





# ENTERTAINMENT WEEKLY

## 2 UA Sales Meets This Month; Doc Giannini's Pact; Schaefer's Deal

United Artists partners and Dr. A. Giannini are still huddling on the latter's future status in the company. Possibility is that Giannini will retire from the firm.

This was discussed during the convalescence of the company's bigwig, who is convalescing.

United Artists will hold two regional sales meetings, first at which New York, June 13, and will run five days. Second is to be held in Chicago, a four-day session.

George J. Schaefer, James Mulvey and Murray Silverstone, UA execs, are back in New York after a couple of weeks of Coast huddle with company producers and owners. Company's program will be larger than the previous year, including films from Samuel Goldwyn, David O. Selznick, Alexander Korda, Hal Roach, Walter Wanger and Edward Small. Program is expected to total 30 pictures.

Schaefer has a new five-year contract as v.p. in charge of sales for UA. Under the pact, which will be linked at the sales convention in New York, Schaefer will have charge of distribution in America.

Murray Silverstone, chairman of UA executive committee, UA execs, Artists, may call for London around June 15, after the company's regional sales meeting, to be held at the Waldorf-Astoria gets under way two days earlier. He is going to bring back his wife and family to the States, and to arrange his London business to fit in with his permanent job in the States. In London, Silverstone will confer with Alexander Korda.

Schaefer will make his first official attendance at the sales meetings in his new executive capacity. The first two days of the UA convention will be devoted to opening relations of the entire sales force, with the three following days will be given over to individual meetings of groups with Schaefer, presiding. On Thursday (18) the conventioners move on to Chicago, except for certain attendees here for a attending in New York for a four-day session there. Initial two days will embrace general meetings, two final days individual sessions with Schaefer. Not known as yet who will attend meetings from Coast.

## HITCHCOCK'S SELZNICK PIC: JOINS MAYFLOWER

London, May 31. Charles Laughton and Erich Pommer heads of Mayflower Pictures Corp. have signed Alfred Hitchcock to produce their next picture, 'Jamunah', which is under production in three weeks.

Contract calls for two more open-ended contracts to be signed tomorrow (June 1) for U. S. He plans to negotiate a deal with Dave Selznick to produce a picture for him at the end of this year in Hollywood. Whitford Drake, president of Erich's Release Film Corp., who also sells on the same boat. His departure was delayed by illness.

## Grainger Stays at UA

Hollywood, May 31. Edmund Grainger signed a new five-year producer contract at Universal, which stipulates that he would follow his father, James R. Grainger, to Republic.

Republic's Universal contract was inked by Jack Otterson, supervising art director for the past two years.

## SR. DOUG'S 'LOLA MONTES'

London, May 31. Douglas Fairbanks, Sr., has announced that he will produce the adventures of Lola Montes' here in immediate future at cost of \$1,000,000. He will produce, or cause to be produced, or my studio selected for production.

## UA's 25% in Eng.

Hollywood, May 31. Cut in distribution charges from 30% to 25% in Great Britain and Canada, making them the same as in the United States, was ratified last week by the board of directors of United Artists.

It was also voted to establish a special fund for the payment of bonuses to non-member producers.

## LASKY-KOHNNI PROD. TALKS WITH PAR

Jesse L. Lasky and Ralph A. Kohn, former Paramount executives who have been in production several years, reached New York during the past week reportedly to discuss new producing relationships with Paramount. Among others, they conferred with Barney Balaban of Paramount.

Kohn, last picture made by Ben Schulberg, who was releasing through Par, sold out his interest in Schulberg's production. Lasky has been producing for RKO.

## Roach's Financing For 4 UA Releases; Bruce-March His First

Hollywood, May 31. Security Savings & Trust Co. is financing the Hal Roach production, to be released through United Artists, and underwriting the minimum of four pictures to be made by Roach in the next two years. Bank is reported to have advanced close to \$1,000,000 as an operating fund for the production of "Topper".

Roach's first picture under his new releasing pact with UA. Production will get under way June 7, with Norman Macdonald directing from the screen play by Eddie Moran and Jack Vein.

