cope with his style will more than make up for the few hot-footers he'll lose. Latter are dominant in this Pla-Mor balliwick, which made it a tough date for him to play, but after the first hour, with a few compromises, Winder was making out very well.

The crew embraces three regular saxes, Ray Erickson, 1st; Red Harvey, tenor; Joe Boatman, 3rd, and Ken Kenneth rides on the bass sax; Lloyd Latham, 1st trumpet; Gene McClain, 2nd; and Winder on trombone, for the brasses; Pud Moel, bass fiddle-horn; Hobby Palmer, piano, and Walt Balm, drums.
Jury is still out on Winder over the lack of the territory. He skeddled to play but his initial dates, which have sent him into Iowa, Nebraska, and Minnesota have found him winning. He should become a major factor, in time, for the multitude of dance dates hereabouts which amount to elder get-togethers. He is young, and will have to do a little more to allay criticism from the young, but he seems adaptable to a certain extent already.
Winder is a self-effacing individual, taking his assignment as the leader mostly as if he were one of the men. He has his horn written into all the band chores, and it's a Russ Morgan type. Moel is the voice of the band, and does a smooth mouth-up of lyrics when up. Art.

Last of Jeannie

Gags and puns on 'Jeannie With the Light Brown Hair' have about peered out. But one of them is now going the rounds of retail liquor dealers.

A boy enters a store and demands a bottle of ginlle with the light brown label.

RUSSE COMPOSER'S SUIT VS. UA, ALSO 20TH-FOX

Serge Adelheim, assignee of one Beregovsky, Russian composer, filed suit yesterday (Tuesday) in N. Y. supreme court against United Artists Corp., seeking \$5,000 for the alleged unauthorized use of a song entitled 'Be Still, My Love, Be Still' in 'We Live Again'.
Adelheim filed an identical suit against 20th Century-Fox, charging the illegal use of the song in 'British Agent'.

Stan Patton, sax man with Mart Kennedy's Western Gentlemen, opening soon at Banff, Alberta, is forming his own band to play the summer at Brant Inn, Burlington, Ont., where Kennedy's crew broke all records during the past winter.

On the Upbeat

Al Miller will direct a Ruby Newman unit for third season opening June 23 at Hotel Preston, Swampscott, Mass.

Sammy Eilen will lead Ruby Newman's orchestra on May 3 at the Empire Dance, Hotel Vendome, Boston, for 130 Boston deba.

Abe Lyman opens June 30 for four weeks at Palladium, Hollywood, California, first time since 1932 that he has been in home territory.

Cecil Golly's band set for Rainbow Gardens, Stratford, Pa., opening May 14.

Joe Frascetti's WIP House band to play at junior dances for Temple University and St. Joseph's College.

Jose Morand opens at the Roosevelt hotel, N. Y., May 4 replacing Guy Lombardo. Just closed a seven month run at Cleveland's Hotel Statler.

Charlie Harnet plays one-nighter at Pittsburgh's new Hill City Ballroom tonight (30).

Milton Pickman resigned his connection with the Lyons & Lyons agency the end of last week to de-

vote all of his time to general managing Monty Proser's Dance Carnival Inc., the operating company for Proser's Madison Square Garden, New York, summer program. Pickman joined Lyons only few months ago to sell film, stage stars, for personal appearances.

Dominic F. Zallo, who works professionally under the name of Don Zullo, left his band in Kansas City to return to Detroit for his draft summons. Earlier Detroit calls here yanked into khaki, Anton Patti, taking him away from Patti and His Singing Strings, and Jack Roseover, comedy pianist who also had his own orchestra.

Buddy Clark cut four sides for Okeh records last week. Vocalized 'Little Old Church in England,' 'Lamp-light,' 'When That Man is Dead and Gone' and 'Goodbye Now.'

Dorothy Sims has replaced Patricia Willis as vocalist with Paul Pendarvis.

Howdy Baum, who used to have a band of his own, has succeeded George Weber as pianist with Archie Taralis orch at Yacht Club. (Continued on page 58)

10 Best Sellers on Coin-Machines

(Records below are grabbing most nickels this week in jukeboxes throughout the country, as reported by the major coin-machine distributors from coast to coast, to VARIETY. Names of more than one band or vocalist after the title indicates, in order of popularity, whose recordings are being played. Figures and names in parenthesis indicate the number of weeks each song has been in the listings and respective publishers.)

1 Anapela	Jimmy Dorsey...	Decca... (7) Marks
2 I Understand	Jimmy Dorsey...	Decca... (5) Feist
3 Delores	Bing Crosby...	Decca... (4) Paramount
4 Band Played On	Guy Lombardo... Jesters...	Decca... (3) PD
5 One I Love	Tommy Dorsey... Glenn Miller...	Victor... (9) Forster
6 There'll Be Changes Made	Ted Weems... Vaughn Monroe	Decca... (9) Marks Bluebird
7 Oh Look At Me Now	Tommy Dorsey... Woody Herman	Victor... (3) Embassy Decca...
8 Perfidia	Jimmy Dorsey... Benny Goodman	Decca... (3) Southern Columbia
9 May I Never Love Again	Ted Weems... Bob Chester...	Decca... (8) BMI Bluebird
10 Music Makers	Harry James... Andrews Sisters	Columbia... (1) Paramount Decca...

DISKS GAINING FAVOR

(These recordings are directly below the first 10 in popularity, but growing in demand on the coin machines.)

Sorrento	Woody Herman...Decca Al Donahue...Okeh	Southern
Wise Old Owl	Dick Robertson...Decca Al Donahue...Okeh	BMI
My Sister and I	Kay Kyser...Columbia Jimmy Dorsey...Decca Benny Goodman...Columbia	BMI
Let's Get Away from It All	Bob Chester...Bluebird Woody Herman...Decca Tommy Dorsey...Victor	Embassy
Until Tomorrow	Sammy Kaye...Victor	Republic
Friendly Tavern Polka	Horace Heidt...Columbia Frankie Masters...Okeh	BMI
Intermezzo	Sammy Kaye...Victor Marie Greene...Columbia Guy Lombardo...Decca	Schubert
Everything Happens to Me	Benny Goodman...Columbia Woody Herman...Decca Tommy Dorsey...Victor	Embassy

Bands at Hotel B. O.

(Presented herewith, as a weekly tabulation, is the estimated cover charge business being done by name bands in various New York hotels. Dinner service (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	Total
Clyde Lucas*	Biltmore (300; \$1-\$1.50)	4	700 3,425
Xavier Cugat*	Waldorf (375; \$1-\$1.50)	2	1,750 3,470
Roy Kinney	Lexington (300; 75¢-\$1.50)	3	1,450 3,125
Guy Lombardo	Roosevelt (500; \$1-\$1.50)	28	1,225 36,000
Gene Krupa	Pennsylvania (500; 75¢-\$1.50)	1	1,475 1,475
Harry James	Lincoln (250; 75¢-\$1)	0	1475 475

* Asterisks indicate a supporting floor show, although the band is the major draw.
Two days; opened Friday (25).

Kaye Rolls Up \$4,300, Lyman, \$4,118, Tucker, \$2,200, Gill, \$1,800 on 1-Niters

(Estimates)

Henry Busse (Case Loma, St. Louis, April 23). With stiff competition in form of Dick Jurgens at Chase Club, Busse drew fair 1,400 at 80c; for \$700.

Cab Calloway (Terp B., Austin, Minnesota, April 24). Calloway drew approximately 1,000 heads at 80c plus tax for about \$900. Capacity is 1,400 so take was okay.

Sam Donahue (Rosedale-850 B., Boston, April 26). Playing fifth straight Saturday. Donahue got 550 shufflers at 55c-44c for good \$425.

Tommy Dorsey (Benjamin Franklin hotel, Philadelphia, April 18). Press Photographers' Ball took \$3,150 from 2,080 attendees at \$2.50 a head.

Emerson Gill (Book-Cadillac hotel, Detroit, April 28). Playing for National Jewish Youth Convention hop, Gill pulled nice \$1,800 from 800 at \$3 per day. Before (25), at Commodore Perry hotel, Toledo, Gill drew 275 couples at \$1.50 pair for okay \$412.50 at St. Vincent's Hospital dance.

Erskine Hawkins (Lyric theatre, Bridgeport, Conn., April 27). Approximately \$1,304 gross at average 55c from 2,713 attendees was anything but good.

Inkspots (Colored Library Aud., San Antonio, April 21). Bad weather held down take, but Spots got sock \$800 with same number of subs at 95c-\$1.10. Shipping to Houston (23) quartet drew about 2,500 at 85c-99c. Gross about \$2,200. At Aud., Galveston (23). Spots did sock \$3,000 at average \$1.

Sammy Kaye (Memorial Aud., Buffalo, April 22). Kaye lured fair 1,800 at \$1 here. At Arena, New Haven, Conn., Sunday (27) Swing and Sway was well received by about 9,200 in two shows. With vaude, take amounted to \$4,300 at 45c to \$1.10. About three-quarters capacity.

Mart Kenny (Trionon B., Regina, Sask., April 15). Air force trainees stationed here helped boost Kinsmen Club hop to 500 couples at \$2 pair. Over 100 turned away. Sock considering Kenny's repeated stands here.

Kay Kyser (Municipal Aud., New Orleans, April 24). Kyser's used to pulling hefty audiences. He grossed approximately \$11,000 here, with about 8,500 dancers and spectators at average \$1.25 apiece.

Jimmie Lunceford (Aud., Buffalo, New York, April 23). Good \$500 draw brought in \$2,500 at \$1 a head. At Trionon B., Cleveland (24) band played to 1,000 people at 85c advance, \$1.10 door for estimated \$925 gross. Fair.

Abe Lyman (Totem Pole B., Auburndale, Mass., April 25-26). Records still don't stand here. Playing first shot at Totem Pole, Lyman drew 2,900 Friday and 3,200 Saturday for total \$4,118 gross at \$1.15 pair.

Johnny McGee (Colony C.C., Albany, New York, April 25). McGee pulled good 130 couples at \$5.50 per at Siena College Junior Prom. Capacity of spot is about 350.

Red Nichols (Raymor B., Boston, April 21-22-24). Nichols still strong despite repeated stands here. Drew 500, 575 and 625 in three separate nights for big mid-week \$1,014. Wednesday (23) band hopped to Totem Pole, Auburndale, and sold 1,200 at usual \$1.15 couple on his route for gross of \$810. On Friday (25) Nichols played at Alumnae Hall, Brown U., Providence, R. I., and drew 400 at \$5.50 couple for good \$1,100.

Ray Noble (Capitol theatre, Manitowoc, Wis., April 23). Noble's gross of \$1,509 with 2,332 attendance was okay. At Orpheum theatre, Davenport three days (26-28) Noble got good play from 10,300 stuhlders at 30c to 55c.

Bunny Berigan-Jack Renard (Playmor-Raymor B., Boston, April 25-26). Renard's first date and a Berigan return brought in 2,000 Friday and 2,200 Saturday for excellent \$2,640 at 65c-55c, best weekend in two months.

Dick Rogers (Ritz B., Bridgeport, Conn., April 27). Rogers take of \$697 from 900 dancers at 75c was disappointing.

Charlie Spivak (Garatoga Springs, New York, April 21). Take of \$1,750 with about 350 at \$5 was okay.

Tommy Tucker (Arlene festival, Charleston, S. C., April 25). Tucker did swell \$2,300 or so at 85c advance-\$1.10 door, taking out \$1,150 as his end.

Paul Whiteman (Maxwell House hotel, Nashville, Tenn., April 25). Whiteman got good \$1,350 with 1,271 at \$1.10.

Sterling Young (Peony Theatre, Omaha, Neb., April 26-27). Good \$1,100 resulted from Young's two-day stand here. Drew 1,900 at 55c-60c.

Band Bookings

Del Brissette, May 3, Mass. State Guard Military Ball, Army, Worcester, Mass.; 10, private party, Hotel Bancroft, Worcester, Mass.

Bobby Byrne, May 6, Graystone B., Detroit; 7, Youngstown, 8, A. Aud., Charleston, W. Va.; 10, Duke U., Durham, N. C.

Cab Calloway, May 4, Tromar B., Des Moines, Ia.; 5, Pine Bluff, Ark.; 7, Fair Park, Dallas, Tex.; 8, Aud., Houston; 9, Aud., San Antonio; 10, Plantation Club, Houston; 22, Municipal Aud., Macon, Ga.; 23, City Aud., Atlanta; 24, Aud., Norfolk, Va.; 26, Market Aud., Wheeling; 30-June 28, Sherman Hotel, Chicago.

Larry Clinton, April 30, Army, North Adams, Mass.

Al Donahue, May 8, Monroe, La.; 9-10, Texas A. & M. College Station. Sam Donahue, April 30, May 3, Hampton, Beach Casino, Hampton Beach, N. H.

Jimmie Lunceford, May 16, Cornell U., Ithaca, N. Y.; 17, Sunnysbrook B., Potomac, Pa.; 18, Ritz B., Bridgeport, Conn.; 23-25, Metropolitan theatre, Philadelphia.

Emerson Gill, 23-25, Metropolitan theatre, Philadelphia; 25, Baltimore; 30, Mercurius Academy, Mercurius, Pa.; 31, Steel Pier, Atlantic City.

Sonny Dunham, May 4, Totem Pole B., Auburndale, Mass.

Ella Fitzgerald, May 15, Township Aud., Columbia, S. C.; 16, Benevolent Temple, Greenville, S. C.; 17, A. & T. College, Greensboro, N. C.; 18, Army, Asheville, N. C.; 19, Dixie Land, Lexington, N. C.; 20, Graystone B., Cincinnati; 21, St. Moritz, Pittsburgh; 22, Sunset Terrace, Indianapolis; 23, week, Regal theatre, Chicago.

Woody Herman, May 10, Aud., Milwaukee.

Four Inkspots-Sunset Royal Orch., May 18-19, Graystone B., Detroit; 20, Trionon B., Cleveland; 21, Market Aud., Wheeling, W. Va.; 22, City Aud., Winston-Salem, N. C.; 24, Beckley Arena, Beckley, W. Va.; 25, Army, Danville, Va.; 26, Memorial Aud., Raleigh, N. C.; 27, Army, Charlotte, N. C.; 28, Township Aud.,

Goodman, \$37,000, J. Dorsey, 28G, Strong N.Y. H.O.s; Herbeck N.G. 7G, Indpls., Heidt, 20G, No Philly Panic

'Offy' for Short

The boys are calling him Cole "Offenbach" Porter, since he labeled on his newest tune, to be used in a Columbia film, has been revealed. It's "Boogie Woogie Barcarolle."

Charleston, S. C.; 31, Tybee Beach, Savannah, Ga.

George King, May 7, Graystone B., Detroit.

Jimmie Lunceford, May 16, Wandermere B., Idaho Falls; 19, U. of Idaho, Pocatello; 21, Senator B., Seattle; 23, week, Beacon theatre, Vancouver, B. C.; 30, Century B., Tacoma; 31, McElroy's Spanish B., Portland, Ore.

Clyde McCoy, May 1-3, State theatre, Easton, Pa.; 6-19, T. D. Kemp circuit, N. S. Carolina; May 23-June 5, Beverly Hills C. C., Newport, Ky.; June 7-19, Muehlbach hotel, Kansas City, Mo.; June 20-July 3, Meadowbrook C. C., St. Louis.

Ruby Newman, May 16, Simmons College Jr. Prom, Cambridge, Mass.

Red Nichols, April 30, May 1, Raymor B., Boston.

Tony Pastor, May 3, Sunnysbrook B., Potomac, Pa.; 8, Lakewood Park, Mahanoy City, Pa.; 10, Hershey Park, Hershey, Pa.

Alvino Rey, May 4, Arena, New Haven, Conn.

Dick Rogers, May 4, Coconut Grove, B., Toledo; 6-11, Tunetown B., St. Louis.

Roly Rogers, May 9, Simmons College Jr. Prom, Copley Plaza, Boston.

Roland Russell, May 3, Oceanview B., Revere Beach, Mass.

Joe Venuti, May 4, four weeks, Roosevelt hotel, New Orleans.

Jerry Wald, May 29, six weeks, Mansion, Youngstown, O.; July 12, indef., Buckeye Lake, Ohio.

Estimates for This Week
Johnny "Sea" Davis, Kansas City—(Tower, 3:10; 10:30). With "Sleepers West" (20c), screen. Continued draught of picture and the Dorsey band means \$28,000 this week (3d), good enough to schedule show for a fourth. Last week (2d) was strong at \$38,000.

Benny Goodman, New York—(Paramount; 3:55-55-59). With "Road to Zanzibar" (Par) on screen, plus Copacabana Revue and other acts. Finished third week last night (Tues.) at \$37,000, strong. Picture starts fourth week today (Wed.) with Harry James replacing Goodman, latter being unable to remain longer due to previous bookings.

Phil Harris, New York—(Paramount; 3:55-55-59). Second week, with "Zanzibar" (Par) on screen. Combo is sliding into lucrative \$20,000, after solidly ringing the bell with \$12,000 in first chapter. Film starts third week, but Harris departs as per the original agreement.

Horace Heidt, Philadelphia—(Exley, 2:55-3:45-57-75). Heidt stage is coupled with "Blondie Goes Latin" (Col) on screen. Looks like \$20,000, better than the tally here in recent weeks, but under expectations.

Ray Herbeck, Indianapolis—(Lyric; 1:00; 2:30-40). With "Sis Hopkins" (Rep) on screen. Sympathy for the stage with the gross hovering around \$7,000, punko. House may break even, but that's about all. Indianapolis takes continue to scrape bottom, and—for lack of other alibis—the operators are hanging it on the weather.

Wayne King, Minneapolis—(Orpheum; 2:00; 3:45-55). With stage revue and "Trial of Mary Dugan" (M-G) on screen. Good \$15,000 anticipated, with King getting all the credit. But this figure doesn't stack up near to the \$18,000 or \$20,000 King could land here some years ago. All grosser sub-normal in this burg for weeks.

Dick Todd, Chicago—(Oriental; 3:20; 28-44). With Eddie Peabody on stage and "Vivacious Lady" (RKO) (reissue) on screen. Film has played the loop three times before, which is no help to the combo. So-so \$12,000, with Todd largely attracting what money there is.

Teddy Powell (Bluebird) 'I Went Out of My Way' 'Ode to Spring' 'All I Need' 'Fans Coulette'.

Bob Chester (Bluebird) 'Until Tomorrow' 'Clap Your Hands on the Arms'.

Vaughn Monroe (Bluebird) 'Yours' 'Aurora' 'Monkey on a String' 'What Love is Sweeter Than Sweetheart'.

Woody Herman (Decca) 'My Mom' 'Until Tomorrow' 'Dancing in the Moonlight' 'Changes' 'Everything' 'G'bye Now' 'Intermezzo' 'One-Nighter'.

Harry James (Columbia) 'Cherry' 'Found a Million Dollar Baby'.

Xavier Cugat (Columbia) 'Maredresiva Nostalgia' 'Guaracha'.