Stan Laurel and Oliver Hardy go before the cameras today (Tuesday) in an untitled comedy, the final Roach production for Metro. It is the last full-length comedy to be made by this duo for Roach. Their last picture, released by UA, is his four-reeler.

## Reeves Espy, Goldwyn V.P.

Hollywood, May 31. Reeves Espy, for the past three years president of Goldwyn Pictures, has been appointed vice-president of Samuel Goldwyn production. He succeeded David Ross, resigned.

Before joining the Goldwyn forces, Espy operated a circuit of theatres in Los Angeles, which he owned through Skouras, Fox-West Coast chain operator. He started with Skouras Bros. in St. Louis.

Goldwyn's first production for United Artists' 1938-39 releasing schedule will be "Kiss in the Sun," by William Wyler directing. Shouva Levin has been borrowed from 20th-Fox to collaborate with Sam N. Behman on the script.

Edward Small has gone to Arrowhead to produce a picture, which he will try, to trim the script for "Duke of Alabaster," due to go into production July 1. Picture will be Small's first production under his new distribution pact with UA.

## INTRA-INDUSTRY SELF-REGULATION OF ALL EXHIBIT-DISTRIBUTOR GRIEVANCES SEEN AS SOLE METHOD TO STYMIE PERICULOUS LEGISLATURE ATTACKS

Intra-Industry Self-Regulation of All Exhibit-Distributor Grievances Seen as Sole Method to Stymie Periculous Legislature Attacks

## FEAR LEGAL TROUBLE

Plan for setting up conciliation machinery, whereby so-called grievances either by exhibitor or distributors may be adjudicated within the industry, is being seriously considered by the picture business. Proposed this week was at a definite conciliation setup would be decided upon within the next few weeks.

Industry leaders have come to the conclusion that the time is ripe for such inter-industry operation in order to bail the flood of litigation, which out exhibits quarrels about product, clearance, buys, etc., and voluntarily place the entire film business in a position to ward off the ever-recurring legislative or governmental attacks.

Many in the trade believe that the recent talks before independent exhibitors by W. F. Rodgers, Metro sales chief, really pointed the way. Rogers touched on conciliation and need for it in his speeches before legislative meetings in Boston and Pittsburgh. Even as far back as March, 1938, he indicated in Washington that he would submit to the National Association of Exhibitors and Distributors a plan for such an inter-industry operation.

Threat palpable in the Senate and possibility that this or similar legislation will come before the next session of Congress, plus the proposal for an outright governmental conciliation machinery, are driving the trade. Metro expressed an opinion favoring conciliation at the time that it was the industry's only voice in the void created by the passing of the NRA, with its code setup, and the demise of film boards as trade. Metro expressed an opinion favoring conciliation at the time that it was the industry's only voice in the void created by the passing of the NRA, with its code setup, and the demise of film boards as trade.

Several sales managers have insisted that the industry should be organized to do the void created by the passing of the NRA, with its code setup, and the demise of film boards as trade. Metro expressed an opinion favoring conciliation at the time that it was the industry's only voice in the void created by the passing of the NRA, with its code setup, and the demise of film boards as trade.

Whether the Federal Court which has jurisdiction over GN (7B) considers the offer or approves it, finally, is something that is open. Edward Alpersen, former president of the National Association of Exhibitors and Distributors, and attorney Lloyd Wright, are the trustees of GN.

## Jackie's Three for U

Hollywood, May 31. Jackie Cooper has inked a three-picture deal with Universal, pact running until February, 1939.

First role under new contract will be with Deanna Durbin in "That Certain Age," second in an untitled Boy Scout film; third still undecided.

## Realty Operator Turns Producer, Will Make 26 Pix for GN Release

Grand National has closed deal to distribute a minimum of 26 feature pictures, to include six specials, expected to be coming season by Fall. Arts Pictures, Inc.

New organization is reported to have \$1,000,000 ready for immediate production. President of the company is Franklyn Warner, realty and insurance operator, who has been interested in films and theatricals for years. Associated with him are Harry B. Brown, president of the Pacific Iron Works, and M. A. Penny, capitalist.

Executive representative on production matters is Sam Berkowitz, operator of Coast exchanges for years. He will supervise production of the pictures to be made at GN. Deal has been under way for more than six months, during which time it is understood Warner has been buying up large quantities of Grand National stock. He is being paid for his part in the deal.