Need a Wig?
Boston, April 29. Red Nichols is seeking a solution for the confusion caused by his manager, George Tasker's red hair. Some ballroom attendants have been mistaking Tasker for Nichols.

Arena Extends Season
New Haven, April 29. Arena has decided to extend spring season of Sunday nights, following success with Tommy Dorsey and Sammy Kaye.

Alvino Rey band and King Sisters coming up (4).

Inside Stuff—Orchestras

Abe Lyman and Billy Rose are still status quo on the last summer's booking when the maestro played at Rose's ill-fated Barbary Coast, a midway nifty at the N. Y. World's Fair. Lyman claimed some \$19,000 due him, per contract, and will settle for \$10,000, following complaint to the AFM, which sustained him.

Another pending AFM tip, which has been referred to the executive board, is a \$12,000 claim by Eddy Oliver, maestro last summer at the flop Rox-Fenton Farms (Jersey roadhouse) venture when Meyer Davis and Ralph Maurice operated it. Latter got jammed with the Government on taxes, but Oliver wants Davis to assume \$800, or half the amount. Latter claims it's a corporate and not an individual obligation.

Abe Lyman last week hired a platter promotion man to boost sales of recordings in advance of the Lyman band on its tours through the country. He is Eddie Heller, a member of the record sales departments of the Raymond Rosen Co., local RCA-Victor distributors.

Heller will travel two weeks ahead of the band and contact record dealers, schools, colleges, juke box operators, and ballyhoo Lyman discs. Initial stunt will be the issuance of a 'gold seal' record in honor of Lyman's opening at the Palladium, Los Angeles, next month.

Bob Reynolds, unknown singer who came into New York about six months ago as vocalist with the Coquettes, all-girl band, got a job as an usher at the Roxy theatre to support himself while trying to hook up with a name group. Hearing that Bill Darnell, singer with the Coquettes, was to be drafted, Reynolds presented himself at Chester's manager's office to try for the job, but was advised to wait a week until Chester got in off the road to be auditioned.

Getting Chester's itinerary the usher took a few days a.w.o.l. from his job and spent \$11 of his only \$15 to take a train to Greensboro, Pa., to sing for one night with the band. He returned to New York with no decision from the leader and auditioned again when Chester came in, but under better conditions. He was signed to a contract immediately and recorded with the band Friday (25).

Rival press agents who have been waiting for Howard Richmond, p.a. for Gene Krupa, to be inducted into the Army so that they can make a play for the Krupa account, are in for a disappointment. Krupa has made arrangements with Richmond to continue praising the band from camp if the Government grabs him in its defense program, and he's stationed moderately close to New York. Richmond is supposed to be taken May 7.

Howard Dulaney, Krupa's vocalist, is also on the verge of training. He's to be given a physical examination this week.

Of the sundry publishing houses recently established the Collwitz Corp. is a sideline of Ted Collins, Kate Smith's manager. Nationwide is owned by Lanny Ross and Del Sharbutt, Sammy Kaye is the chief stockholder in Republic, Gene Krupa holds Variety Music Co., and Dick Jergens Variety Music Corp. Mutual Music Society is a Glenn Miller operation, Guy Lombardo and his wife own his defense program, and he's stationed moderately close to New York. Richmond is supposed to be taken May 7.

Sammy Kaye's band tangled with Government defense preparations a week ago on a trip between two dates. Bus band was riding in from date at U. of Illinois to Crystal Palace, Coloma, Mich., sideswiped a truck carrying a heavy die near Kankakee, Ill.; Die, an expensive one, was cracked in the crash.

While no member of the band was hurt; out of a severe shaking, the bus they were aboard was put out of commission. Held up four hours while a new jalopy was rushed up from Chicago.

RIMAC OPERATED ON

Maestro Undergoes Emergency Appendicectomy in Youngstown

Ciro Rimac was stricken with an appendicitis attack last week (24) in Youngstown, O., the closing day of his orchestra's three-day date there. He was rushed to St. Elizabeth's hospital, where he is reported doing well following an operation.

Meanwhile, his son, Charlie Boy, took over the baton.

Ray Beniter band ended 43-week stay at Cawthon hotel, Mobile, Ala., April 25. Jerry Gilbert band replaced.

Wade Batons, Byrne III

Stuart Wade, new vocalist with the Bobby Byrne band, fronted that outfit for three days end of last week while Byrne recuperated in a New York hospital from bronchial pneumonia and a sinus condition. Wade, batted at Miami U., Oxford, O., Friday (25), Trionon B., Cleveland, the following evening and at Myers Lake Park, Canton, Saturday (26). Byrne rejoined the band yesterday (Tues.) at a recording date for Decca in New York and goes back to bandstand work tomorrow (1) at Trionon Ballroom, Toledo.

NBC-WFBR Exchange Wires

Music Notes

15 Best Sheet Music Sellers

(Week ending April 26, 1941)

Following are copies of wires exchanged between Niles Trammell, NBC exec, and Hope Barroll, Jr., executive v.p. of WFBR, local NBC affiliate which switches to Mutual soon, during the past two days on the ASCAP situation:

(The Message)

Hope Barroll, Jr.
Slate WFBR
Baltimore, Md.

For the information of all our affiliates, representative of NBC met with representative of ASCAP today at ASCAP's request. ASCAP submitted proposal on a per program and on a blanket basis. A hurried analysis of these proposals caused us to conclude that they are not satisfactory to the National Broadcasting Co. We will keep you informed of developments.

(The Reply)

Niles Trammell
National Broadcasting Co.
30 Rockefeller Center
New York, N. Y.

In reply to your wire of the 28th it looks to me as if you must have a lot of fun walking in and out of meetings with ASCAP trying to get special deals.

April 29, 1941.

ASCAP-MBS Terms: 3 1/2 %

Continued from page 1

being granted by ASCAP, while the latter's board of directors was engaged in discussing the disputed clauses. The schedule of fees is set: 3% on all commercial programs (the blanket arrangement) and 10% on sponsored programs using ASCAP music (the per program plan).

As soon as ASCAP and Mutual could have agreed on the wording of the licensing contract, MBS affiliates will be asked to ratify it. The ratification procedure calls for W. Z. Macfarlane, Mutual exec, to analyze the terms worked out with ASCAP. In a telephone conference call, taking in all of the web's affiliates, and for the affiliates to wire back whether they prefer the blanket deal, or the per program plan.

When the ASCAP board opened its session yesterday afternoon the major point of difference had to do with the inclusion of a clause which would compel ASCAP to submit any such proposal on the ground that the expiration date of the current agreement is too far off to anticipate what procedure would be best for the Society at that time. The new agreement would run until Dec. 31, 1949.

Terms

The contract which Mutual's directorate and stockholders, excepting Jim Shepard, 3rd, will recommend provides for a blanket fee, in preference to the per-program arrangement. This over-all basis is 3% for the remainder of 1941 and 3 1/2% for the succeeding eight years. These terms are far better than the Mutual stations in the majority enjoyed under the contract which expired at the end of last year. Negotiable before the collective figure is determined are the agency commission, frequency discounts, wire lines and in some cases normal operating expenses.

The discussions between the Mutual contingent and ASCAP opened last Thursday (24) and some of the sessions have lasted until 4 in the morning. Just as the two sides seemed to have tied together all loose strings in the negotiations some new angle would come up and the conferees were split wide open in bitter recriminations. Mutual's claim burn on these occasions has been that its people have had to fight for the very things which ASCAP individual officials had promised them to do and which they are now asked to do on the basis for calling the Mutual board and stockholders into direct negotiations. Mutual kept accusing ASCAP of backing away from things that one of their administrators had committed himself to deliver, while ASCAP retorted that every time a concession was made Mutual thought of another one, figuring that ASCAP was so anxious to make a deal that they would yield to anything.

Looked Bad Monday

By Monday afternoon (28) it looked as though the negotiations had got into such a maze of technical difficulties and personal misunderstandings that the negotiations would blow up altogether. Mutual reps got together again with the ASCAP negotiating committee, but in a conference that lasted until 4 a.m. much of this was entangled and the latter decided to submit the final points at dispute to the Mutual board for decision. Active in the legalistic department for Mutual have been Louis G. Caldwell, gen-

eral Mutual counsel; Keith Masters, counsel for WGN, Chicago, and Emanuel Dannett, lawyer for WOR, New York.

The chief 'no' man in the Mutual group of conferees against the blanket fee arrangement has been Shepard, who on Monday advised his associates that he was preparing a minority report that he would insist be submitted to affiliates along with the report recommending the flat fee deal.

A Check

In any event Mutual affiliates will have the choice locally of paying for ASCAP music on a per program basis and also on network business if the majority of them so elect. The fee for such an arrangement would be 10% on programs using ASCAP music, while that ASCAP agreed to make it but 3% for the first eight months of the contract was that Mutual negotiators argued that some allowance should be made for the affiliates' current obligations to Broadcast Music, Inc.

It has been suggested from Mutual sources that the inclusion of an arbitration clause as applied to the next contract that is after 1949, might prove quite influential in the radio industry's determination of BMI's future. If broadcasting kings, it was pointed out, that it won't have to deal with ASCAP on a strictly arbitrary basis, it might find it expedient to shelve BMI altogether.

ASCAP's negotiating committee met with Niles Trammell, NBC exec, Monday afternoon (28) and it's scheduled to talk with Edward Klauber, CBS executive v.p., this morning (Wednesday).

Inside Stuff—Music

The Edward B. Marks Music Corp. was denied summary judgment Monday (28) in the N. Y. federal court in connection with a copyright infringement suit by Marks against the Stansky Music Corp. and Betty P. Stansky. The court held the registration of its song "Ain't It So" as "Bando Grande," acquired from Silvano Ramus, a Mexican, in 1927, in defendants' song bearing a similar title.

Judge Murray Huibert in denying plaintiff's plea remarked that there were triable issues on defendants' claim that the song was a Mexican folk song and in the public domain. An injunction, accounting of profits and damages are sought.

ASCAP publishers are getting a break in the jukebox films produced by Sam Warner's Warner Bros. Pictures. The films—The Mills-Roosevelt magazine, the film "The Mills-Roosevelt magazine," all ASCAP material of the past such as "Stardust," "Penthouse Serenade," etc., and figures on continuing the exclusive use in future shooting of 16 subjects every six weeks.

Coslow is using name individuals as well as bands in his pictures. "Reels have" he said with Mary Healey, Buddy Rogers, Johnny Downs, Shirley Dean, Martha Tilton, Gale Storm, Harry Barris, Maxine Gray, as well as bands of Skinny Ennis, David Ross, Will Osborne and Bobby Sherwood.

Mills Music, Inc., will publish within the coming month the scores of four film productions. Two of them will be Columbia's "Betty Co-Ed" and "Time Out for Rhythm," while the other pair are Republic's "Rookies on Parade" and "Six Hopkins."

Sammy Cahn and Saul Chaplin turned out the "Rhythm" score and did all but the theme song for "Rookies." Eddie Cherokoe and Jacques Press wrote the "Co-Ed" tunes and Jules Styne and Frank Loesser collaborated on the "Hopkins" score.

Gene De Paul and Don Raye are cleaving songs for "Moonlight in Hawaii" at Universal.

Daniel Amichiesio and Earl Brent scoring "The Get-Away" at Metro.

Peter Trivarin composing tunes for the next Roy Rogers western at Republic.

Herbert Stothart assigned as musical director on Metro's "Smith" Through."

Robert Emmett Dolan supervising the sold three songs for "Birth of the Blues" at Paramount.

Johnny Mercer and Arthur Schwartz doing the songs for "Navy Blues" at Warner.

Ann Ronell's "The Merry-Go-Round" was bought by Harry Sherman for his Paramount picture, "The Parson of Padmalin."

Paul Merz and Felix Adler are writing three songs for Buster Keaton's short, "The Private Gent" at Columbia.

Evelyn Love Cooper and Murray Rumsey have cleaved "They Still Make Love in London" for U. S. Music.

Bernard Herrmann, composer for Orson Welles' radio shows, was signed by RKO to write the score for "The Devil and Daniel Webster."

Artie Shaw, Ben Oakland and Milton Drake cleaved "It's You" to be sung by Tony Martin in the next Marx Brothers picture at Metro.

Jimmy Dodd sold his song, "It's Never Frio Down in Rio" to Universal for a musical short and will do his own guitar spex with the number.

Walter Jumann and Bernie Grossman sold three songs to Universal for the next Deanna Durbin starrer. Ditties are "Believe My Heart," "Doing Things for You" and "The World Is Waiting for Romance."

Johnny Marvin turned in three songs for the Columbia picture, "King of Dodge City." Ditties are "The Empty Chair," "He's Lower Than a Snake" and "The Trail That Leads Home."

Solo Music Publications, Inc., has been chartered to conduct a music publishing business in New York with a capital stock of 200 shares, no par value. Directors are: Attorney Bernard Levine, Dorothy Ballen and Ann Adler, New York City.

Amapola	.....	Marks
Intermezzo	.....	Schubert
Number 10 Lullaby Lane	.....	Warren
Was Old Owl	.....	BMI
It's Be With You in Apple Blossom Time	.....	Broadway
My Sister and I	.....	BMI
Do I Worry	.....	Mel. Lane
Maria Elena	.....	Southern
Belcher's "Las Vegas Nights"	.....	Paramount
Walkin' by the River	.....	BMI
San Antonio Rose	.....	Berlin
I Understand	.....	Feist
Oh Look at Me Now	.....	Embassy
Georgia on My Mind	.....	Southern
Oh, Bye Now	.....	BMI
* Filmmusical.		

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

Following is a tabulation of the combined plugs of current tunes. NBC (WEAF and WJZ) and CBS (WABC) computed for the week from Monday through Sunday (April 21-27). Total represents accumulated performances on the two major networks from 8 a.m. to 1 a.m. [Dropped for some months, persistent trade demand prompted resumption of the plug's breakdown even though ASCAP tunes obviously can't be logged.]

TITLE	PUBLISHER	GRAND TOTAL
Amapola	37
Do I Worry?	34
My Sister and I	32
Walkin' by the River	27
Maria Elena	26
There'll Be Some Changes Made	25
Time and Time Again	22
It All Comes Back to Me Now	21
Things I Love	21
Two Hearts That Pass in the Night	21
Oh, Look at Me Now	20
Wide Old Owl	20
Number 10 Lullaby Lane	17
South of North Carolina	17
You Walk By	17
Everything's Coming Your Way	17
Georgia on My Mind	14
I Hear a Rhapsody	14
So You're the One	14
With a Twist of the Wrist	14
Perfidia	13
High on a Windy Hill	12
Ida Sweet as Apple Cider	12
In the Rush of the Night	12
Let's Get Away from It All	11
My I Never Love Again	11
Let's Dream This One Out	10
Song of the Islands	10
Yours	10

On the Upbeat

(Continued from page 56)

Pittsburgh, before moving into Child's Restaurant, an engagement on Hammond organ.

Jack Gayle has signed a one-year contract with the army to play lead alto and he's replaced in Red Nichols band by Joe Andre, from Ed Drew's WPRO (Providence) studio outfit. Andre was also teaching on the side.

Bob Strong, orchestra set for Northwestern Sophomore drag and the DePaul U. Wranglers Club dance in May. Strong's orchestra doubles out of Chicago from duties on the Brown & Williamson tobacco firm's other musicals.

Pete Viera orchestra has added a new girl singer, Jean Flowers.

Bubbes Becker returned engagements at Mermaid Go-Round, Pittsburgh, Friday (25), replacing Al Fremont outfit. Latter goes to Kalamazoo for two weeks and then to Savannah for four. Stan Zucker's office booked.

Buddy Carlson has moved into Balconades, Pittsburgh, for an indefinite stay.

Phil Brejloff, who built his band up as the house orchestra during the winter season's infrequent vaudeville at the Michigan theatre, Detroit, will divide his summer between the links and the boats. Will be busier than he was playing the intermittent stage shows. Will open the season at Oakland Hills and also play Detroit Yacht Club dances.

Ammons and Johnson, Case Society boogie-wogie duo, with Count Basie May 2-4 at State, Hartford.

Eddy Oliver band may go into the Palmer House, Chi. following their La Martinique, N. Y., engagement.

Dario and Jim Vernon to move La Martinique's summer home into

Vivian Johnson's former spot at West End, N. J., have given John N. Greenhut exclusivity for talent and band bookings.

Ray Auburn's orchestra is playing at Barock, taking over the Albany-Schenectady Road. Marlow and Marlene, ballroom dancers, and George Le Marr, emcee, complete the floor show.

At Kew-Forest open summer dancing season next Friday and Saturday (May 2-3) of Riverview Ballroom, Neponset, Mass.

Canale Lake Park, Salem, N. H., opens next Saturday (May 3). Vaughn Monroe plays here May 14.

Larry Sealwell has replaced Eddie Johnston as drummer with Henry Bruce. Was formerly with Anson Weeks.

Sam Lutz, for past seven and a half years personal manager of Henry Busch, taking over the Albany-Schenectady Road, Albany, plans to open N.Y. office for handling personal orchestral representation. Maestro gave him a "wristwatch" prior to leaving.

Vincent Lopez band may follow Frankie Masters at Taft hotel, New York. Masters leaves June 22, completing a full year.

Jack Egan, Tommy Dorsey's p.a. for past five years or leaving that job to road manager Alvin Key-Ging Sisters orchestra.

Mamie Gersham, alto sax, out of Bob Chester band and over to Tommy Dorsey to replace Johnny Mince, who's to be drafted.

Cab Calloway band set for Sherman hotel, Chicago, May 30 to June 28. Jimmy Dorsey follows June 27.

Dolly Mitchell, former vocalist with Zez Confrey band, working with Adrian Rollini trio at Doc's Tavern, Baltimore.

Jerry Wayne, former vocalist with Bobby Byrne, cutting solo sides for Decca.

Tobani Case Principle Is Reaffirmed

Justice Wasservogel Findings in Schirmer vs. Robbins Advances the Legal Reasoning

Principles of law pertaining to copyright renewals which were set forth by the N. Y. federal court in the famous Tobani case have now been adopted by the N. Y. supreme court. In decision handed down last week by Justice Isadore Wasservogel it was held that not only is a renewal assignment obtained from a composer long before the renewal date enforceable but that the state court has jurisdiction when it comes to enforcement. Justice Wasservogel's finding was in connection with a suit that G. Schirmer, Inc., had brought against Robbins Music Corp. over some copyright renewals of Domenico Savino's works and was a direct outcome of a plea by Robbins that the action be dismissed.

In the Tobani case the court took the viewpoint that a writer has a right to convey his renewal rights any time during the period of the original contract (28 years) and that this assignment is enforceable at the time the renewal becomes due. When Judge Edward A. Conger, of the same N. Y. federal court, was faced several months ago with a similar issue, the case of M. Witmark & Sons vs. Fred Fisher, he took the Tobani decision and applied its principles to the action at hand. In the Witmark-Fisher case Witmark had obtained the renewal right to "When Irish Eyes Are Smiling" from George Graff 18 years before this renewal became available. Fisher got his assignment just before the renewal became due and Witmark sued to restrain Fisher from exercising his renewal and to compel Graff to go through with the agreement that he had made with Witmark and to assign his renewal copyright registration to the latter firm.

Assigned in Advance
In the Savino matter Schirmer claimed that the composer had made the conveyance of the renewal rights a part of the original contract, signed in 1932. When the first term of the copyrights involved expired Savino obtained the renewals in his name and instead of assigning them to Schirmer transferred the rights to Robbins. Julian T. Abeles, Robbins counsel, argued that Justice Wasservogel's decision stated that this was not so but that it was based upon a contract, for which specific performance is asked. Also that the state court has the authority to adjudicate rights under a contract notwithstanding that the contract may affect or involve patents or copyrights or federal statutes. The Conger and Wasservogel decision will probably have far-reaching implications. It was a common practice among the major publishers before the establishment of a standard uniform writers' contract in 1932 to get the renewal assignments from their composers and authors. With such assignments now declared valid the writers of perhaps hundreds of famous standard tunes will be barred from capitalizing on the assignment of their copyright and they will have no recourse but to convey their renewal rights, as they register them, to the original publishers or their works.

Buddy Morris Buys White-Smith Firm

Edwin H. (Buddy) Morris, of Mercer & Morris, has bought the White-Smith Music Publishing Co., of Boston, whose standard catalog includes Charles "Wakefield" Cadman's "From the Land of the Sky Blue Waters" and "At Dawning." The White-Smith firm dates back to 1873, and has for many years maintained its own printing plant. The deal gives Morris either sole ownership or partnership in four catalogs, three of them popular. The others are Mayfair Music Corp., Melrose Music Corp., and the Morris catalog, which became the nucleus of Mercer & Morris.

Morris proposes to operate an office in Boston as well as New York and Chicago.

WAR IRKS FELT IN HI-TONE FIELD

RCA Victor dealers in New York have been vigorously protesting to the company on the delay in deliveries of classical records. Ever since Victor dropped its prices to \$1 for 12-inch recordings and 75c for 10-inch, the company has been lagging in deliveries until today it is reported a month behind. Victor claims that defense work has blocked its deliveries, this being the making of cartridge pouches. It is reported to have told dealers that until the war ends it cannot hope to catch up. Dealers are also complaining about the condition of the records received, another supposed result of war conditions. Mistake, misprinted, and mixed sets have been reported. To replace individual recordings in sets is almost an impossibility.

Leonard Whitcup Sues Southern for Accounting On 'Frenesi' Sub Lyrics

Papers have been served on Southern Music, Peer International Corp., and Broadcast Music, Inc., in suit preferred by Leonard Whitcup, lyric writer, over the two sets of words fitted to "Frenesi," published by Southern's subsidiary Peer Int. Suit is seeking an accounting and \$25,000 damages, claiming that Southern's second set of lyrics infringes and is based on the first set, written by Whitcup.

According to the papers, which will be answerable in Supreme court, New York, Whitcup was asked by Southern to write his lyrics last fall after Artie Shaw's original recording of it had awakened interest in the tune. Whitcup, however, is an ASCAP writer and when the ASCAP-radio battle started and Southern granted exclusive performing rights to its Peer-published songs to BMI, Whitcup's lyrics were no longer usable and a second set was constructed by Ray Charles and S. K. Russell. Whitcup charges that this second set is too close to his idea and in certain lines, Woody Herman's recording of the tune, which boosted that band's stock, used Whitcup's ASCAP lyrics.

British Best Sellers

(For Week Ending March 29)
Last Time I Saw Paris...Chappell
Down Every Street...Cinephonic
We Three...Wood
Johnny Peddler...Francis Day
Room 504...Chappell
Only Forever...C.C.
Bless 'Em All...Prowse
Weep No More...Wright
King Still in London...Dash
Sergeant Major...Cinephonic

TAVERN ANIMUS CONTINUES IN WISCONSIN

Milwaukee, April 29. While there is an apparent lull in the ASCAP-BMI situation, so far as surface indications are concerned, there is much quiet activity throughout Wisconsin, with both sides working to strengthen their positions whatever may come. ASCAP reps are signing up users for their music and are reported to have over 1,100 new contracts in spite of BMI opposition, which tavernkeepers claim has instructed them that if they sign with ASCAP they are liable to prosecution as conspirators.

The Tavern News, bitter foe of ASCAP, makes much of the fact that ASCAP has not complied with Wisconsin statutes—namely the recent law under which 25% of the society's revenues would go to the state for the privilege of doing business here, and all investigators have to be licensed, but, according to ASCAP sources, BMI has not complied with the law either, so is equally liable.

Legislation continues to be launched in Madison against the music organizations, two new bills sponsored by Assemblyman Joseph A. Schmitz, of Germantown, having been brought up in the past week and referred to the judiciary committee. One bill provides that before anyone can start an action against a user of copyrighted music he must file with the secretary of state a complete statement concerning the case to be instituted, and that if a suit is carried to a conclusion another statement must be filed showing who paid and who collected any moneys involved.

Another bill provides that original and copies of copyright music be filed with the secretary of state, with complete descriptions of each number, and additional lists of such copyrighted numbers be filed with the clerk of each town, city and village in the state, one list for each 100 of population, and a filing fee of 2c for each composition listed duly paid. Since ASCAP alone controls 300,000 copyrighted tunes, enactment of the proposed law would nick the music men for plenty.

Penalties up to \$1,500 and jail sentences up to six months are proposed for violations.

ASCAP Condemned

Salisbury, N. C., April 29. The North Carolina Senate passed a resolution "venting the condemnation of this body" on ASCAP following a broadcast over station WPTF. It happened this way:

The senate, having completed its business for the moment but waiting to recess simultaneously with the house, filled the interim with group singing.

Carl Goerch, WPTF commentator, broadcasting from the chamber on the final day of the 1941 session, asked and was given permission to put the senate on the air as a choir for one number.

The number "God Bless America" was chosen. But shortly before the scheduled performance, Goerch remembered that "God Bless America" was an ASCAP number and as such could not be broadcast by the station due to the struggle between broadcasters and the society over music performance fees. "America" was hastily substituted, and after the senate had sung it, Senator Roy Rowe of Pender County rose and introduced the resolution of condemnation, which was quickly passed.

Don Raye and Gene De Paul wrote two ditties for DePaul's pictures: "Abbott and Costello in the Navy." Tunes are "Bring On the Navy" and "They're Off to See the World."

ASCAP Sees Mushroom Publishers

In Fast Vanish With Normalcy; No Performance Fees Collected

Songwriters-20th Settle

Suit by Carl Field, Henry Clarkson and Jeff Clarkson, songwriters, against 20th Century-Fox Film Corp., Con Conrad, Herb Magidson and the Sam Fox Publishing Co. was settled and discontinued Friday (25) in N.Y. federal court. Action sought \$525,000 damages claiming the plagiarism of plaintiffs' song "Goodbye to Love," written in 1932, in "Here's to Romance."

Conrad and Magidson wrote the song, Sam Fox published, and 20th-Fox used the song in a picture of the same name.

ASCAP BYLAWS AWAIT MBS DEAL

Negotiations with Mutual for a licensing agreement has been responsible for holding up action by the ASCAP board of directors on the new set of by-laws which it was proposed that the organization adopt as a requirement of the Government's consent decree. The board was to consider the by-laws last Thursday's (24) regular monthly meeting but the session, which ran eight hours, was devoted entirely to talking with Mutual representatives. These by-laws must, according to the terms of the decree, be in operation by June 5. After the board passed on them, they will be submitted to the ASCAP membership at a general meeting.

Many of the publishing firms which have sprung up since the break between ASCAP and the broadcasting industry are reported to be making their songs available to radio without expectation of getting anything for the performing rights. Such newcomers have issued non-exclusive licenses through Broadcast Music, Inc., merely to be able to obtain exploitation for their wares and as a prerequisite to getting what they can out of sheet and disc sales. Another motive for the exclusive angle stems from the hope harbored by these firms that when peace is made they will, if and when accepted into ASCAP's ranks, be in a position to assign the performing rights to that organization.

Within the old established section of the music publishing industry the belief prevails that when radio and ASCAP do patch up their difference the future for this mushroom growth will be a brief one. The economics of the business, let alone the wide disparity in experience, background and commercial songwriter availability, will be against them. Once the high-pressure exploitation machine which the large and medium ASCAP firms finances in a big way gets going the efforts of the outsize associated with the BMI goldrush will become puny and futile. It is also predicted that as soon as the ASCAP firms are rolling normally the majority of those operating these new firms will go scrambling for jobs as contactmen with the ASCAP-affiliated concerns.

HEY, LOOK! Music Makers Make Merry

Jimmy Dorsey — Guy Lombardo
Vincent Lopez — Harry James — Gene Krupa
Blue Barron — Frankie Masters
Fletcher Henderson — Chiquito

With their hands and vocalists are swinging for the Music guys at their SEVENTH ANNUAL GALA AFFAIR—SUNDAY NIGHT—AT MANHATTAN CENTER.

"For the time of your Life

Bring Your Girl or Your Wife."

Make merry with the Music Makers. Lots of Surprises. It's only a dollar—Proceeds for Relief Fund. MANHATTAN CENTER—34th Street and 8th Avenue, Sunday, May 4th, 1941, from 8:30 P.M. until.

PROFESSIONAL MUSIC MEN

INCORPORATED
ORGANIZED 1934

R. K. O. BUILDING 1270 SIXTH AVENUE
NEW YORK CITY

keep your machines hummin' and the nickels comin'

with

GLENN MILLER'S RECORDING OF
THE ONE I LOVE
Belongs to Somebody Else
"IT'S A HONEY"

BLUE BIRD RECORD No. B-11110

Now That There's Harmony, Philly AGVA Looks to Buildup of Treasury

Philadelphia, April 29. With all wounds healed at last week's meeting and light meeting, the Philly local of the American Guild of Variety Artists is going ahead with plans for building up the union's treasury.

Richard Mayo, executive secretary, yesterday (Mon.) announced the local was planning a gigantic benefit show, the proceeds to go into a welfare fund for the aid of ill and destitute members. The show will be held some time next month.

In addition, Mayo revealed he had completed arrangements with a hotel and two restaurants through which performers at liberty would be extended credit against the time when they went to work. Mayo also said he had set up a hospitalization and dental plan through which AGVA members would be treated at reduced rates.

The feuding factions in the actors' field here patched up their differences at last week's meeting. Kelly, who was ousted as business agent last summer, revived his indie organization, has returned to the AGVA fold.

PITT AGVA LOCAL NOW YENS A SUMMER CAMP

Pittsburgh, April 29. Local chapter of the American Guild of Variety Artists is scoring around for a summer camp where members can pick up a sun-tan during the summer. Nat Nazario, Jr., executive secretary of Pittsburgh unit, has three locations on one of the local rivers under consideration and expects to make a selection within next couple of weeks.

Camp will be equipped to serve as living quarters for number of vaudeville members engaged in the camp to take advantage of it, but is chiefly designed as a recreation center for performers during hot summer afternoons.

Zaumeyer's Fractured Hip

Kansas City, April 29. Johnny 'Scat' Davis crew playing Tower theatre this week began engagement with a new man in trumpet section. John Zaumeyer, arranger and brass man, fractured his hip when he stumbled on a stairway and was confined to quarters with a cast on the injured pelvis. Bill Leahy flew in from the West Coast and stepped into the breach overnight.

Leahy plays with the outfit after the Tower date, and Zep Metcalf leaves the crew when Zaumeyer returns to active duty.

Fletcher Henderson's colored band cast first sides for OKs last week using white Alex Fila, and Mickey Folus, formerly with Woody Herman, on tenor sax, and borrowed Johnny Long's Helen Young to be the vocals.

Savos' Lost Baggage Suit

Lina and Jimmy Savo on Monday (28) applied to the N. Y. supreme court for the right to examine records of the Hotel St. Moritz, N. Y., in connection with a \$15,000 suit the comedian and his wife has filed against the hotel. It is claimed that the hotel lost their luggage and personal belongings during a stay there in June, 1937.

The hotel has entered a general denial and claims it is not responsible for lost property.

Oriental, Chi, Reverts To Straight Films After Losing Try with Vaude

The Oriental, Chicago, which recently underwent a change of operation from Jones, Linick & Schaefer to Michael Todd, will drop stage shows May 15, the last show playing the house being dated for the week of May 9.

A loser under J. L. & S., the house has continued its red ink status under Todd. It's understood that the house dropped more than \$3,000 last week, when Harry Howard's unit played the spot.

Oriental has been up against it for first-line film product. House will go straight picture May 15, probably with a policy consisting of one feature film combined with a newsreel and shorts program.

Dan Fienbly, who joined Todd as show booker just before the decision was made to drop stage shows, will remain with the house until the end of this week, when he will return to N.Y.

Pitt Stanley Again Resumes Stage Shows

Pittsburgh, April 29. After month of straight pix, Stanley, WB deluxer, will resume stage shows Friday (2) with Horace Heidt's band.

Heidt will be followed at Stanley by Wayne King on May 9, and flock of other name bands are being lined up by Harry Kalmine, WB Zone manager, who hopes to keep presentations going at Stanley through summer.

Mich. OK's Barmoids

Detroit, April 29. Lady barkeeps are again legal in Michigan.

The State Liquor Control Commission has reversed its earlier ruling against them after two female bartenders here filed a suit in Circuit Court charging it was class discrimination, unconstitutional, medieval, etc.

Nazi Newsreels

Continued from page 1

German Lloyd office here, and Carl P. Berger declared that the films were 'newsreels' and as such were not required to be censored.

Mrs. Carroll asserted that all foreign films were subject to censorship, and warned that future violations of the State laws would be forcefully prosecuted.

The only films classified as newsreels are those taken of current events by the authorized newsreels companies, Mrs. Carroll declared.

The regulations requiring the reviewing of all foreign films would be applied, even if the showing was confined to private gatherings, she said.

Kreckmann, said he obtained the films through UFA, Nazi distributors. Investigators of the Detective Bureau's 'alien squad' reported that a crowd of 40 cheered the Nazi flag and hissed a picture of the Statue of Liberty.

Mrs. Carroll's action recalled her ban of the Nazi propaganda film clip 'Jehovah's Fire' in B.C. 'Paris We Watch'. The board later okayed the picture after less than a minute of the disputed clip was deleted.

The Kythausen Bund, whose national headquarters is in Philly, has been called a pro-Nazi outfit by the Dies Committee. Leaders of the bund, however, declare their only purpose is to raise funds for the relief of German war prisoners in Canada and Jamaica.

Domestic Bills

Milwaukee, April 29. Because her husband, Ernst, 38, would take her only to the German Kino where she could see only German pictures, although she does not understand that language, Mrs. Helen Markowitz, 23, launched a domestic billwriting that reached circuit court Friday (25) in a divorce action in which she alleges she is the victim of Nazi cruelty, which included beatings if she asked her spouse to get out of bed as early as 9 a.m. on Sundays.

Ferenz's Nazi Pie Yen

Hollywood, April 29. The second attempt of Frank Ferenz to show a Nazi picture here was blocked. Then owners of the Pacific Electric theatre refused a permit for the showing.

Several months ago Ferenz was halted from showing the Nazi film at the Mason Opera house. He sued for \$10,000 and lost.

Nazi Pie's 4-Pie Freem

Nazi propagandists in America, taking a page from Hollywood with its simultaneous preems, will open their efforts in six theatres simultaneously. Picture is 'Sieh im Westen' (Victory in the West), newswear compilation by German Army Information Service showing Nazi troops taking over in western Europe.

'Sieh' reportedly opens Friday (2) at two houses in Manhattan, one in Brooklyn, two in New Jersey (Livingston and North Bergen), and one in Chicago.

Saranac Lake

By Happy Betway

Saranac Lake, April 29. This Actors Colony in deep silence due to the passing of Dr. Rudolph Plank, X-ray expert for the N.Y.A. and Will Rogers sanatoriums for over 20 years.

Theodore Teslo shot in from Middletown, Conn., to ogle his daughter, Anna May, who has accomplished a nifty comeback. While here he presented the Will Rogers with a miniature log-house and foot-bridge for the rock garden.

Arthur J. Smith, film editor and booker of newsreels and shorts for Radio City Music Hall, is a newcomer at the Rogers.

John Eaton, who is witnessing a most of bed routines, was bed-dipped by his pa and ma, who shot in from Saranac.

Hats off to Ann Comerford. Last year she mastered 'rib' operation and recently she licked the Mandali op, which means that the little girl is on the bright side.

Ben Schaffer and Dickie Moore received top honors during the 'Russian Bank' competition at the Will Rogers. Schaffer has served that Moore should meet all cameras for the next setting and that Schaffer act as expert adviser.

Write to those who are ill.

Free Baths Nix Cafe

Detroit, April 29.

State Liquor Control Commission has refused to release The Harbor, waterfront cafe here.

Not until the spot builds railings all around the docks where it is located will the permit be given.

Billy Edwards Would Clarify Stagecrafters' Hotel Plan for Indigents

New York.

An article pertaining to the Stagecrafters Dinner Club appeared in the April 23 issue of your publication. In regard to this article, under the heading, 'TA Nixes Plan of Hotel for Showfolk,' the writer wishes to say the following:

I assume that VARIETY did not intend to either belittle or underestimate the efforts of this organization, so the reason for this letter is to bring to your attention the facts involved. If it has come to my attention that some of your readers have derived from this article a meaning that certainly is not very complimentary to Stagecrafters Dinner Club.

Stagecrafters Dinner Club, Inc., could (but will not), if it so desired, stage a benefit in every city in the United States. The only thing which it would be required to do 'would be to pay the actor for his services.

The following are some passages from your article which I should like to quote because I think that they are clarifying.

'General objection to the idea is that it would run counter to the various actor charities.' The answer to this is that our plan would most assuredly not run counter to any theatrical charity now in existence.

'Letterhead of Stagecrafters is crammed with the names of well-known in show business supposed to be on the committee.' The list of sponsor members appearing on our letterheads are all paid up members of our organization, and although these members have sent our 'Invitation to Dinner' tickets, the names were not put on our stationery because they were sent most assuredly not as contributors to what every body knows to be a worthy cause for members of the theatrical profession.

'Bill Edwards, who has been with the outfit for a number of years, is listed as welfare director.' If the writer of the article will look at our letterhead, he will see that my name does not appear on the stationery of Welfare Director, although I hold that position.

'Until now the principal activity of Stagecrafters has been to sell coupons calling for 50c dinners.' This is totally untrue. For the past eight years, any member of the theatrical profession, regardless of his affiliation, has been fed without embarrassment or humiliation.

In many cases, housed and clothed as well by our organization.

Theatre Authority, while occasionally very helpful to this organization through the efforts of its Executive Secretary and individual members, has never given Stagecrafters an allocation of funds, as you state in your article.