## Universal Executive Powwows Continue; Talk Unit Production; Young In, Chas. Rogers Maybe

## LeMaire's Cool-Off

Hollywood, May 31. Rufus LeMaire went on a burn Sunday when he couldn't break into heart game at Hillcrest. Wanting to cool off, before he has turned in at home, he walked along the edge of his swimming pool and lost his balance.

## GB STILL AFTER GRAND NAT'L EXCHANGES

It is not altogether certain that Gaumont-British will produce some pictures in America, principally westerns to begin with, because much depends upon the company's possible purchase of the Grand National company's exchange system, but it is generally assumed that it has an offer pending to buy the GN exchanges.

In an event of purchase of the GN exchanges by G-B, it would be reasonable to assume that G-B will undertake production on this side. Also, it is figured that none of the releasing product of GN would suffer by a deal, which it is understood that in the event of purchase by G-B, whatever product should be on release with GN would continue to be so released under new ownership.

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Hollywood, May 31. Business sessions kept Universal executives at the studio over the holiday weekend. J. Cheever Cowdin came in from New York for discussions with Nate Blumberg, Cliff Work and Wally Fox on financial matters, production and studio operation.

Blumberg, while Fox remains three or four weeks. Felix Young goes on the producer staff at Universal June 15. He recently departed RKO, where he made "Joy of Living".

This is part of a discussed unit production system under Cliff Work, now U. studio boss.

Charles R. Rogers, recently resigned production head of Universal, but who continues as a stockholder and member of that company's board, may produce independently for Universal. Under the pact, he has had some talks in this regard with company officials. If Rogers could undertake to do this he would probably also finance his own picture.

Nate Blumberg, president of the company, conferred with Rogers recently on the latter's plan to finance his own output of six films a year. They will continue the discussion in Hollywood this week.

Herbert Marshall has obtained a release from his commitment in U.S. "Certain Age" and will play the male lead opposite six films a year. He recently departed in Paramount's Albert Lewin production of "Zaza." Picture is set to start June 20.

George Cukor directing picture, "Helen Broderick and Glenda Farrell are set for featured parts in "Road to Reno," due to start June 13.

(Continued on page

# VARIETY

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## INDEX

Advance Production	19
B & O's	42
Bills	47
Clatter	58
Concert	50
Dansapati	40-43
Exploitation	28
15 Years Ago	44
Film Books	12
Foreign	17-19
Music Revs	46
Inside-Legit	48
Inside-Pictures	10
Inside-Radio	58
National News	11
Legitimate	51
Literati	52
Misc	40
New Acts	46
News Clips	44
Nite Club Review	44
Obituary	31
Outdoors	55
Pictures	2-26
Radio	27-29
Radio-International	37
Radio Reviews	27
Revs Shown	45
Variety	44-45



# THEATRE POLICING

**Muzak Strictly Musical And No Theatrical or Radio Angles, Waddell Catchings Explains**

Muzak (wired radio) will remain primarily a system of furnishing canned music for homes, cafes, restaurants, according to present plans. Recently acquired by Warner Bros, there will be no expansion via arner theatres, or any other. So states Waddell Catchings, active head before and since the WB takeover.

On question of the switch of ownership to Warners, Catchings says the Government favored the sale of Muzak to a firm dealing in entertainment. North American Utilities of Ohio was permitted to control up to conclusion of the experimental stage.

Little value for theatres is seen in the use of the wire-canned music. Problem of making it financially available to masses (also see no big coin future) in class consumption as at present is being worked on. However it costs \$28 monthly in homes due to use of individual telephone wires as against original plan of using utility wires or already occupied telephone wires as with original experiments in Cleveland four years ago.

On possi lities of national expansion and commercializing its product Muzak is very vague. Nothing will be done outside New York until it's perfected locally and some arrangement made whereby cost is lifted from each of latter and greater title or no likelihood of advertising commercials to homes is seen. This branch would be tied to stores, using music with inter tent commercial announcements.

Present setup will not be altered to include dramatic and variety type recordings despite the WB tie-up and its resources. Will remain strictly musical. However a greater selection is aspired to with dial system of tuning in choice of several types as against present method of predetermined selection. Cleveland trials were on dial basis since North American used its own wires and thus afforded opportunity for change of programs with a finger-click.