Stagecrafters has been given an O.K. by Theatre Authority to conduct a benefit at the Astor Hotel in order to raise funds for its immediate needs, but it has abandoned the idea of the immediate purchase of a hotel, due only to the objections raised by Theatre Authority.

The writer hopes that the foregoing will clarify any misunderstanding which might have arisen in the minds of your readers.

Thanking you in anticipation for your kindest personal regards.

Billy Edwards.

MORE TENDENCY TO WEEKEND VAUDE

Minneapolis, April 29. Outside of a few of the largest centers, stage shows in the occasional vaudeville houses, such as the Orpheum here, may be confined to weekends after this season, Minnesota Amus. Co. (Par) officials believe.

With a few exceptions, even the more important flesh attractions garner most of their trade into the three-day period from Friday to Sunday, inclusive, trade slumping in regard to Monday onward through Thursday, regardless of the show's merits, it's pointed out. The situation is not typical to Minneapolis, either, it's pointed out.

Belief is that, ordinarily, a full body business could be crowded into three days for the stage shows.

N.Y. St. Regis Doubtful Of Conditions, Cuts Show

The swank Hotel St. Regis, N.Y., makes a frank admission that unsettled world conditions will cause its Vienna Roof this summer to eschew the usual elaborate floor show.

Instead just two bands, Hal Saunders and Martel's Gauchos (contingent), will hold forth, both moving up to the Roof from the Iridium Room.

New Dallas Agency

Dallas, April 29. The Southern Artists' Bureau, booking and management agency for various types of talent, has been opened here to serve the south and southwest.

Morris B. Harrell, Dallas attorney, heads the bureau.

PHIL SALTMAN'S RETURN

Boston, April 29. Phil Saltman, who conducts 10 piano schools throughout New England, is back to playing stage engagements.

He opens at the Ritz Roof, Boston, May 15 as a relief unit, with himself playing the solo and Russ Adams the drums.

NORMAN

HARRIS

and

SYLVIA

SHORE

NOW IN 19TH WEEK

GEORGE WHITE'S

GAY WHITE WAY, N. Y.

Management: WM. KENT
1776 Broadway New York

BOB

EVANS

With Jerry O'Leary

Just Finished
Record 15 Breaking Weeks

Empire Room, Palmer House
Chicago

(Week, Apr. 16, State Lake, Chicago)

Currently Theatre Tour

Personal Direction: EZ KEOUGH
203 N. Wabash, Avenue Chicago

NEW OFFICES

HERMAN CITRON

THEATRICAL ENTERPRISES

607 FIFTH AVE., NEW YORK, SUITE 700

IN THE RADIO CITY ZONE

BEN KUCHUK, Associate

PLaza 8-2213-4

THE THEATRES OF THE STARS

Marcus LOEW BOOKING AGENCY

GENERAL EXECUTIVE OFFICE
LOEW BUILDING ANNEX
140 W. 46th St., N.Y.C. - 36th - 9-7200

J. H. LUBIN
GENERAL MANAGER

SIDNEY H. PIERMONT
BOOKING MANAGER

Chi Hearst Daily's Non-Profit Camp Show Plan OK With Army; Vaude Units to Work 24-Day Route

Appearing on the show were Lasses White, Chaz Chase, Gene Arnold, Leslie Wright, Barry and D'Alba, Jack Pepper, Eddie Fitzpatrick, Emil Coleman, Nick Stuart, several orchestras and bands and numerous home talent performers. Benefit was co-sponsored by local Variety Club tent and Interstate.

EARLE, WASH.

Washington, April 26.
Joe Cook, William Ritchie, Lane and Ward, Geoffrey Hale, Joe Foster Girls' Penny Serenade (C)

Joe Cook is always socko in audience appeal here and the curtain called Duffy must pass exception. He still can make the customers laugh so hard they miss half of what he says, and since his 15-minute revue is mostly Cook it is just one 30-minute laugh.

Show tress off solidly with house galoshed and warping feet because he's still cold from that ice show "It Happens on Ice," in which he was starstruck on the ice. He's back with the pronunciation he's about to make a dredge chat, one of those gags this town expects to see. He's got a good one, brings on William Ritchie, the veteran cycle manhandler, who tears bicycles apart and the house down at the same time.

Lane and Ward provide a relief from the laughter, their expense being just now while for good, not funny. It's a welcome relief, too, letting the customers rest up in the emotion for the next act. The appearance, one of his two lengthy ones. This is the soda fountain bit, involving those under the table. Involving his doughnut-dunking device and other wild items, getting the audience as close to the roll-in-the-dough as one ever gets around here.

Eileen Ritter, from the line about what she's just done, is up for a vocal version of "Five O'Clock Whistle," backed by Roxettes in big rhythm hit, they give it to Geoffrey Hale, introduced by Cook as the noted baritone from the British Broadcasting Corporation, who solidly with his vocal mauling of "Road to Mandalay" and a follow-up original "Lily" derived from pop tunes.

Roxettes return with their feature of the week, clad in brief white bandages with their hair in head-dresses. It's an Indian number, involved enough in which to try their expert prancing, then they then for the mad jungle in his finale, in which he shows off his juggling against the obstacle of a conch shell. Then they come in as stooge hecklers, Oriental "magicians" and Ritchie on various trick bicycles. Lane is backed by the house, caught Saturday night (26). Mac.

LYRIC, INDLPS.

Indianapolis, April 26.

Ray Herbeck Orch., Betty Benson, Ray Olson, Benny Stabler, Peg Leg Joe, Ross and John, Joe Grant, "Six Hopkins" (Rep.)

Oldsters in the band business are regular visitors at the Lyric, but it's nice to meet a newcomer, Ray Herbeck, who not only is youthful himself, but brings with him a lot of musicians who are certainly registered for Selective Service. As time passes, no "dodgy" music is heard. They will pick up many of the qualities they lack now.

Band is labeled "Music with Romance in Disposition." This is a milder in an advertising phrase rather than a tag for any distinctive style. Most of the music is good, but not original. The band, too, could use a few more novelties if they are to include theatre bookings in their diet. For at present the one comedy dance routine done by the entire band is okay but not sufficient to reason an honest run with the stage. Lacking, too, is a good male vocalist, for while Pearl's band and joy, the band is a fair pipes, he is uncertain on some of his notes and fails to sell when he tries a change with "Rocky Serenade" and "Night and Day."

On the credit side of the ledger is the likeable mauling of Herbeck's "I'm a Fool," and "I'm a Fool," Betty Benson, who adopts a Bonnie Baker delivery on "Little Boy Love," and "Play Me a Blues," "For You," Benny Stabler, stoned down from the trumpet section to blow "Ridin' to Glory" on a trumpet and to imitate a trumpet, blows but he stops after doing McCoy and Busse.

Four the four rhythm, two trumpet, two trombone and four sax sections have their inning when they open for "World Is a Wonderful Place," and before the final curtain they run through "Yesterday's Hit Parade," consisting of "Stormy Weather," "Make Believe," "The Islands" and "When My Baby Smiles At Me." They finish with "I'll Be Home Again."

Biggest hand for the added act goes to Peg Leg Bates, whose sensational one-legged dancing has been a miff with the house. Bates is showing a tendency to talk more, though, which is a mistake. Ross and Bennett exchange gags,

selling heavily but sadly needing new material. They hold down a winning policy of chuckles which could be pyramided by the use of current material.

Joe Grant was sent over from the WFBM Talent Parade this week, and while his voice is good on "Pretty Baby," he's not so good on the phrasing is terrible and his stage appearance bad.

Biz was thin at third show Friday (25), opening day. Kiley.

CHICAGO, CHI

Chicago, April 27.

Penny-the Horse (3), Honey Family (6), Jack Marshall, Lynn, Royce, Dorothy, Mild Bailey (16), Sea Wolf (WB).

This is a strictly Chicago show with all the acts except one having been regular standbys at this house. The theatre is taking no chances.

Only turn which shows up here as a newcomer on his own is Jack Marshall, ex-Meroff, making his debut in the northside Hi-Hat cafe. He has no act though he works extremely hard but to apparently no avail. After it's all over, the audience still remembers a man playing a trombone without using his hands. His bit about lions and tigers, etc., is completely unintelligible. And about the best thing he does is some clowning with a hat, from which he devises various approximations of different styles.

Rest of the show is standard. Penny the Horse practically lives in this theatre, and still gets laughs. But inexcusable in any theatre. Balaban and Katz management is especially at fault for permitting any act to be in such bad taste—their own fault. The show is a fair foot-punching business, that follows. The act does well until that point, and after that the audience is justified in refusing to like anything it does.

Topnotch variety entertainment for any house, any time, is the Honey Family's act. It's a burlesque variety act that must entertain any audience. Three men and three women, with a variety of tumbling and two-high work, especially clicking due to the use of the females as underhanders. Lynn, Royce and Vanya make a great appearance. The girl makes such a bang-up appearance that the audience more or less forgets her knocking around, but generally it's a sock variety turn.

"Always a favorite in theatre or night club, Downey sang a dozen songs here at the demand of the audience and would have sung a dozen more if the audience had not been so good. An outstanding personality and a topflight showman, Downey displays to great advantage pipes that sound better than any other." Business okay at the first show Saturday (26). Gold.

TOWER, K. C.

Kansas City, April 26.

Johnny "Scat" Davis Orch. with Judy Sherman, Sam Nick, Harding, Stearns, Harris, "Sleepers West" (20th).

Johnny Scat Davis adds another to the list of moderately attractive name bands which Barney Joffe has produced here in the past year or more. This aggregation, is one of the larger in personnel, and its registry is on the Kansas City scene. It was here on Friday night (25) was a bit overly long, running past an hour, especially since the house lineups are absent and the extra minutes fell to the band. But regular shows held to more compact running time proved more snappy and more fun.

Band's best offering is its leader, and toward the show's close he gets in his sizzling session of scat singing and singing. Best work comes from the customers. As a band, crew is not to be overlooked as it trots out a couple of "Scat" Davis' standards, "Scat," John Zaunmeyer, on "Perfidia" and "Amampia." "Perfidia" tune, with a solo and fox trot rhythm interludes, is heard with strong approval by the jukeboxes if available on wax.

In the line of specialties band has Howard Sherwin, who does a novel "Hawaiian" song and a new couple of pop songs in addition. Davis calls on Tony DiGiralalomo for some "Scat" singing. "Scat" Harris contributes a hot fiddle. Crew at the vocal quintet that's prominent and vocalist Joann Harris, amateur night producer, best work outside the band. In Lester Harding, who does a fine piece of work on a medley of songs from "New Moon." "Scat" Davis himself leans on the torrid side, probably explained by scot singing. He is heard in the scotch song and which is what the customers expect. Such is his song as "Hollywood," "The Sheik," "If I Could Be a Boy," and "You're in the Mood for Love." He is heard in his session, and well received. A novelty number or two and assisting acts serve to lighten the leader's work.

FLATBUSH, B'KLYN

Sonny Dunham Orch. (14) with Ray Kellogg, Pickert and Worth, Nick Kenny, Meroff, Mabel Toot, Dinah Shore, Newsreels and Shorts.

Radio personalities all this 80-minute setup with varying effect. Nick Kenny, New York Mirror radio columnist, lends his name to the act. He is a good deal of himself to part-time meing studded with a few true gags. More Amsterdam and Dinah Shore, much better, both going over the top solidly.

Kenny gets it going with a scene wherein he dictates to a typewriter the column for the day. It's short and flat except for cracks about the "mad man of Europe." He gets off by imitating Sonny Dunham's band.

Dunham's crew is new, having recently finished a long run at the Roseland Ballroom, Brooklyn. It can do much better work than it offers during this stretch.

Band is good, but a bit out of point where its work is often sloppy, both in its own arrangements and in the manner of its playing. The act, in its own arrangements and in the manner of its playing, is probably responsible for the loss of the clean and solid impact of the act. The act is the Roseland by this reviewer. Band doesn't get much chance to work on its own. "Mighty Like a Rose," featuring a vocal by Meroff, is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one.

Ray Kellogg, vocalist, shows little merit on two tunes and the arrangement of the act. He is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one.

Kenny gives Rock Pickert and Nick Kenny a long run of the act. They're worth it once the two get clear of the initial pat routine which is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one.

More Amsterdam and Mabel Toot of WOR, New York, "Laugh 'n' Cry" is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one.

More Amsterdam and Mabel Toot of WOR, New York, "Laugh 'n' Cry" is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one.

More Amsterdam and Mabel Toot of WOR, New York, "Laugh 'n' Cry" is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one.

More Amsterdam and Mabel Toot of WOR, New York, "Laugh 'n' Cry" is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one.

More Amsterdam and Mabel Toot of WOR, New York, "Laugh 'n' Cry" is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one.

More Amsterdam and Mabel Toot of WOR, New York, "Laugh 'n' Cry" is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one.

More Amsterdam and Mabel Toot of WOR, New York, "Laugh 'n' Cry" is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one.

More Amsterdam and Mabel Toot of WOR, New York, "Laugh 'n' Cry" is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one.

More Amsterdam and Mabel Toot of WOR, New York, "Laugh 'n' Cry" is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one.

More Amsterdam and Mabel Toot of WOR, New York, "Laugh 'n' Cry" is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one.

More Amsterdam and Mabel Toot of WOR, New York, "Laugh 'n' Cry" is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one.

More Amsterdam and Mabel Toot of WOR, New York, "Laugh 'n' Cry" is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one.

More Amsterdam and Mabel Toot of WOR, New York, "Laugh 'n' Cry" is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one.

More Amsterdam and Mabel Toot of WOR, New York, "Laugh 'n' Cry" is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one.

Don't You Please Come Home' and 'Baby Don't Tell Me'.

Red and Curley and Bob and Babette, lone white act on the foreign side, are a good one. Red and Curley, personable colored lads, sell themselves solidly with their act. Their work is a nicely saved, with the surprise of the turn saved as an encore. This is a dual session of a drum and a large bass drum at which both take licks. Novelty of stunt puts it over, but this part of the act needs re-revision. The most vaudeville spots and niteries.

Bob and Babette, clever combo of boy and girl, register as a good one. Bob and Babette, clever combo of boy and girl, register as a good one. Bob and Babette, clever combo of boy and girl, register as a good one. Bob and Babette, clever combo of boy and girl, register as a good one.

Walter Green cleans up nicely with his prolonged tips session. Good one. Walter Green cleans up nicely with his prolonged tips session. Good one. Walter Green cleans up nicely with his prolonged tips session. Good one.

Leonard Harper has furnished okay production numbers, none of them lavish but all lively. Opening act, a good one. Leonard Harper has furnished okay production numbers, none of them lavish but all lively. Opening act, a good one. Leonard Harper has furnished okay production numbers, none of them lavish but all lively. Opening act, a good one.

Biz fair last show Friday (25). Kiley.

KEITH'S, BOSTON

Boston, April 24.

Barrell and Williams Bros. (3), Pat Flinn, Edith Flinn, Edith Flinn, White, Les Juvels (2), Larry Flinn House Orch., "Dark Streets of Cairo" (1) and "The Great Train Robbery" (Rep.).

Marquee lure this week is Edith Flinn, billed as "Boston's own girl." She is a good one. Marquee lure this week is Edith Flinn, billed as "Boston's own girl." She is a good one. Marquee lure this week is Edith Flinn, billed as "Boston's own girl." She is a good one.

More Amsterdam and Mabel Toot of WOR, New York, "Laugh 'n' Cry" is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one.

More Amsterdam and Mabel Toot of WOR, New York, "Laugh 'n' Cry" is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one.

More Amsterdam and Mabel Toot of WOR, New York, "Laugh 'n' Cry" is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one.

More Amsterdam and Mabel Toot of WOR, New York, "Laugh 'n' Cry" is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one.

More Amsterdam and Mabel Toot of WOR, New York, "Laugh 'n' Cry" is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one.

More Amsterdam and Mabel Toot of WOR, New York, "Laugh 'n' Cry" is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one.

More Amsterdam and Mabel Toot of WOR, New York, "Laugh 'n' Cry" is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one.

EARLE, PHILLY

Philadelphia, April 26.

Horace Heidt Orch. (15) with Larry Cotton, Fred Lowry, Red Ferrington, Donna and her Donnie, "The Great Train Robbery" (Rep.), O'Toole, Ronnie Kemper and Mimi Cabanne; "Blondie Goes Latin" (Col).

Horace Heidt has collected wealth of talent in his aggregation. The kind of act, catching with boys and gals really knock themselves out to give the customers' their money's worth. The acts are good. Horace Heidt has collected wealth of talent in his aggregation. The kind of act, catching with boys and gals really knock themselves out to give the customers' their money's worth. The acts are good.

First of the ensemble to do his stuff is Larry Cotton, a personable act. Larry Cotton, a personable act. Larry Cotton, a personable act. Larry Cotton, a personable act.

Another clever performer is Ollie O'Toole, who has a different imitation of Bill Robinson. Another clever performer is Ollie O'Toole, who has a different imitation of Bill Robinson. Another clever performer is Ollie O'Toole, who has a different imitation of Bill Robinson.

More Amsterdam and Mabel Toot of WOR, New York, "Laugh 'n' Cry" is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one.

More Amsterdam and Mabel Toot of WOR, New York, "Laugh 'n' Cry" is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one.

More Amsterdam and Mabel Toot of WOR, New York, "Laugh 'n' Cry" is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one.

More Amsterdam and Mabel Toot of WOR, New York, "Laugh 'n' Cry" is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one.

More Amsterdam and Mabel Toot of WOR, New York, "Laugh 'n' Cry" is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one.

More Amsterdam and Mabel Toot of WOR, New York, "Laugh 'n' Cry" is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one.

More Amsterdam and Mabel Toot of WOR, New York, "Laugh 'n' Cry" is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one.

More Amsterdam and Mabel Toot of WOR, New York, "Laugh 'n' Cry" is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one.

More Amsterdam and Mabel Toot of WOR, New York, "Laugh 'n' Cry" is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one.

More Amsterdam and Mabel Toot of WOR, New York, "Laugh 'n' Cry" is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one.

More Amsterdam and Mabel Toot of WOR, New York, "Laugh 'n' Cry" is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one.

More Amsterdam and Mabel Toot of WOR, New York, "Laugh 'n' Cry" is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one.

More Amsterdam and Mabel Toot of WOR, New York, "Laugh 'n' Cry" is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one.

More Amsterdam and Mabel Toot of WOR, New York, "Laugh 'n' Cry" is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one.

More Amsterdam and Mabel Toot of WOR, New York, "Laugh 'n' Cry" is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one.

More Amsterdam and Mabel Toot of WOR, New York, "Laugh 'n' Cry" is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one. A jive singer, "Bar Bable" is spotted midway and a hopped-up act, "Mighty Like a Rose," is a good one.

Variety Bills

WEEK MAY 2

Numerals in connection with bills below indicate opening day of show, whether full or split weeks.

Loew

Cabaret Bills

NEW YORK CITY

NEW YORK CITY
State (1)
Crazy with Heat
Helen Howard
Rita & Nell
Dion, Costello
Cortello & Corrie
Robby Kealy
Wilma Horner

Jane Hoffman
Mather Smith
Al Kell
WASHINGTON
Capital (2)
Rhythm Rockets
Cortello & Corrie
Artes & Broderick
John Galles
Patricia Bowman

Paramount

NEW YORK CITY
State (1)
Crazy with Heat
Helen Howard
Rita & Nell
Dion, Costello
Cortello & Corrie
Robby Kealy
Wilma Horner

HAMILTON
Paramount (30)
Harry James Orchestra
Old Mac
Lynne
Cody Stone
Lynne
Cody Stone
Lynne
Cody Stone

NEW YORK CITY
State (1)
Crazy with Heat
Helen Howard
Rita & Nell
Dion, Costello
Cortello & Corrie
Robby Kealy
Wilma Horner

RKO

BOSTON
Haley (1-4)
Haley (1-4)
Haley (1-4)
Haley (1-4)
Haley (1-4)
Haley (1-4)
Haley (1-4)
Haley (1-4)

NEW YORK CITY
State (1)
Crazy with Heat
Helen Howard
Rita & Nell
Dion, Costello
Cortello & Corrie
Robby Kealy
Wilma Horner

NEW YORK CITY
State (1)
Crazy with Heat
Helen Howard
Rita & Nell
Dion, Costello
Cortello & Corrie
Robby Kealy
Wilma Horner

Warner

NEW YORK CITY
State (1)
Crazy with Heat
Helen Howard
Rita & Nell
Dion, Costello
Cortello & Corrie
Robby Kealy
Wilma Horner

NEW YORK CITY
State (1)
Crazy with Heat
Helen Howard
Rita & Nell
Dion, Costello
Cortello & Corrie
Robby Kealy
Wilma Horner

NEW YORK CITY
State (1)
Crazy with Heat
Helen Howard
Rita & Nell
Dion, Costello
Cortello & Corrie
Robby Kealy
Wilma Horner

Independent

NEW YORK CITY
State (1)
Crazy with Heat
Helen Howard
Rita & Nell
Dion, Costello
Cortello & Corrie
Robby Kealy
Wilma Horner

NEW YORK CITY
State (1)
Crazy with Heat
Helen Howard
Rita & Nell
Dion, Costello
Cortello & Corrie
Robby Kealy
Wilma Horner

NEW YORK CITY
State (1)
Crazy with Heat
Helen Howard
Rita & Nell
Dion, Costello
Cortello & Corrie
Robby Kealy
Wilma Horner

NEW YORK CITY
State (1)
Crazy with Heat
Helen Howard
Rita & Nell
Dion, Costello
Cortello & Corrie
Robby Kealy
Wilma Horner

NEW YORK CITY
State (1)
Crazy with Heat
Helen Howard
Rita & Nell
Dion, Costello
Cortello & Corrie
Robby Kealy
Wilma Horner

NEW YORK CITY
State (1)
Crazy with Heat
Helen Howard
Rita & Nell
Dion, Costello
Cortello & Corrie
Robby Kealy
Wilma Horner

NEW YORK CITY
State (1)
Crazy with Heat
Helen Howard
Rita & Nell
Dion, Costello
Cortello & Corrie
Robby Kealy
Wilma Horner

NEW YORK CITY
State (1)
Crazy with Heat
Helen Howard
Rita & Nell
Dion, Costello
Cortello & Corrie
Robby Kealy
Wilma Horner

NEW YORK CITY
State (1)
Crazy with Heat
Helen Howard
Rita & Nell
Dion, Costello
Cortello & Corrie
Robby Kealy
Wilma Horner

NEW YORK CITY
State (1)
Crazy with Heat
Helen Howard
Rita & Nell
Dion, Costello
Cortello & Corrie
Robby Kealy
Wilma Horner

NEW YORK CITY
State (1)
Crazy with Heat
Helen Howard
Rita & Nell
Dion, Costello
Cortello & Corrie
Robby Kealy
Wilma Horner

NEW YORK CITY
State (1)
Crazy with Heat
Helen Howard
Rita & Nell
Dion, Costello
Cortello & Corrie
Robby Kealy
Wilma Horner

BOOKING THE NATION'S LEADING INDEPENDENT VAUDEVILLE THEATRES

EDWARD SHERMAN

1619 BROADWAY NEW YORK COL. 5-0930

LOS ANGELES

PHILADELPHIA

CHICAGO

PITTSBURGH

BALTIMORE

BOSTON

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

NEW YORK CITY

Name 15 Nominees for Equity Council Of 10; Expect Very Lively Election

Annual election of Equity June 8 is for the purpose of selecting councilors, the officers still having two more years to serve, and is likely to be a lively session. For the first time, 50% more nominees than posts to be filled will be on the ticket, virtually obviating the chances of independent candidates. In other words, there will be 15 names to be voted upon, 10 to be chosen. In addition to probable campaigning, a number of resolutions will be proposed from the floor, incorporating ideas hardly favored by the administration.

One of the surprises in the list of candidates is Ethel Waters. If elected, she will be the first colored member to reach the council. Understood the nominating committee functioned entirely on its own, consulting officers at no time. There are not more than 50 colored members in good standing. Such persons usually apply for withdrawal cards after appearing in legit. Equity membership being required for all such engagements. Currently the only shows with colored players are "Cabin in the Sky" on tour, and "Native Son," St. James, N. Y.

Expected Resolutions

Resolutions expected to be introduced includes one which provides that any member having paid dues for 25 years and who received no concessions in the past, be required to pay dues owed during stress or withdrawal cards must be made life members.

It's also proposed that no member who owes dues shall be elected or hold office. It's inferred that even some members of council are or have been backward in such payments. Another idea is to ban any manager who owes actors from operating in any other talent field until paying off all obligations. Finally, there is a resolution that there be one dues payment opening the way for interchangeability between legit, radio, pictures and night clubs. It's recognized that under such a system, the dues paid the several talent unions would have to be raised. In Equity, for instance, the dues are \$18 yearly, but the amounts are variable otherwise and some of the Screen Actors Guild pay up to \$100.

Under the new election rules, the nominating committee was required to get two acceptances from candidates. First they had to say 'yes' or 'no' whether they would accept, if named and, after being chosen, had to answer the same query, so that their candidacy would not be voided.

In addition to Miss Waters, other nominees are Oscar Serlin, Maide Reade, E. J. Blunkil, Beverly Bayne, Robert T. Haines, Richard Taber, Margaret Webster, Reynolds Dennison, John Alexander, Cornelia Otis Skinner, Lillian Fish, Thomas Arthur Pierson, Vivienne Segal and Louis Calahan. Replacement candidates to serve for three years: John Kennedy and Jack Tyler.

URO AFFILIATE, INDIE TUSSE FOR W. VA. AUD

Charlestown, W. Va., April 29. Tussle over legit bookings for the new 3,517-seat Municipal auditorium here is being waged by two local managements. One is the indie McCall Amusement Co., and the other is Mayfair Amusement Enterprises, Inc., affiliated with the Shubert-Ehringer United Booking Office, N. Y. Mayfair outfit, headed by Harry Lashinsky, booked 30 touring shows, including "Hellzapoppin'" and "Little Foxes," into the house this season, but the McCall firm is dickering with such independent production managements as Oscar Serlin, Lindsay & Crouse, the Playwrights' Co., and the Theatre Guild for next season.

McCall concern is headed by Preston M. McCallister, president, and Jackson W. Altizer, secretary and treasurer. Former is also with the Williamson Associates, local advertising agency. Altizer has been in legit theatre management for 30 years. They also have a deal to book the theatre in Huntington, W. Va. Lashinsky, who is understood to have a 10-year contract with UBO, has no other house.

N. C. Subsidizes Green Drama's Red Up to 10G

Charlotte, N. C., April 29. The show must-and will-go on. If "The Lost Colony," drama of American nativity at Roanoke Island, falls "N. C.," North Carolina will underwrite its losses to \$10,000 a season. The show runs five nights a week from July 1 to Sept. 1, and any State subsidy will be repaid by subsequent profits.

The subsidy is considered a tribute to Paul Green, Tar Heel author of the drama, and to Senator D. Broadford Fearing, its promoter.

B'WAY SEES BIG SUMMER, B.O. NOW OFF

Broadway showmen are looking forward to a lively summer. There will be no hot days in the metropolis, such as the Summer Fair, but an unusual influx is anticipated, what with foreign travel out completely and cruises considerably curtailed. A cold war has started at the west and south, setting forth the advantages of New York as a vacation center.

There is a fairly substantial number of shows operating profitably, but a slump of Broadway that started with Holy Week and which saw only a partial pick-up Easter week, continues. One pertinent reason still is the decline in the continued bad news from the war fronts. It appears that business in the east reacts to war reports much more definitely than the central and western sections of the country, visitors repeatedly voicing such opinion.

Present week started more slowly than previously, probably because of the beginning of daylight saving time. Summer weather is doubtless another factor.

With few new shows due in town, the summer fare will principally depend on the current list. Sundays may or may not be a factor, with some managers confident of visitor support during the heated period.

Theatre Party Service Sues Welles-Houseman For 50G on 'Native Son'

Rae Fogel and Emanuel Epstein, doing business as the Theatre Party Service, filed suit Thursday (24) in N. Y. supreme court against Wellman, Inc., Orson Welles and John Houseman, seeking \$50,000 damages and an injunction to prevent the defendants from selling theatre benefits, blocks of tickets of 50 or more and ignoring mention of plaintiffs in the advertising of "Native Son," Broadway drama. Wellman, Inc., is the producing corporation of "Son," with Welles and Houseman its directors.

Plaintiffs charge that on Feb. 19, 1941, they signed an agreement with Wellman to promote "Son" through the mail and by phone, to secure fullhouse benefits and to sell blocks of tickets of 50 or more seats. Full house benefits were to be sold at \$180, while tickets of 50 or more were to be sold at 25% of the boxoffice price. The complaint further alleges the plaintiffs were to secure 10% of the net plus \$100 weekly and defendants agreed to see that all newspaper advertising and programs were to carry a statement that "For all Theatre Parties, call Federated Theatre Party Service."

Defendants are accused of breaching the agreement. Plaintiffs claim, among other things, to have sent out 20,000 cards advertising the play. The reputed contract runs to June 1, but it is to be cancellable on six weeks notice.

TOLEDO OPERETTAS SET

Toledo, April 29. Third annual summer season of outdoor operettas at the Toledo Zoo Amphitheatre will begin July 14 and end Aug. 10. Each of the followings will be presented for one week: "Barbes in Toyland," "Firefly," "Good News" and "New Moon." John Ehrle is director.

N. Y. Court of Appeals Verdict Vs. Musicians' and Stagenhands' Pact May Ease B'way Legit's Burden

Lunts' Summer Rest

Alfred Lunt and Lynn Fontanne, on tour in "There Shall Be No Night," will lay off during the summer and again take the Robert E. Sherwood drama to the road next fall. Bookings for 18 weeks, starting on the first Monday of October, will occupy the stars until after the first of the year. Mostly southern stands will be played.

Lunts expect to appear on Broadway thereafter and are hoping by that time the Sherwood will have authored a new play for them. At the present time he is not writing, devoting most of his time to Governmental assignments.

Wynn Folds 'Boys'; Chiefly Responsible For Red Chi Date

Ed Wynn, who called it a season in Chicago Saturday (26) with "Boys and Girls Together," expects to take the revue to the road next season. He will be the four-week stay in the Loop was a surprise in show circles. Show was wrongly spotted in the Selwyn which is one reason for the tour engagement. It should have been booked onto the bigger Grand, but reported dilatory tactics by the actor-manager permitted "Arsenic and Old Lace" to get that berth.

Mistakes in handling the Chicago date are traced to Wynn himself. He ordered no money be spent on exploitation, figuring that the Selwyn date would be unprofitable even if "Boys" played to capacity. Result was that the show opened in the Loop unpublicized. Reported too, that the comic managed to get himself in bad standing with local showmen leaders, which did not help matters. Difficulties arose over his refusal to appear at a benefit for Greek War Relief.

When it became apparent that the Loop date would be curtailed, Wynn decided to take his show to the big time in eastern keys. There were no houses available in Washington and Pittsburgh for the dates sought. He had been advised to pencil in the big time, but he had not sought to place the blame on the booking office.

On Broadway it was figured that Wynn, who was off the stage for two years, might lead a year on the road. Spring tour, however, lasted but five and a half weeks. Early in its stay at the Broadhurst, N. Y., "Boys" was among the top draws. Taking 4 drops a week at around \$24,000, then to \$20,000, a which pace it remained for some time, but during the last two months of the Broadway stay there saw a steady decline in attendance. One factor that may have affected the Chicago date was the presence of several tours too well known there.

JEWISH GUILD BENEFIT NETS \$8,000 PROFIT

Jewish Theatrical Guild's benefit Sunday night (27) at the Imperial Theatre, New York, the first held by that charity organization in three years, was evidently successful from every angle. Estimated net profit is around \$8,000 on the show, scaled from \$1 to \$25 per seat.

Eddie Cantor and George Jessel worked virtually the entire evening week with such other well-known names as the intro. Others who appeared were: Rags Ragland, Lucy Monroe, Mary Raye and Naldi, Benny Fields, Yvette Ben Bernie, and "The Broadway Parade" (5), Willie Howard, Bill Robinson, Maxie Rosenblum, Betty Hutton, Canada Lee, Gracie Barrie, Johnny Mack, Rayne and Davis, Noble Sissle, and Della. Also featured were Charles King, Danny Kaye, Paul Haakon, The Pitchmen (3), Trilix, Cappella and Beatrice, Leo Edwards and Adele Riva. In addition, there were several other acts who were backstage but couldn't perform because of lack of time.

A 4-to-2 decision (Thursday 24) of the Court of Appeals, New York's highest tribunal, denying the right of stagehands to strike in order to force managements to give jobs to musicians is regarded as highly important by showmen, although the case in point did not refer to Broadway. Application of the same principle to legit shows is possible, managers in the past having objected to certain requirements of the two unions.

Case decided was the suit of a venture known as Opera on Tour for an injunction against the musicians and stagehands union. Last season opera played several performances of "Faust" in the south, using some 50 singers and actors, plus a regulation stage crew, but instead of an orchestra, arranged recordings of the musical score were used.

Musicians union protested to the stagehands and under a reciprocal agreement between the two unions, the new law was called out to the project thereupon suspended. Injunction restraining the stagehands from taking such action was granted by the N. Y. supreme court. The Appellate Division reversed that opinion and the case was then appealed to the highest court. Justice Edward R. Finch, in handing down the majority opinion, said: "To make impossible the continuance of a business and thus prevent the employment of a full complement of actors, singers and stagehands merely if a machine is not used and in place thereof live musicians are not employed is not a lawful labor objective." Chief Justice Irving Lehman dissented.

B'way Speculation

Broadway managers are speculating on the chances of changing the requirements of both unions as the result of the decision. When recorded offstage music is played during a straight play performance, it is usual for the stagehands to require the addition of another man to the crew, whether the effect is worked by the regular electrician or not. If Hammond organ in one play were an interpolated song, the musicians require a four-piece orchestra in the pit if the house does not ordinarily have musicians. Season or so back Hammond organ in one play were the only musical effect played in the pit. Union insisted that four men be engaged. They reported for each performance, sat in the back of the house and did not have to have paid the quartette \$425 weekly during the engagement. Showmen are hoping that the decision will cause the unions to drop such requirements.

Justice Finch said the court was passing solely upon the right of the defendants to stop work in protest against the stage mechanical music (Continued on page 67)

OTIS SKINNER AGAIN EPISCOPAL GUILD PREZ

At the 18th annual election of the Episcopal Actors Guild, held at the National Theatre, N. Y., Friday (25), Otis Skinner was re-elected, president. Also elected were: Ray Arthur Byron, Edward Fielding and Edwin Milton Royle were named vice-presidents; Rev. Charles Breck Ackley, secretary, and Thomas S. McLaughlin, treasurer.

Honorary presidents: Right Rev. Henry St. George Tucker, presiding bishop of the Protestant Episcopal church; Right Rev. William T. Manning, bishop of New York, and George A. Riles.

Anna Erskine to Assist St. Leger at Central City

Anna Erskine, production aide for "Charley's Aunt" and several previous Broadway shows, will be assistant to Frank St. Leger, director of the Central City, Colo., this summer. She's currently visiting Marsha Hunt in Hollywood, but goes to Central City in a couple of weeks.

Being assisting on legit productions, Miss Erskine writes the continuity for the "Metropolitan Opera Auditions of the Air" radio series.

Authors, Mgrs. Sked Confab Which May Result In New Agreement; Producers Withdraw Suit Vs. Guild

A meeting between managers and authors for the purpose of considering changes to the amended basic agreement will be held May 8 which date is acceptable to the League of New York Theatres' board and Dramatist Guild heads. Showmen have ordered the withdrawal of the League's injunction suit which was based on alleged monopolistic provisions in the contract.

Twice before the Guild printed the new agreement and presented it to the managers as is. Once there were misstatements in the League objected. After changes, the contract was declared by the Guild to be in force, but number of managers protested and the legal proceedings resulted. Petition to withdraw the suit by a minority of the League's membership led to negotiations with the Guild and the latter's reply that it was ready to again sit which was accepted. Petition to withdraw the suit by the Guild's president, Elmer Rice, conveying the authors' inclination to discuss the objected-to points, was amicably. He declared that the Guild maintained a policy of confer with managers on all matters affecting their joint interests. Rice said that a long list of suggestions from the League had been made, carefully studied and that many were adopted so that the new agreement is in some respects more favorable to the managers than the preceding ones. Stated that, although a majority of active producing managers have already accepted the amended agreement, "we are more than willing to consider your suggestion for a suspension of negotiations with a view to establishing those harmonious relations which we feel are essential to the welfare of the theatre as a whole."

Rice, however, asked that the Guild be assured that points agreed on at the coming conferences be made binding on the League as a whole and that, as the entire contract is not in dispute, the specific points to be discussed be forth. James F. Reilly, acting for the League, thereupon outlined the provisions slated for negotiation.

Mgrs. Ask Old Provisions. Managers ask that the authors revert to the former provisions concerning foreign plays. Producers could present one play of British writing per year, but such authors were required to become Guild members if more were to be produced. New provision calls for all alien authors to be members of the Guild. Previously foreign authors other than British were not mentioned.

While the managers do not ask for an even split in picture rights money, which is 60/40 in favor of the authors, they do seek a change in the same sharing on subsidiary rights. They want a split to be 50/50 as it was some time ago. The 60/40 sharing on such rights has been in force for some years and was not one of the changes inserted in the present form of contract. Showmen also want the right to share in picture money for a period longer than 10 years after stage production.

Managers also seek a change in the royalty rules in picture rights plays of foreign authorship, claiming the terms are inequitable. If a manager secures a play for 2% royalty he could not afford a saving. Because the contract calls for minimum payments of 5% to \$5,000; 7% from that level to \$7,500, and 10% thereafter, "matter who gets it" the adapter gets the 10% but could collect double the amount the manager obtained a foreign play for less than the minimum percentages. Several other points are also at issue.