Catchings says there is no real contact with the American Federation of Musicians. Ticket in force is with the New York local only and was never signed by the union after Muzak signatured. Not considered necessary since Muzak had and is already observing everything demanded in the contract and has allowed to replace live musicians into a spot which would accommodate same. This is partly account for attitude of Muzak on theatre expansion.

**B. F. Gillett at Metro As Cartoon Director**

Hollywood, May 31. — B. F. Gillett, long-time syndicate cartoonist, has been appointed cartoon director at Metro. For the last five years he had been with Walt Disney. Studio recently signed Mill Gross as head of the cartoon unit, after Harry Hershefeld let his contract and went back to New York.

**Wanger's Farley Bog**

Hollywood, May 31. — Motion picture rights in the biography of Postmaster General James A. Farley has been bought by Metro Pictures. American magazine paid \$120,000 for the publishing rights to the life story, to appear in serial form this fall. Several producers had been dickering for the film rights during the past two months.

**GOODWING 'EM IN PAR, WARNERS TUTOR TYROS ON LOT—BILL GRADY'S SLANT**

**Jobs With Par, Warners Tutor Tyros on Lot—Bill Grady's Slant**

**GRADS KEPT BUSY**

Hollywood, May 31. — Despite slashing of studio payrolls and wading out of dead timber, recent months, talent departments have remained virtually untouched by the swinging axe. They stand out as one bright spot on an otherwise somber horizon when producers look back over series of weak pictures, falling box, and general public apathy. Actually in some cases the talent directors have been given more monetary leeway and allowed to help their departments.

Latest example is at Warners where Frank Beckwith, talent director, has been given enough coin to construct a complete legit little theatre which will appear as part of use of the stock school. Theatre will be ready for use within a week.

As one talent director put it, "The last two things studio must have, depression or not—they are stories and people to play in them." Result is talent schools have come under more critical eyes and stock players been looked upon with more favor in the past few months than in many years. The majors have more stock school players being carried than in the past. The means by which they got there differ widely, however. In general there appear to be two divisions of thought in breaking in new faces for camera work.

Falling into the first category are the stock schools of Paramount and Warners. Each has a definite group of young players being trained in the fundamentals of picture work. The emphasis on certain courses is (Continued on page 32)

**Theatre Chains Alone May Be Hit Under Federal Wages-Hours Bill, Which Looks Certain to Go Through**

**Ain't the Type**

Hollywood, May 31. — "Ella Inland" Mike Romanoff, cast by RKO-Box to play himself in "Prison Break," kicked because it made him look like a phoney. Now he's replaced by Gregory Ratoff because the studio did not think he looked phoney enough to play himself.

**PAR BRISTING WITH 23 PIX IN WORK**

Hollywood, May 31. — With the start of 'Paris Honey-moon' today (Tuesday), Paramount has a total of 23 pictures in the shooting, editing or final stages of production.

Still in the shooting stage are 'Give Me a Sailor', 'Men With Wings', 'Spawn of the North', 'I'll Be King', 'Artists and Models', 'Above the Border', 'Drum Beat in Africa' and 'The Return of the Fox'. Seven features are in various production stages. First to be released will be 'You and Me'. Aimed for midsummer release are 'Tropic Holiday', 'The Texans', 'Prison Farm' and 'Boo!oo'. Finishing touches are being put on 'Professor Beware', 'Pride of the West' and 'Sing You Sinners'.

Getting ready for June production are 'Zanz', 'The Arkansas Traveler', 'Camp Confessions', 'Sons of the Legion', 'Touchdown, Ar' and 'The Mysterious Rider'.

Washington, May 31. — Federal regulation of wages and hours looks certain, with long-argued Black-Connelly-Norton bill now in conference and Administration's Congressional chaffing cracking the whip to iron out disagreements before adjournment. Fight over differentials in both pay and working time for southerners is the chief problem, but probably will be solved by granting it to the southerners.