Interstate's Bookings

Houston, April 29.—Five road shows have been booked for next season by R. J. O'Donnell, general manager of Interstate. Bookings include "The Sign of the Cross," with Lynn Fontanne and Alfred Lunt; "Twelfth Night," with Helen Hayes and Maurice Evans; "On to Java," with Al Jolson; "Life With Father," starring Lillian Gish; "Arsenic and Old Lace" and "My Sister Eileen."

Minn. Stock Co. Leaves Subscribers Holding Bag

Minneapolis, April 29.—Subscribers for the spoken drama which Henry Adrian was to have presented throughout the state under the Minnesota Stock Co. designation have been left holding the sack in consequence of the venture blowing up after the first and only of the four scheduled offerings.

In Owatonna, Minn., the local Chamber of Commerce, however, is repaying the subscribers, who paid for three additional plays which will never be presented. The reason, it is explained, is that the Chamber sponsored the effort to get the town in the planned state-wide circuit, which also included Minneapolis.

The single play offered here and on tour was "First Lady." Even in this instance the promised Hollywood or Broadway star never materialized, and the cast contained no names.

Harris Buys Stage Play

Hollywood, April 29.—Lowell Barrington sold his stage comedy, "The Admiral Had a Wife," to Jed Harris for early fall production on Broadway.

Harris is the son of Lou Christ, Arizona district manager for Fox West Coast.

Experimental Theatre Makes 3 More Plays, But Would Need Coin

Having put on three shows, the Experimental Theatre has another trio in contemplation, but it is understood that further financing will be necessary if more plays are presented. Indicated that the showmen ran up against unexpected expenses. That is partly explained by the fact that, unions stepped in and demanded pay. Arrangement between Equity and the Dramatists Guild stipulates that actors and authors are not to be paid for experimental showing, but other professional groups were not queried as to their attitude.

Main purpose of ET is to give actors without a chance to be seen and heard. If any of the plays tried is then commercially presented, it would mean work for many persons back and front of the stage. Only one of the plays, "Not in Our Stars" (shown at the Baltimore, N. Y. Friday 25), appears to have a chance for managerial attention. "Steps Leading Up" played by "Serious" was a doubtful whether "The Trojan Women" first experimental try, was strictly artistic. Thought it was a costume affair the cost of showing it was considerable. Shuberts lending the clothes as well as the house (Cort).

In the event one of the plays is regularly shown, money for the non-profit organization would be forthcoming. Rules provide that 2% of the gross would go to ET. Half of any such coin would then be split among the actors pro rata, same arrangement goes for picture rights. Show would have to draw fairly good money in order that the players could get any appreciable coin. Author would not be in on the split, since his royalties would compensate him.

Experimental outfit started with the grant of \$2,000 from the National Theatre and Academy, which is not functioning, but has some coin on hand. Whether further funds from that source can be had, is not clear.

Although "Steps Leading Up" tried out for one scenery-less performance, is not regarded having much chance for regular production, it provided an opportunity for James Gregory, who played the lead. Young actor, who previously played a bit in "Glamour Preferred" last winter, drew the attention of the critics and agents, and secured interest in the play. Stated that he has had at least one screen test. Gregory was engaged for a road revival of "Accent on Youth" after the experimental showing.

Name Concert Dates

(April 30-May 7)

Josef Hofmann — Philharmonic Aud., Los Angeles (2).

Laurie Melcher — Eastman, Rochester, N. Y. (2); Aud., Cedar Falls, Ia. (2).

James Melton — Sheridan Coliseum, State college, Ft. Rays, Kans. (1); H. S. Stamford, Conn. (2); Capitol, Erie, Pa. (2); Aud., New Orleans (6); Aud., Tyler, Texas (7).

Lily Pons — (with Albert Spalding) H. S. Stamford, Conn. (2); Aud., Ottawa (7).

Charles H. Hering — (with Lily Pons) H. S. Stamford, Conn. (2).

Lawrence Tibbett — Athletic Center, Charleston college, Charleston, S. C. (30); Howard hall, St. Louis (30); (soloist with Philadelphia orchestra) Hill aud., Ann Arbor, Mich. (7).

EQUITY BOWS ON EXCLUSIVITY

Equity's council has conceded to the wishes of a fair proportion of its membership resident in New York and the exclusive provision will be deleted from standard contracts as of Sept. 1 next. On that date the pact with managers not to initiate new rules will have expired. Despite the fact that only a few in a legal suit cannot accept other engagements or appear in other professional activities at the same time without the written assent of the manager. However, it is set forth in the petition whereby the bar is removed that stars or feature players may enter into a separate agreement with managers, as to outside engagements. Rank and file cannot have such extraneous provisions, it being felt that, as they have two-weeks notice contracts, both player and manager have an easy way out.

Strong Petition Action by the council followed the filing of one of the strongest worded petitions since the association was formed. Signatories not only demanded the exclusive service be stricken out, but insisted that, unless such action was taken by the council, that a special meeting be called for that purpose. Council felt that such a session was unnecessary and that the temper of the membership strongly indicated the deletion should be made.

Petition had the names of 150 members. Perusal of the signatories is reported to have disclosed that a preponderant majority are principally engaged in radio, which has been a haven to quite a number of actors who have not been seen on the stage lately.

This element wants the opportunity to continue in radio without interference in the event of securing stage jobs. They argued that, with stage engagements scarce, every avenue to get work should remain open.

Council indicated that its viewpoint did not exactly reverse itself. Some months ago, when the matter first came to attention, the question was referred to a committee and later deemed it advisable to defer final consideration to a later date, especially in light of the managerial agreement. In the interim a movement started in the membership resulting in the petition out to the members.

Differences over striking out the exclusive service clause still are viewed regardless. Some believe that, because jobs are too few, employment should be spread out to the greatest extent. If a player with a stage job takes on a night club or radio engagement it necessarily eliminates that possibility from those who are idle.

Guy Palmerton, who will again manage the Lake Whalom players, Pithburgh, Mass., this summer, will not reject his stock company at Portland, Me., before fall, when he may have a 10-week season.

Inside Stuff—Legit

Sam Bloom, who died in New York last week (21), was one of the managers of the Leo Newman ticket agency, N.Y. He was operated on for ulcers at the Mayo clinic, Rochester, Minn., about eight months ago. He had been ill since his release from the penitentiary about a year ago. Bloom served four months for violating the federal ticket tax regulations. In addition to the Newman connection, Bloom audited the books of the Beckhardt and Louis Cohn agencies.

Defense in the Newman case is that the Government, through its rules, imposed a tax upon a tax in instances where one agency secures tickets from another and charges exorbitant prices.

Three performances of "Lady in the Dark," which were missed at the Alvin, N. Y., when Gertrude Lawrence was forced to lay off because of laryngitis, resulted in additional expense to the show and house. Most of the principles received three-eighths less salary, but others getting \$100 or less and the chorus were allowed \$5 per day (two days) as provided for in the contracts.

Musicians pay was not deducted but the stagehands agreed to half-pay for the two idle days. There are almost as many in the crew as in the cast. "Lady's" normal gross of more than \$31,500 dropped to around \$20,000, but an operating profit is said to have been earned on the week.

Closing of "The Night Before Christmas" at the Morosco, N. Y., Sunday (27) caused a box office switch which sent two girls ticket selling down to the Booth, where they started the season. Eddie O'Keefe and Doris Douglas, who were in the latter box office, were thereby replaced, as provided for under the rules of the treasurers union.

They will be berthed at the Morosco if it relights with "Women Aren't Angels," expected to open there. Transfer of staffs between the two theatres at the request of John Golden, who is presenting "Golden" at the Booth, O'Keefe was at the Morosco during the run of "Golden's" "Skylark," there. "O'Keefe" is slated to play through the summer.

A peculiar angle caused a last-minute switch of "Student Prince" into Baltimore this week instead of Washington, as originally routed. D.C. area law, which prohibits stage performance by actresses under 18, would have effected Barbara Scully, 17-year-old Devon, who is singing role of Kathi in opera. Youngster reached 18 mark yesterday (Tuesday) and was thrown a birthday party by the Baltimore Variety Club. Luncheon, arranged by Reuben Rabinovich, "Prince" p.a., had town dignitaries headed by the mayor on hand. Next week's date Washington is now okay.

Sudden death recently of Bill Hearty, carpenter at the Lyceum, N. Y., who was overweight, has caused several of the theatre staff to diet. Those who aim to train down include Allen Schenbe, house manager; Otto Diehl, who has an interest in the property, and Eddie Sobol, manager of "The Beautiful People," Lyceum's current tenant.

Same goal for the hefty trainee, cap at 45th and Broadway who was called in when the stagehand expired. It was the officer who warned Diehl to watch his bay window.

Matty Zimmerman, general manager of Leblang-Gray's ticket agency and an officer of the outfit, will leave for an extended vacation at the end of the week. He will be absent on a five-months leave of absence. Ticket man plans a number of trips, but will spend most of his time at Candlewood Lake, where he has a country home.

Joey Keith will assume Zimmerman's duties in addition to handling the premium department of the agency. Mrs. Tillie Leblang Gray is in general charge.

Oliver Saylor has been appointed to contact the press for the Theatrical Managers & Agents when occasion arises. Versions of several incidents not accurately set forth recently resulted in the idea that the union again have a mouthpiece.

About two years ago, when hectic conditions existed within TMA, Dick Maney was the press agent and there were strict rules about giving out information. In the interim the "restrictions" were virtually forgotten.

James O'Neill, who was recently appointed to the board of the Actors Fund, has started a one-man drive for life memberships in the organization. Those asked to join at that basis are principally showmen rather than actors. Life membership is obtainable by payment of \$50. O'Neill was formerly active in Equity's office and reports there occasionally, although on pension.

John Peter Toohay has visited New York several times in the past two weeks and spent some time in his office after being absent on account of illness for more than a year. He has been resting in Connecticut. Toohay is general press agent for the Sam H. Harris shows. Ben Kornweiz has been acting in that capacity during his absence.

Current Road Shows

(April 30-May 10)

"Accent on Youth" (Sylvia, Sidney, Briggs, Syracuse (2-3); Cass, Detroit (5-10)).

"Arsenic and Old Lace" (Erich von Stroheim, Laura Hope Crews, Helen Twelvetrees) — Grand, Chicago (30-40).

"Blissdom Time" (Everett Marshall) — Forrest, Philadelphia (30-10).

"Cabin in the Sky" (Ethel Waters) — American, St. Louis (30-3); Selwyn, Chicago (30-10).

"Daddy Was a Lady" (Bert Lahr) — Music hall, Cleveland (30-3); Nixon, Pittsburgh (5-10).

"Happy Days" — Playhouse, Wilmington, Del. (30-10).

"Hellzapoppin'" — Lyceum, Minneapolis (30-3); Aud., St. Paul (4-5); Davidson, Milwaukee (6-10).

"Hope for a Harvest" (Freddie March, Florence Eldridge) — Nixon, Pittsburgh (30-3); Ford's, Baltimore (5-10).

"Life With Father" (Lillian Gish) — Blackstone, Chicago (30-3).

"Life With Father" (Dorothy Gish) — Blackstone, Chicago (30-3).

"Man Who Came to Dinner" (Alexander Woolcott) — His Majesty's, Montreal (30-3); West H. S. aud., Binghamton, N. Y. (6-10).

"The Great Waltz" (Curtis Squire, Springfield, Mass. (7); Metropolitan, Providence (8); Bushnell aud., Hart-

ford (9); Mem. aud., Worcester, Mass. (10).

"Merry Widow" — Mason, Los Angeles (30-3).

"My Sister Eileen" — Harris, Chicago (30-10).

"Monsieur and Mademoiselle" — Davidson, Milwaukee (30-3); American, St. Louis (4-10).

"Rose Marie" — Shubert, Boston (30-10).

"San Carlo Opera" — Royal Alexander, Toronto (10-3); Bushnell aud., Hartford, Conn. (6-7).

"Somewhere in France" (Dudley Digges, Karen Morley) — Davidson, Washington (30-3).

"Student Prince" — Ford's, Baltimore (30-3); National, Washington (5-10).

"Theatre" (Cornelia Otis Skinner) — Plymouth, Boston (30-10).

"There Shall Be No Night" (Alfred Lunt, Lynn Fontanne) — Boyd, Bethlehem, Pa. (30); Klein aud., Bridge, Conn. (1); Shubert, New Haven (2-3).

"Time of Your Life" (Eddie Dowling) — Utah, Salt Lake City (1); Aud., Denver (3); Shrine aud., Des Moines (5); Lyceum, Minneapolis (6-8); Aud., St. Paul (9).

"Tobacco Road" (John Barton) — Capitol Square, Springfield, Mass. (30); Worcester, Mass. (1); Warner, Lawrence, Mass. (2-3); Capitol, Lynn, Mass. (5-7); Empire, Fall River, Mass. (8-10).

"Twelve Night" (Helen Hayes, Maurice Evans) — Pabst, Milwaukee (30-3); Erlanger, Chicago (5-10).

Chi Legit B.O. So-So; Wynn, \$12,000, Folds, 'Arsenic,' \$15,000 Sound Click

Chicago, April 29. Town is down to three shows currently, with the Selwyn dark following the closing of Ed Wynn's 'Boys and Girls Together.' Was such a disappointment to Wynn in its four dismal weeks here that he decided to close the entire show. Most of the principals immediately hop into a vaude unit that opens in the Balaban & Katz State-Lake two weeks.

On May 4 the Selwyn will relight with Ethel Waters in 'Cabin in the Sky' and on the following night (5) the Erlanger will open with Helen Hayes and Maurice Evans in 'Twelfth Night.' Both shows are in for strictly limited stays. On May 11 the Auditorium will again become a legit house for the road company of 'Hellzapoppin.'

Town itself had a so-so week in the seven days just finished.

Estimates for Last Week
'Arsenic and Old Lace,' Grand. (3d week) \$11,200; \$2,750. Has caught on with the money with the notices having stimulated trade from the start. Nabbed \$15,000.

'Boys and Girls Together,' Selwyn (4th and final week) (10th week). Show folded Saturday (26) after four unhappy weeks in town. On the closing notice upped somewhat to \$12,000. Got rave notices from the critics.

'Life With Father,' Blackstone (62d week) (1,200; \$2,750). Four more weeks, after having broken every run record for Chicago. On final weeks is showing good strength, at \$18,000.

'My Sister Ellen,' Harris (10th week) (1,000; \$2,750). Comedy rolls along and now figures to stick through June at least; picked up and grossed \$12,700.

'HELLZ' BIG \$24,000 IN 5-DAY K.C. STAND

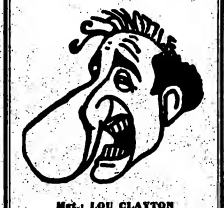
Kansas City, April 29. 'Hellzapoppin' with Eddie Garr and Billy House, played five-day stand at \$3.20 top in the Music Hall of the auditorium here to estimated \$24,000, largest take by any road show over past two years. Usual engagement of New York show is three days here.

Manager Jimmy Nixon stated 'Hellz' marked the close of the 1940-41 season in the Music Hall. Nixon has also set the campaign to enroll patrons in the Playgoers League to begin for immediately for coming season. Membership, which last year numbered 2,000, is to be increased to 4,000 this year.

Local legit season will have two more entries for the Center, Elissa Landi in 'Romance' opening Monday (29) and Sylvia Sydney and Luther Adler being set for a date later in May.

Chicago, April 29. The second company of 'Hellzapoppin' comes into the Auditorium, 4,000-seater, on May 11, with Eddie Garr and Billy House.

Will sell seats four weeks in advance on the starter.



ROSALIND IVAN
in "THE CORN IS GREEN"
NATIONAL THEATRE, N. Y.

SAMUEL FRENCH
SINGS
AUTHORS' REPRESENTATIVE
Plays for Blue, Screen and Radio
21 West 43rd Street, New York
811 West 75th Street, Los Angeles

'Cabin' 9G in Indpls.

Indianapolis, April 29. English, 1,500-seater, wound up the current season here Saturday (26) with very good estimated \$90,000 garnered on three night performances and minuscule of 'Cabin in the Sky' at \$2.75 top.

Play brought in good patronage from colored trade, which is usually confined to upper decks, but overflow encouraged management to give over a section on the first floor.

'HOPE FOR HARVEST' FINE \$22,000 IN D. C.

Washington, April 29. 'Hope for a Harvest,' last subscription play on Theatre Guild's A. T. S. program for season at the National, ended last week with topnotch estimated \$22,000. Combo of A. T. S. subscription list and name draw of Fredric March, appearing here with wife Florence Eldridge for first time on stage, responsible for figure.

Play is set for eastern road tour until June, then opens on Broadway in fall after summer layoff.

Current is Guild's 'Somewhere in France,' by Carl Zuckmayer and Felix Korringa, with Dudley Digges and Karen Morley heading cast. Not a subscription play. Guild still is presenting it to subscribers at regular reduced A. T. S. rate.

San Carlo N.G. \$2,900 In Milw.; Evans, \$1,000

Milwaukee, April 29. With its annual local engagement limited to this season to only two performances, the San Carlo Opera Co. failed to achieve its usual success, garnering only an estimated \$2,900 on its date in the 1,600-seat Park at \$1.50 top. Disappointing wings attributed to appreciable new flow from abroad, affecting all attractions.

Maurice Evans, who flew here from Los Angeles to do a solo Sunday (27) matinee at the Davidson theatre 10 days ahead of his date here with Helen Hayes in 'Twelfth Night' at the Pabst, attracted an estimated gross in excess of \$1,000 at \$2 top. Theatre and services of employees were donated to the taking for the Shakespeare monolog were all velvet for the British War Relief.

Unions Stymied

Continued from page 65

... the right to strike is not involved in this case. Also the right to strike does not prevent the issuance of an injunction against continuance of the unlawful labor objectives sought herein by the defendant unions. The leader of a labor union cannot make an illegal objective a legal one, and means and legal method (strike) to obtain that objective.

The self interest of labor, like the self interest of any other body, receives immunity only for those objectives which have a legitimate and reasonable relation to the lawful benefits which the union is seeking. When labor objectives are illegal, the court must control, otherwise there are bodies within our midst which are free from provisions of the penal law. When doubt arises whether the contemplated objective is within the legal sphere, or without and so illegal, it is for the courts to determine. Musicians union has been firmly opposed to recorded 'canned music' for some time.

In dissenting, Justice Lehman, with the concurrence of Justice John T. Loughran, ruled: The two defendant unions have determined that the use of mechanical devices for reproducing recorded music increases unemployment of members of the musicians union and perhaps, indirectly, of members of affiliated unions engaged in the same production. The question presented - is whether a union or a combination of unions may be prohibited from calling a strike for such a purpose - is to compel the plaintiff to abandon the use of such devices.

Dissenting opinion, regarding the matter a simple problem, also said: 'It seems to me that it is an injunction against a strike and nothing else. There has not been any suggestion... that the defendant unions combined or conspired to destroy the plaintiff's business as ruled by

Prince \$16,500 in Det.

Detroit, April 29. Perennial 'Student Prince' picked up an estimated \$16,500 in its nine performances at the Cass here at \$2.75 top.

Show got plenty of added publicity on the fact that 17-year-old Barbara Scully, a discovery here, was starred.

'MARIE,' \$125,000, NEAT IN BOSTON

Boston, April 29. With the opening of 'Theatre,' starring Cora Otis Skinner, Monday (28) the Hub still has two shows. 'Rose Marie,' Shubert production, has lured some patronage to hold for a third frame.

'Tobacco Road' perked up in its second, final stage week, after the left for Springfield and Worcester, Mass., for a split week, then one-nights throughout New England and down Bridgeport, where it closes temporarily May 24 before heading for the Coast.

Estimates for Last Week
'Rose Marie,' Shubert (2nd wk) (\$1,500; \$2.75) - Showed surprising increase in patronage, good for a third chapter with its low nut. 'Tobacco Road,' Plymouth (2d wk) (\$1,800; \$1.65) - Final week, okay \$10,500 for the white trash cuss.

HAYES-EVANS TALLY BIG \$20,000 IN ST. LOUIS

St. Louis, April 29. 'Twelfth Night,' with Helen Hayes and Maurice Evans, closed one-week stand at the American Saturday (26) with a total of \$20,000. With the house scaled to \$3.30, piece grossed an estimated \$20,000 for eight performances, raves and stunts engaged by Shakespeare Society, etc., steamed up plenty of interest.

Ethel Waters, headlining 'Cabin in the Sky,' opened one-week engagement Sunday (27) at \$3.30 top.

DuBarry Good \$15,000, Pms 'N.G. 3G in Cincy

Cincinnati, April 29. 'DuBarry Was a Lady,' with Bert Lahr, did approximately \$15,000 for four night performances and a mat in the last four days of the week at the 2,500-seat Taft auditorium. Top week \$3.30. Expectations were for \$18,000.

It followed a poppo on 'Pins and Needles' in the 1,000-seat Cox at \$1.85 top. Gross for three night shows in forefront of week was estimated at \$18,000.

'DuBarry' played two other performances, totaling \$18,000 in seven times.

Cincy is sans legit until after the May Festival, burg's greatest musical event and held every fourth year, which comes off May 6-10 in the Music Hall.

Horton \$9,000, Boland \$6,000 Light in Frisco

San Francisco, April 29. Edward Everett Horton managed to draw estimated \$9,000 during the first week of his revival of 'Springtime for Henry' at the Alcazar at \$1.38 top. Although Sunday night his at the Alcazar during its former stock company days used to be the best of the week, it now is light. Lahr for this is radio, which has some of its top shows on Sunday.

Horton, who is at the Alcazar on a percentage arrangement, is popular with up to date patrons. Views on the local stations, Mary Boland didn't do so well in her second week at the Riviera, where she is playing in 'Meet the Wife' at \$2.20 top. Take on the holdover stanza estimated at \$6,000.

Engagements

Barbara Kent: 'The Happiest Days.'
Roy Roberts: 'My Sister Ellen.'
Cora Witherspoon: 'George Washington Slept Here.'
Julius Crook: 'My Sister's Aunt.'
Wendy Atkin: Jack Merivale, 'Theatre.'

the lower court. Though it was called conspiracy, to achieve that purpose is not unlawful... a threat which the musicians union may have made to put the plaintiff out of business and other things made without personal malice against the plaintiff... but made in good faith... for the best interests of the members of the unions.

B'way Still Tapering Off; Saroyan Moderate 7G, 'Lady' 31 1/2G, 'Hattie,' 30G, Hold Up, 'Rhine' Solid Hit

Several shows improved, but box office reports on most of the New York list tapered off further after generally mediocre Easter attendance.

Estimates for Last Week

Key: C (Comedy), D (Drama), R (Revue), M (Musical), F (Farce), O (Operaetta).
'Arsenic and Old Lace,' Fulton (16th week) (C-938; \$3.30). Flourishing here and in Chicago (Grand); rated top new legit show this season and almost all autumn; cooling system, being installed; over \$15,000; capacity.

'Clarin,' Booth (11th week) (C-712; \$3.30). Also started through summer and too primarily a laugh show; approached \$12,500 and distinctly among season winners.

'Hellzapoppin,' Winter Garden (13th week) (R-1,671; \$3.30). Olsen and Johnson out; Flip Flappen and Henry Telford regards having chance for another summer; figured over \$20,000.

'It Happens on Ice,' Center (4th week) (C-1,000; \$2.50). (23.30). 'About a low-water mark for pink revue, which got around \$16,000 with \$2.50; plans call for attraction sticking; shows probably permanent policy of house.

'Johnny Belinda,' Longacre (32d week) (C-1,016; \$3.30). 'Dot much change' in pace of modest money show; likely to stick through spring; rated under \$8,000.

'The Bark,' Alvin (14th week) (M-1,375; \$4.40). Bounced back into leadership; standee business, with gross bettering \$31,500, top of \$4,000; regards having chance for another summer and relight in fall.

'Life with Father,' Empire (76th week) (C-1,005; \$3.30). Business was offish again; good week, with long stayers mostly affected; holdover got close to \$18,000; excellent money at \$1,000.

'Louisiana Purchase,' Imperial (48th week) (C-1,450; \$4.40). Also dipped downward, with takings (\$21,000) showing year's mark; improves when business generally perks up and is slated to stay another summer.

'Man Who Came to Dinner,' Music Box (80th week) (C-1,013; \$3.30). Another run show that has been affected, under \$8,000 last week; looking to earn sound profit.

'Meet the People,' Mansfield (18th week) (R-1,000; \$3.30). No new musicals in sight, so this one is hopeful of staying in place over \$5,000; gets by with costs revised downward.

'My Sister Ellen,' Baltimore (18th week) (C-1,000; \$3.30). Caries on what, but has been consistent money-maker from opening; last week off with most shows; around \$15,000, with \$4,000 in profit.

'Mr. and Mrs. North,' Belasco (15th week) (C-991; \$3.30). Getting by (17th week) (C-1,142; \$3.30). After closing was announced attendance improved and comedy will probably follow through May; quoted around \$8,500.

'Out of the Frying Pan,' Windsor (11th week) (C-693; \$4.40). One of the low grossers, but can open up small money; Sunday afternoon dropped in favor of night performance; \$4,000 indicated.

'Pal Joey,' Barrymore (18th week) (M-1,104; \$4.40). One of few shows claimed to have perked up last week; only moderate draw; around \$7,000.

'Panama Hattie,' 46th St. (26th week) (C-1,000; \$3.30). Another offering that more than held its own last week; quoted close to \$30,000; rated \$25,000.

'Separate Room,' Plymouth (57th week) (C-1,107; \$3.30). Has fooled Broadway by making fine run; takings made most profit here; through most of season; around \$6,000.

'The Beautiful People,' Lyceum (1st week) (C-1,004; \$3.30). Drew some distinctly favorable mention; turner-up in critics' best play voting only moderate draw; around \$7,000 first week.

'The Corn Is Green,' National (22d week) (D-A-92; \$3.30). A new critics' prize as best play of foreign authorship; boxoffice interest revived; rated \$18,000.

'Tobacco Road,' Forrest (28th week) (C-1,107; \$1.10). For show advertising last weeks since early win-

ter, this one is exceptional; rated around \$4,500, which gets it by.
'Watch on the Rhine,' Beck (4th week) (D-1,214; \$3.30). Winner of the critical prize indicated solidest drama of the season; \$18,000; about 14 times last week; more but for parties.

REVIVALS

'The Doctor's Dilemma,' Shubert (7th week) (C-1,055; \$3.30). Slated into July and possibly longer; exceptional money to revive; eased off, but quoted great \$19,300.

'Charley's Aunt,' Cort (28th week) (C-1,064; \$3.30). Will probably not be revived; but, has excellent record for old farce; about \$17,500 last week; profitable.

'TIME LIFE' OK \$12,000 IN 2D WK.; L.A. BARREN

Los Angeles, April 29. With the closing of a pop opera at the Mason Opera House, town is virtually devoid of legit on current stanza. Eddie Dowling and Julie Hayman, who closed at the Baltimore (26) in 'The Time of Your Life,' garnering around \$12,000 on the second stanza, about \$15,000 better than for opening week. Provides a profit for both show and house.

Current offering by Arthur Splits at the Mason is 'The Merry Widow,' with 29c and 59c (plus tax) as top matinee and night prices.

'Blossom' 1-Niter Wk. Garners Fine \$15,200

New Haven, April 29. 'Blossom Time' (Everett Marshall) closed out a week of one and two-nights at the Shubert Theatre, town is drew on three performances. (25-26) drew an estimated \$5,000 at \$2.75 top, in 1,700-seater to bring week's total to approximately \$15,200.

Tag end of season is holding up well, with the Lunts in 'There Shall Be No Night' here this weekend (25-26) for three shows. Premo of 'Women Aren't Angels,' skedded for next week, has been cancelled, but next week (27-28) brings Alexander Woolcott in 'Man Who Came to Dinner' for a six-day stanza.

'Theatre,' Moderate \$9,600 in Baltimore

Baltimore, April 29. John Golden's production of Somerset Maugham's 'Theatre,' with Cornelia Otis Skinner starred, rounded out a moderate stand at Ford's Theatre, which had up estimated \$9,600. Critics didn't rave, but commented pleasantly.

Continued late-in-season bookings has local calendar with 'Student Prince,' at Ford's currently, after which 'Hope for a Harvest' and 'DuBarry Was a Lady' will follow in succession.



JACK DURANT
NOW IN 18TH WEEK
Featured in GEORGE ARBONNETT'S
'PAL JOEY'
Barrymore Theatre, New York

EDDIE GARR
CO-STARRING
IN RECORD BREAKING
'HELLZ-A-POPPIN'
ON 8
Mgt. WM. KENT
1776 B'way, New York

Literature

Hub Transcript's Survival Fight

magazine, has been issued by the Patronato Nacional de Ciegos in Buenos Aires. Aim is to increase cultural relations among S. A. nations.

First issue has a literary supplement including music by Argentine composer Alberto Williams and maps with Braille references. Hope to make magazine a regular affair.

LITERATI OBIT

In the event a prospect is unearthed the employees committee prepared to publish at least a one page sheet each day to keep the Associated Press franchise alive. Franchise passes out of existence the day the Transcript actually ceases publication.

Of the three plays so far presented by the Experimental Theatre, George Corey comedy, "Not in the Stars," is the only one with commercial possibilities. On the basis of its single scheduled performance Friday (25) afternoon, the show has obvious flaws, but appears to have definite prospects for commercial production. With skillful revisions, suitable casting and expert staging and playing, it could be turned into a hit.

Most serious faults in the play of *Y* usually result from Corey's unfamiliarity with the stage. As an established radio author, he's used to writing short scenes, and thus has regard for visual effects. But his scenes are too long, too strident, too when waver into diffuse, repetitious talk. Yet Corey has talent for sharp dialog, vivid characterization and ingenious situation. What his script primarily needs is tightening and pointing. As it now stands, scenes are too long, too strident, too obviously contrived. The first act weakens toward the end; the second is even thinner, but the third builds to a genuinely punchy climax.

Casting for the troyout performance was uneven. As the bombastic, fraudulent head of the frenzied Irish-American household, Harold Myrmyla was clearly wrong. He was playing bad variation and depth, but the part is a natural for Barbra Streisand. As the young man, Fitzgerald, Dudley Digges or some one else with a lighter comedy style. Ruth Thane McDevitt was not quite suitable for the role of the married woman, but she largely redeemed the fact by a forceful and sincere performance. Frances Reid, who looks, appealing freshness and an apparent instinct for dramatic effect, was excellent as the daughter.

Walter Burke has the proper incisiveness and vigor as the soloist, while Clement O'Loghlin, Halla Bosworth, Leo Needham and John Ireland were believable and occasionally laughable as bewildered and headlong sons of the Auld Scot. Other performances varied, no one was credited with direction. Edwina Padula, a Theatre Guild production assistant, is understood to have done the preliminary work, with Winifred Lenihan taking over toward the last. Net result was unfortunate. Hobbs

College Play

COOK BOOK

Musical comedy in two acts (10 scenes) presented by speech and drama departments of Catholic University. Book and lyrics written by Walter Kerr and Leo Baeck, staged by Father Gilbert V. Hartke. Cast: Arthur Mallen, Lionel Booth, K. Schmitt, Leo Brady, Peter McClure, K. Becker, Lola Barlow, Frank Spitz, James Graham, James Cosgrove, Marlon Page, Ned Velmeyer, Mary Margaret, J. Monmon, Dennis Madden, Emmet Murphy, James Graham, Walter Gilgripch, M. ...

Latin-American Braille Mag

_____ America, Braille 10-page

Cook but played the part better
he (Cook) could have

like Cook but played the part better than he. (Cook) could have

Only fault of 'Cook Book' is overlength. There's a tendency to drag occasionally as the two acts and 18 scenes take Cook from the Evansville home grounds to 'Sleepless Hobow.' Pruning of some musical numbers, which slow the pace could be accomplished with advantage and no loss of favorable effect. Most editing could best be done in early stages of second act, where revue becomes too much the conventional musical after the swirling madness of the first stanza.

Entire show has been staged elaborately by Father Hartke and set designer Ralph Brown has done a yeoman job of arranging his 19 scenes for both effect and pace.

Revue picks Cook up at the Evansville circus lot in 1898, goes from there to the kitchen of the Cook home, to the Evansville ferry to the Cook barn, to the stage of the local theatre, continues to New York to an agent's office, a costume shop and the stage door of a small-time vaudeville theatre.

For a community theatre, 'Lend An Ear' is a sock show. For prizes, lot of it would have to be wheeled out, but there's certainly much material that any Broadway revue could find very useful. Cohen.

Wm. Dorbin Stricken
Rochester, N. Y., April 29.
William Dorbin, 60, actor, suffered a heart attack here last week this morning after playing in the Alexander Woolcott company 'Man Who Came to Dinner' at the Auditorium. Taken to Highland hospital, Dorbin was reported in poor condition.

house, finally to a New Year's party at Bert Sworn's in San Antonio in 1931. The following year, she returns at second stanza, is slow until it arrives at Earl Carroll's 'Vanities' in 1923, with one of those mad Cooks' songs, 'The Indian in the Hat.' She is an Indian, an ape and sundry others in wild costumes. Continues through the 'Vanities' and 'The Vanities' and the first Cook film venture, finally to the legendary 'Sleepless Hollow.'

Score prepared by Frank Spitzitz, who has been a musical director mentioned, plus original numbers by Spitzitz, Betty Healy and William C. Cohan.

Players standing out, in addition to Brady, including Spitzitz, who sings much of his own and the pro-musical songs, and the 'Vanities' men, Edmonston, Jimmy Graham (last year's Cohan), William Hart and Louis.

Interesting note on production

LITERATI OBITs
Charles E. Russell, 80, former New York newspaper editor, Chicago publisher and political reformer, died April 23 in Washington, D. C. In 1910 he was the unsuccessful Socialist candidate for governor of New York.

Red A. Mansery, 60, veteran newspaperman who for some 31 years was with the staff of the old N. Y. Evening Journal, died April 22 at his home in Passaic, N. J. He retired in 1928.

Patrick Casey, 48, author and San Francisco newspaperman, died of heart attack April 25 at his home in Sausalito, Cal. A former president of the San Francisco-Oakland Newspaper Guild, he had also worked on the Paris edition of the N. Y. Herald Tribune.

Herman Harner, 42, editor of the Urbana, O., Citizen, died April 26 in Dayton, O., of a heart attack.

Lillian Eikler Watson has written a tome on advertising being published in May.

Add draftees: Don Cragg, drama editor of the Washington Daily News and so Varsity mugg is D. C.

Tarleton A. Jenkins, city editor of the Fort Worth Press, Scripps-Howard, on May 1 will become director of publicity of the Fort Worth Chamber of Commerce.

Lols Svensrud has been appointed motion picture editor of Your Charm, fan mag formerly known as Picture Play. She formerly was Coast rep for Modern Screen.

Ralph Eckhardt, former Chicago and Cleveland newspaperman and feature writer for NEA, later of the RKO press department, has been assigned to public relations office of the Signal Corps at Fort Monmouth, N. J.

The board of directors of the Globe-Democrat Publishing Co., publisher of the Globe-Democrat, the only a.m. rag in St. Louis, has declared the regular quarterly dividend of \$1.75 a share on the preferred stock, payable June 1 to stockholders of record May 20.

R. Wilson Brown, 31, a former reporter in Mexico, Mo., and St. Louis, and instructor of journalism at the New York Institute for the Education of the Blind since 1936, has been appointed superintendent of the Missouri School for the Blind in St. Louis. The position carries \$350 monthly salary and living expenses.

'Cook Book' was assistance given by stage staff of local Earle theatre, house where Cook is currently heading vaude bill. Cooperation included training of 'Junior Roxettes', high school graduate students in drama at C. U., by Earle's Roxettes, and rehearsing of choral groups by Joe Lombardi, Earle's pit conductor. Anolyn Arden, Earle Roxette instructor, and Nancy Raden, captain of line, even had kids doing Gae Foster stilt and ball-walking routines. Mac

Ruling vs. Agents

Continued from page 1

and stated yesterday (Tuesday) that he will call a huddle as soon possible with the theatrical agents and their associations. It was intimated that the license department was now bound to enforce the state law's stipulations on commissions, heretofore loosely policed because of the old decision, which then involved a New Jersey labor employ-

Coast agents, in the very lucrative film business, will not suffer as much as the N. Y. agencies because of the decision. The California law, it is understood, limits agency fees to 10%, with the agents' agreement with Screen Actors Guild also enforcing this.

The Artists Representatives Assn., of N. Y., yesterday (Tuesday) stated that an immediate general membership meeting would be called to study the situation. Out of this may come a committee to call on Commissioner Moss to apprise themselves of his department's plans to enforce the N. Y. State statute.

OBITUARIES

JOHN K. (JOCK) MUNRO

John K. (Jock) Munro, 28, identified with the theatre for 10 years as a playwright, author and director, died April 22 in an Ottawa, Canada, hospital. Shortly before his death he had completed two plays, one of which will be presented at the Barter summer theatre, Abingdon, Va., this summer.

A champion of summer stock, Munro was familiar figure to straw-hat audiences as in recent years he had been associated in various posts with barns located on Locust Valley, L. I.; Stockbridge, Mass., and Westport, Conn. He also operated and directed the North Shore Players at Marblehead, Mass., two summers ago.

Starting his career in Ottawa, Munro was active in the Little Theatre movement there and appeared in local productions of "A Little Bit of Fluff" and "R. U. R." He also devoted much study to puppet-entertainment.