Aside from making sure that employment of child actors is not barred, the House last week passed the bill without any material alterations of interest to the film business. In latest form, the selector provisions will allow producers and distributors to shorten hours and raise wages of lowest-paid help. Effect on exhibitors is problematical, since retailing is outside the pale, but their claims are regarded as almost certain to be considered in commerce and hence subject to government policing.

**'The Shiloh Temple Amendment'** The Shiloh Temple production was adopted without fuss—except for a couple of jibes—later selected from the transcript of debate at Representative Charles Kramer, the self-designated legislative defender of the film business. House Education Committee accepted the clause which says child labor ban does not hit kids in the picture business. Representative Donald O'Toole, New York Democrat, ribbed the Anselmo board voting to kill the legislation in December.

What the final version of the bill will look like is a complete mystery. With the southerners helping about destructive effect on their industries of uniform working standards, forecasts are impossible. The draft approved by the House by a margin of better than 3-1, third complete rewriting job in a year, provides for annual 10 percent wage increases and pay boosts until a 50 percent envelope would be minimum pay at the end of the year. Starting from 25 percent, wages would rise 50 annually until the 40c base is reached in the fourth year. The whole workforce would be sliced from 44 to 42 in yearly reductions.

**'Lobby Lynton Victors Don't Think \$587,000 Award Was Metro Enough**

The \$397,000 which Gordon Auchincloss spearheaded, recommended to N. Y. Federal Judge John C. Knox be paid to Edward Sheldon and Mrs. Margaret Auer Barnes, the victors in the bid for Metro's picture, 'Lobby Lynton,' which was declared by the court to have been unfairly played, is much too small. In fact the amount is just pennies to them. Mrs. Barnes' share of the picture cost last week in a long petition giving the reasons why they believe the amount set by the court was inadequate and based on estimates of production costs which they claim are far from spot on.

Auchincloss was named by Judge Knox following his awarding of judgment to the distributing company, Paramount Pictures Corp., Loew's, Inc., and the Culver Exporting Co., the latter the former distributor. The court had directed the special master to determine the net profits made on the picture to which the two plaintiffs were entitled.

Mrs. Barnes and Sheldon figure the picture grossed at least \$1,000,000 and the profits after all expenses should be considerably higher than the amount decided upon by the special master.

In their protest petition to the court, the authors not only specifically cite distributing expenses, but also charged to MGM Pictures Corp. instead of the distributing outfit. (The protest is not yet clear, but they speak at the payment of salaries to John Crawford

and Robert Montgomery, stars of the picture, for idle time they put in during the production of the film. The two plaintiffs list the following expenses: publicity, musicians, executive amounts charged to overhead for each and on which the special master based his findings as exhibitor and beyond all reason.

Departmental, editorial, cutting, stock talent scenario, lighting department, publicity, musicians, construction supervision, studio, legal, medical, city, county and state taxes. The plaintiffs also included personnel, rejected continually charges, songs, home office, experimental work, salaries of extras for idle action property department, mechanical, art department, sound department, auto repair, and distributing expenses.

The petitioners contend Auchincloss had reached his final figure by using 43 pictures as a basis for arriving at costs of distribution instead of 60 pictures which the corporation produced for the year.

**Frankl 'Chips' In**

Hollywood, May 31. — Sidney Franklin is due back from New York tomorrow (Wednesday) for conferences with Metro studio heads on his next directorial job, 'Goodbye Mr. Chips'.

Picture, starring Richard Dix, will be filmed in England, due to start under way.

**\$250,000 Libel Suit Vs. Winchell et Al; Louise Henry's \$6,000**

Walter Winchell has been named in a \$250,000 libel suit in N. Y. supreme court by Mrs. Louise Henry, Zeb-Mizri, sister-in-law of Joe Jacob Auer. It was learned Thursday that the suit was filed by a motion picture director, the columnist and co-defendants, N. Y. Daily Mirror, the King Features to assist in examination before trial.

Plaintiff complains Winchell in a 1936 article in the King Features column of May 3, 1937, when he wrote "Marjorie French, John Jacob Auer, and Louise Henry are a family in a divorce from Fritz Zeb-Mizri, King Features' top libel suit, per his contract, the error and the verdict, solely responsible for it."

Louise Henry, who has been in pictures since 1925, was awarded a \$6,000 divorce from the King Features in N. Y. supreme court July 1937. Her husband earned \$500,000. The court reversed decision of the District Court, which had awarded her \$250,000. Miss Henry claimed that the "divorce" was a result of her connection with the late King Features editor, her husband.

# Amended Basic Contract Stalled By Demands of Producers, Actors; Look for Concessions from Guild

Hollywood, May 31. Volunuous demands submitted by both the producers and Screen Actors Guild has slowed down the proposed amendment to the present basic minimum contract. Indications are that new clauses in the agreement with the actors will not be ready for signatures before June 15 at the earliest. Original schedule called for completion of pact last week.

Both the producers and actors denied there was any serious hitch to negotiations. It was pointed out that the producers alone had presented more than 100 pages of demands for revisions in the contract. Numerous requests, supported by a mass of statistics that required months to compile, have been submitted by the SAG in continuing connection with Robert Montgomery, president of the Guild.

At the last session between the negotiating committees, held 10 days ago, it was agreed that both parties would be given sufficient time before the next parley to present their various demands and tentative agreements to their respective producer committee immediately conferred with casting directors and studio executives. The latter were asked to submit cost estimates based on acceptance of demands of actors and to indicate objections to present agreement. Guild board of directors has been advised of progress made in negotiations.

Any recommendations submitted by either side must be concurred in by both the Guild and the producers in order to be incorporated into the basic minimum contract. Terms of the agreement provide that either side may demand arbitration at any time should any of the 100 day players, stunt men and stock players, and hours of labor for actors within \$500 weekly. The latter includes players employed by the day at \$63.33 per day or less.

Concessions? Not likely. Negotiators for both sides are prepared to give and take, with every effort being made to conclude negotiations without the necessity of arbitration. GAG undoubtedly will have to make certain concessions to the producers, SAG trusts admitting certain provisions in agreement should be accepted.

Next date for parlay between committees will be fixed as soon as both producers and Screen Actors Guild have been acquainted with demands and developments. Final agreement, however, will be ready for taking into effect in June. In fact, chances are the amendments will not be finally okayed until Kenneth Thomson returns from New York about June 20. He trained east last of this week to attend the annual meeting of Associated Actors & Artists of America, one of negotiations is reported to center around the possibility of such for day and free lance players. The Screen Actors Guild has mixed reaction to the Thomson campaign for abolition of nepotism in employment of extras. Board failed to give a definite opinion when the amendments was submitted last week, indicating that move is definitely dead. Recommendation was made by the council with the idea of creating more jobs for players.

Thomson and other top jobs full resolution, if adopted, would put a hardship on Junior body rather than benefit them. Proposed, based on old NRA code, would have prohibited husbands and wives, both male and female, from appearing in pictures. Any relative of an executive employed by producing company also would have been banned from picture work.

Guild has advised extras accepting "must permit" to be called to work must report at studios in answer to a letter in order to receive a quarter-hour call in case of rain or bad weather. At the same time letters were told they have the privilege of concealing their names on picture call themselves if they later receive a "rain or shine" call. Central casting Corp. must be notified of cancellation by the producer. A new "rain or shine" player is scheduled to report.

Contract of painters at National Screen Service was settled last week

## CHIVALRY NOT DEAD

Amkino Lawyer's Curley to Charmingly Penny Censurers

Philadelphia, May 31. State trooper was assigned by Governor Earle last week as a bodyguard for Mrs. A. Mitchell Palmer, chairman of the Penny Censor Board, after she claimed she had been molested by Communist agent a 'dark, unshaven man, in a short, horrible cigar' and 'some other terrible police attempt to snuff her in retaliation for the Board's action in banning "Baltic Deputy," a play depicting the Communist Revolution.

Colleagues on the Board, Mrs. Healy and Patrick A. Duffy, said they were not at all famous. Mrs. Palmer is the 'dowd of the war-time' attorney, who is famous in him days here merely 'because they're red.'

Her complaint, which she was being harassed by Communist agents, was approved. Earle instructed the trooper to accompany her day and night, and she was protected by Communist. To Mrs. Palmer's great annoyance, the State cop even went with her to the office of C. Makowski, chairman. Only compromise he would make was to abandon his uniform for civilian dress.