Among Munro's plays, "Destiny Woman" (1930), "Fog" (1931), was tried out at Stockbridge in 1933 and the following year he presented it himself at Marblehead with Norma Terris as the lead. "Godey's Lady," written in Ottawa last year, was done by the Barter theatre this summer, and his other work, "Officers' Mess," is going the rounds. Both are handled by the Debs-Wood Agency. Formerly a study of Sarah Hale, editor of "Godey's Lady's Book," and the latter's locale is the Canadian border.

Munro, who had two seasons as stage manager of "Pride and Prejudice" both in New York and on the road, was the writer of nature story books for children, a fact not generally known. He was also associated with the Boston Symphony Orchestra and at one time produced for the Harvard Dramatic Club.

Surviving are his parents, Col. and Mrs. John R. Munro, and two sons, Capt. R. R. Munro and Capt. E. T. Munro, both serving overseas with the Canadian army, and Donald G. Munro of Ottawa. Funeral services were held in Ottawa, Wednesday (24), with burial taking place there.

THEODORE A. LIEBLER

Theodore A. Liebler, 89, retired theatrical producer who in a 17-year partnership with his wife, Mrs. Tyler produced more than 200 plays and was credited with bringing Mrs. Patrick Campbell, Eleanor Duse and Rejane to the American stage, died at his home in Old Greenwich, Conn.

With Tyler he launched the firm known as Liebler & Co., in the '90s. Various times such stars as Margaret Anglin, William Faversham, Arnold Daly and Eleanor Hobson appeared under his management.

The son of a German refugee who came to the United States in 1891, Liebler was born in New York and was originally a lithographer. However, circumstances compelled his withdrawal from the business and upon meeting Tyler the pair formed a theatrical partnership which brought forth "The Royal Box" as their first hit.

Other plays which the company presented included such successes as "Merely Mary Ann," Mrs. Wiggs of the Cabbage Patch, "Raffles," "Alias Jimmy Valentine," "The Garden of Allah" and several of George Bernard Shaw's early plays.

Surviving are his widow, Mildred, and three sons, Theodore A. Jr., scenarist and playwright; the Rev. Walter Anglin, William Faversham, Liebler, an act agency executive. Funeral services were held in Old Greenwich Friday (25).

LEONA LA MAR

Leona La Mar, known as "The Girl with 1,000 Eyes" who did a "mind reading" act a generation ago, died April 22 at her home in Englewood, N. J. The widow of Walter Shannon, who assisted her in her routine, she left the stage in 1920 upon her husband's death.

Forming the act in 1910, Miss La Mar was named in vaude for more than 20 years. Her turn was similar to many others in her line, she never failed to mystify audiences. Her assistant walked the stage holding soliciting questionnaires.

Question-and-answer were spoken by Miss La Mar, blindfolded, on the stage. If cueing was done, she had perfected an excellent system, for the public invariably failed to notice any. While at the Colonial, N. Y., in 1917, Miss La

Mar predicted the World War would last four years and also foretold safe voyage for the German submarine, Deutschland, used for cargo purposes to break the British blockade.

Miss La Mar, who was born in Rochester, N. Y., often visited the Actors Fund Home, also in Englewood, and a group representing the Home attended funeral services held Saturday (26). She leaves a son, Walter, and a daughter, Leona.

FORD FENIMORE

Ford Fenimore, veteran legit actor whose last appearance was in production of "Behind the Mask" in 1922, died April 20 at Sellers Sanatorium, El Paso, Texas, where he was under the care of the Actors' Fund of America. He had been ill for many years with tuberculosis.

Fenimore, who was active in Philadelphia and Cincinnati stock companies from 1900 to 1908, also played in dramatic sketches in vaudeville and on the stage. For a number of years he was with the Fox Stock Company at the Academy of Music, N. Y., and appeared in "Aviator" under the management of Coban and Harris. Among the stars with whom he appeared in legit were Robert Edeson, Edmund Breese, Blanche Bates, Robert Mantell and Otto Skinner. He appeared in early D. W. Griffiths film productions.

He leaves his widow, Dorothy Armstrong, a former actress, and two brothers, Harry and Jess Hoff. His family name was Ford Fenimore and his stage name was Fenimore.

He took place in El Paso under the auspices of the Fund.

STANLEY FIELDS

Stanley Fields, 57, vaudeville, stage and screen actor, died April 23 in Hollywood, 40, after a long illness. He was preparing to report for work in "Lady Scarface" at RKO a few hours before his death.

Born Walter Agnew, in Allegheny, Pa., Fields broke into show business as a singer in one of George M. Cohan's musicals on Broadway. After a stretch of vaude and legit, he turned to pictures 12 years ago. In his stage days he was a partner of Frank Fay (and Fields).

Among his recent film appearances were "Hell's Kitchen" and "The Lady from Cheyenne." Other films in which he appeared were "Hook, Line and Sinker," "The Border Legion," "Mammy," "Ladies Love Brutes," "Maulaughter," "The Street of Chance," "Cimarron," "Little Caesar," "The Duke," "Traveling Husbands," "Mutiny on the Bounty" and "O'Malley of the Mounted."

Surviving is his widow.

THURSTON T. LEWIS

Thurston T. Lewis, 56, former member of M. A. Rollo's orchestra, who also appeared in vaude on the Keith circuit, died of pneumonia April 17 in a Watertown, N.Y., hospital. He was failing health, he had slashed his wrists the day preceding his death and pneumonia developed.

As a cornet soloist Lewis played with the Watertown opera house orchestra in his youth.

In recent years he had been chiefly identified with Watertown activities as bandmaster for the local high school and a teacher of music. With his wife, he had a son, Fred.

Besides his widow, he leaves a daughter.

ROBERT H. COMBS

Robert H. Combs, president of the Prest-O-Lite Storage Battery Co. of Canada and pioneer in radio research, died in Toronto April 25. Founder of the Toronto Radio Research Society, it was largely through his efforts that CHNC, Toronto station now defunct, went on the air on May 1, 1924, and broadcast the first radio program to originate in Canada.

A native of St. Louis, Combs was credited with being the first staff photographer to be employed as such by an American newspaper. With the old St. Louis Star at that post he later studied radio, and at the time of the Louisiana Purchase Exposition established contact between the air program and the Star and with the aid of Lee de Forest, radio pioneer.

MAX (BOO-BOO) HOFF

Max (Boo-Boo) Hoff, widely known Philadelphia sporting figure and one-time proprietor of several Philadelphia night clubs, died at his home in

that city on Sunday (27) of a heart attack.

During prohibition Hoff was partner of the "Hedley" and "The Ship," a famous speakeasy and gambling casino, respectively. Later, he owned the 1214 Club and the 21 Club. He also had a stable of boxers and was involved in a years dispute with Gene Tunney over the latter's Dempsey fight in Philadelphia. Reputed to have made \$5,000,000 during the hectic prohibition era, Hoff died penniless.

He leaves his widow and two sons. His latest venture was the operation of the Village Barn, a jettibug palace, which he sold six months ago.

DR. RUDOLPH (RUDE) PLANK

Dr. Rudolph (Rudy) Plank, 41, X-ray specialist with the Will Rogers Memorial hospital, Saranac Lake, N. Y., who was an intimate of many of the actors' colony there, drowned in Upper Saranac Lake April 22. Plank's body was found floating near his lakefront camp. According to a coroner's investigation, death was accidental.

Practicing for 20 years in Saranac, Plank was associated with the old NVA Sanatorium prior to joining the Rogers Memorial hospital. He had examined nearly every patient who was sent to the resort by the NVA Fund, the Jewish Theatrical Guild, the Will Rogers Memorial Fund and other theatrical welfare associations.

Surviving are his father, a sister and three brothers. Burial took place at Paul Smith's, N. Y.

ARMAND J. MOREAU

Armand J. Moreau, 45, native of Portland, Me., district manager of 28 Paramount theatre units in Vermont, New Hampshire and Maine, died in Portland, April 22.

Moreau, formerly manager of a theatre in Holyoke, Mass., later going to Springfield, Mass.; Arctic, R. I.; Chelsea, Mass.; Waterville and Bangor, Me. Later, he became personal representative to the late William P. Gray, general manager of the Famous Players-Lasky interests in New England, and when Public Theatres took over theatre operations he was transferred to New York to make a survey of theatre properties in the south and southwest.

Survivors include his widow, two sons and two sisters, all of Portland.

CHARLES J. CHIC

Charles J. Chic, 49, production manager at Metro, died April 26, of carbon monoxide gas in his car near his home in Beverly Hills, Cal. Police called it suicide.

Chic entered the film business in 1918 as a property man with Universal. Later, he became an assistant director to the late William Duncan, W. S. Van Dyke and others. Moving to Metro in 1927, he was assistant to Edward Sedgwick and King Baggot and was assigned as assistant to J. J. Cohn, general production manager, until four years ago, when Cohn moved out as a producer and Chic took over the department. He had recently been ill.

EARL K. JEFFERY

Earl K. Jeffery, 23, for the past five years an announcer at CJLS, Yarmouth, Nova Scotia, and who had been the youngest regular announcer in local radio, died after a kidney operation.

Jeffery had been director of a weekly children's hour known as "The Circle of the Stars" for years. A third affiliation with CJLS was as control operator. He had been on a sick leave for five weeks. Recovering, apparently, relapse caused death last week. Surviving are parents and a sister.

ARTHUR BENJAMIN

Arthur Benjamin, 76, pioneer in the motion picture business, operating the Bijou theatre, Andover, O., in 1907, and six years later operating the old Republic theatre, Cincinnati, O., died April 21 at Ashtabula, O., after a long illness. He was former mayor of Andover. The electric lights in the Bijou were the first used in Andover.

BEN D. WILSON

Ben D. Wilson, 62, former bigtime vaudeville performer and later a theatre operator, died of heart attack in Philadelphia, Pa., April 23. In recent years Wilson operated a Fort Worth stock company and did some radio work, taking the lead in a program, "Uncle Benny's History of Texas."

EDDIE CONRAD

Eddie Conrad, 50, former vaude and legit comic, and in pictures for about 10 years, died suddenly of a heart attack in Los Angeles. His last

film role was in Republic's "Angels With Broken Wings."

Deceased was a headliner in vaude for years with the first wife, Bessie, and later with his second, Marian Eddy. He appeared in many Shubert shows, last being "Gay Paree," after which he went to the Coast.

ALTON C. EMERY

Alton C. Emery, 56, proprietor of the Hope Theatre, Providence, a second-run house, died Wednesday (23) in Providence.

Emery's interest in theatre ownership goes back more than 30 years. He and his brother, Burton A. Emery, for many years operated Emery's Majestic and the Emery theatre, Providence. In recent years he ceased devoted most of his time to his real estate business.

Survived by widow, brother, five daughters and two sons.

HARRY VAN FOSSEN

Harry Van Fossen, 60, former vaude performer, died in St. Joseph, Mo., on April 22. He was standard vaude performer for some 40 years, doing the act with his wife.

Van Fossen was with Al G. Fields, Honey Boy Evans, Lew Dockstader and others. Played consistently on the vaude and Pantheons circuits. Widow survives. Burial in Chicago.

THEODORE D. WILLIAMS

Theodore D. Williams, 65, former theatre owner in Detroit, died last week of a heart attack at Bradenton, Fla.

A great grandson of Detroit's first mayor and a railroad official for 25 years, Williams entered show business later in life, at one time operating more than six picture houses in Detroit.

PETER GILLEN

Peter (Pete) Gillen, 72, died April 22 at Huntington, L. I., of pneumonia. He was sales representative for outdoor theatrical printing and lithograph firms, principally the Joseph H. Hooker plant.

Well known in show circles, he was formerly an active member of the Friars club.

WILLIAM NOONAN

William Noonan, makeup artist, died April 25, following a heart attack, at the Samuel Goldwyn studio in Hollywood.

Shortly before his death he had helped to prepare 300 extras for work before the cameras in the Alexander Korda picture, "Illusions."

JACOB FABIAN

Jacob Fabian, 75, died April 24 in New York from a heart attack. Surviving are his widow, a son, St. Fabian, president of the Fabian Theatre Corp. and Mrs. Samuel Rosen, daughter. Funeral services April 27 in Paterson, N. J.

Details in Film section.

JOHN P. PERRY

John P. Perry, assistant manager of the Lyric (Pa.), Minneapolis, dropped dead from heart failure in that city. He was 37 years old.

Before coming to the Lyric, he had been at the same company's theatres, St. Paul, and Aster, Minneapolis.

DOMINIC PALMA

Dominic Palma, 60, trumpeter for years with the San Carlo Opera Co., suffered a heart attack and died April 21 on the train en route to an engagement at the Palace in Milwaukee. His home was in Chicago.

SAMUEL BLOOM

Samuel Bloom, 53, connected with the Leo Newman ticket agency, New York, died April 21 in New York. Further details in Inside leg.

PERCY MORRIS

Percy Morris, 62, assistant director at Paramount died April 24 in Hollywood.

Surviving are his widow and a son.

RAMONA BERGE

Ramona Berge, 39, actress and writer, died at Glendale, Cal., April 26. She was the wife of Cliff Berge, race driver.

JAMES E. HARKINS

James E. Harkins, 82, retired vaudeur, died at Ann Arbor, Mich., April 21.

Lolo Manger, 52, assistant production manager for Sam Goldwyn the past 15 years, died April 28 in Hollywood.

James Scott, 41, former Universal picture salesman and more recently with National Screen Service, died April 26, at Amarillo, Texas.

Fritz Kreisler

Continued from page 2

continued to minor virtues. His hands, reportedly heavily insured, were not injured.

At the age of 66 Kreisler is still regarded as one of the world's leading violinists and is without doubt one of the top boxoffice draws of the concert field. Although two or three other violinists are said by critics to have more technical perfection, Kreisler's playing has always had a warmth and an emotional quality that endeared him to audiences and technicians alike. His records have sold heavily for many years. However, he has never made a radio appearance, having turned down repeated offers (he is said to have a standing offer of \$15,000 for a first broadcast). Of course his records have been aired. He is handled by NBC Artists Service.

While best known as a artist, Kreisler has been a noted and prolific composer. Most of his compositions have been for the violin, selections, but he also wrote scores for two legit musicals, "Apple Blossoms" and "Sliss." Songs from those shows were used in Columbia's "The King of Kings" and "Grace Moore." Possibly his best known composition is "Caprice Viennois," a classical piece that has been played so much it has become virtually a popular song. He is a member of the American Society of Authors, Composers and Publishers. He was wounded in action during the first world war, in which he served as a captain in the Austrian army.

MARRIAGES

Harriet Haddenoff to Fausto Curbelo, April 19 in Toledo, O. Haddenoff, opera singer, currently at Hotel Stalter, Detroit; she's non-pro.

Goide Davidson to Allan Copeland, in Chicago, April 5. Bride is with Davidson, a popular Chicago press department; he has with the Chicago Tribune.

Elizabeth Halder to Jean Landry in Regina, Sask., April 16. He's opera singer; she's a pianist.

Margaret Cadieu to Frank McKenna, in New York, April 19. He's a reader in Metro's eastern story department.

Nan Jewell to Dorrell McGowan, in Yuma, Ariz., April 26. He is a scenarist.

Marjorie Keeler to George Vieira, in Las Vegas, Nev., April 26. She is actress-sister of Rudy Keeler.

Adele Daniel, to Walter S. Auerbach April 20, in Columbia City, Ind. He is in the motion picture business; she's a pianist.

Jane Sterling to Jack Merivale, in Boston. Both are stage players; he is the son of Philip Merivale.

BIRTHS

Mr. and Mrs. Larry Cairns, son, in Los Angeles, April 19. Father is cameraman at RKO.

Mr. and Mrs. William Heinemann, daughter, in New York, April 21. Father is Universal's western division manager.

Mr. and Mrs. Kenneth Dolan, son, in Los Angeles. Mother is Shirley Ross, screen actress; father is an agent.

Mr. and Mrs. Robert Carter, Jr., son, in Glendale, Cal., April 21. Father is assistant manager of Fox Glendale theatre.

Mr. and Mrs. Ernest Lieberman, son, in Pittsburgh, April 21. Father's manager of WSquirrel Hill theatre.

Mr. and Mrs. Jim Williams, son, in Pittsburgh, April 22. Father chief announcer at WKPA, New Kensington.

Mr. and Mrs. Phil Latterman, daughter, in Pittsburgh, April 19. Mother's with Sophisticated Ladies on WCAB, Pitt.

Mr. and Mrs. Mary Rubin, daughter, in Hollywood, April 23. Father is stage and radio actor.

Dr. and Mrs. M. Sayle Taylor, daughter, in Hollywood, April 25. Father is "Voice of Experience" on radio.

Mr. and Mrs. A. Jennings, daughter, in Nashville, April 21. Father is announcer on WSIX, Nashville.

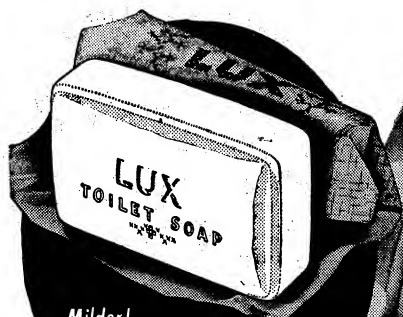
Mr. and Mrs. Clyde Strobel, daughter, in Seattle, April 19. He's manager of Blue Mouse theatre (Hainck-Everygreen), Seattle.

Mr. and Mrs. Charlie Gaines, son, in Los Angeles, April 21. Father is leader of band in Carroll's niter in that city.

Mr. and Mrs. Joseph Gottlieb, daughter, in Philadelphia, April 25. Father is WCAU (Philly) production director.

Mr. and Mrs. Julian Hochfelder, son, in Hollywood, April 21. Father is writer at Metro.

Here's ALICE FAYE behind the Scenes —with a Beauty Tip for YOU!



Milder!
Costly Perfume!
Pure!
ACTIVE lather!

SMOOTH SOFT SKIN'S
IMPORTANT! I HAVE
TO FACE CLOSE-UPS
ON THE SCREEN —
AT HOME, TOO!

SO I NEVER NEGLECT
MY LUX SOAP
ACTIVE-LATHER
FACIALS. FIRST
PAT THE LATHER
LIGHTLY IN

THEN RINSE WITH
WARM WATER —
A DASH OF COOL

NOW DRY WITH
LIGHT, QUICK PATS.
YOUR SKIN FEELS
SMOOTHER — LOOKS
FRESHER!

ALICE FAYE

In the
20th Century-Fox
Production

"The
Great American
Broadcast"

**Try ACTIVE-LATHER
FACIALS for 30 days—**

"Lovely skin wins and holds romance,"
says this lovely star, and shows you
how to give your skin Hollywood
beauty care right in your own home!

These facials are easy to take. They
quickly remove every trace of dust,
dirt, stale cosmetics—leave skin feeling
soft—smooth. Try this gentle care!

9 out of 10 Screen Stars use Lux Toilet Soap

Scanned from microfilm from the collections of
The Library of Congress
National Audio Visual Conservation Center
www.loc.gov/avconservation

Coordinated by the
Media History Digital Library
www.mediahistoryproject.org



A search of the records of the United States Copyright Office has
determined that this work is in the public domain