Louis P. McCabe, attorney for Amkino, advanced his own theory. "A state official would not be so foolish," he said, "to be annoyed by masters at any time. Possibly she mistook a Russian policeman for a reason for anybody to annoy her over the film, since the case is out of her hands, and she is being helped by the supreme court in the fall."

## U. S. Judge Pans Indiscriminate Pracy Suits

Dismissing the infringement suit brought by Mort Eisman, Clara Dellar and Robert Shayon against Sam Goldwyn, Goldwyn, Inc., Eddie Mann and the Artists, over the picture, "Roman Scandals", N. Y. Federal Judge John J. Woolsey named writers and playwrights who bring such actions on the claim that an idea or a theme is copyrightable. The plaintiff claimed the picture was pirated from their play, "Oh, Shah" and demanded an injunction, accounting and damages. Judge Woolsey dismissed the suit on motion of defendants' attorneys.

"Before the argument on the motion to dismiss," Judge Woolsey's opinion stated, "I had carefully read the plaintiffs' copyrighted original version and their uncopyrighted version. The defendant's motion picture and the defendants' cutting continued the story of their alleged infringing work."

"As I have repeatedly pointed out in other motions of this kind, access to the plaintiff's work in the motion picture is implicitly admitted by the form of procedure here adopted by the plaintiff."

"Consequently what I have had to determine herein is—a by comparison with the work of the plaintiff and the defendants—whether, with access assumed, the defendants made a copy of the plaintiff's work and clearly has not been any such unfair use of the plaintiffs work as would justify a holding of infringement. The plaintiff's work is well known and clearly has not been any such unfair use of the plaintiffs work as would justify a holding of infringement. The plaintiff's work is well known and clearly has not been any such unfair use of the plaintiffs work as would justify a holding of infringement."

"Indeed it seems to me most favorably to the plaintiffs than a comparison of the works here involved justified, the defendant be said for the fact that they brought this suit for literary piracy because they were infected with the same disease, that is the end of the matter."

"The defendant's motion picture is a copy of the plaintiff's work and clearly has not been any such unfair use of the plaintiffs work as would justify a holding of infringement. The plaintiff's work is well known and clearly has not been any such unfair use of the plaintiffs work as would justify a holding of infringement."

## Hollywood Previewers or Pushover; Other 2d Thoughts on 1st Nights

### Jackman's New Color

Hollywood, May 31. Fred Jackman, operating a special press lab here, has developed a new color film which is preferred to producers for use on moderate-priced features and shorts. The method is based on bi-pack process.

Tem Carr, Universal producer, is associated with Jackman in the venture on a partnership deal.

### 'Birth of a Nation' Mix Sets Precedent By Hartford Policy

Hartford May 31. Spirited protests of two Negro clergymen to Mayor Spellacy and Chief of Police Farrell has led to the banning of 'Birth of a Nation' which was to have been shown at the State concerning Sunday.

Clergymen claimed that picture cast reflection on the race in that one shows a Negro chasing a white woman, causing her to leap from the side of a cliff.

Banning has also led to several protests which will be aired at the next meeting of the board of aldermen. Far from being pleased by the protesters that the action sets up a precedent which threatens the future of the theatre if any city department assumes the right to throttle the theatre, particularly before a trial attraction actually opens in the city.

Hartford has no board of review or censorship body. Complaints in the past have dealt with obscene pictures, with the police and fire department. Hartford is the first time that a picture has been banned for any other reason.

Picture was first shown here in 1916 and again two years ago at the Avery Memorial to a small audience. Far from being pleased by the protests were made. The Avery management threw the picture out of the scene.

Objectionable scene had been shown for a week at the State in a trailer attraction picture which had noticeable effect upon the audience. Last week the picture was shown at the State in a trailer attraction picture which had noticeable effect upon the audience.

The management of the State, announcing the withdrawal of the film, said that it was doing so because it did not wish to court trouble. Indeed that it would have a private screening of the picture, including complainants, if requests are strong enough. In this way would the State cut off claim of reflection on Negro race.

### FILM BUCKLES, PROJ. CLUB KILLED & BURNED

Detroit, May 31. One person was killed and eight others burned when reel of film buckled and caught fire last week at Fine Arts theatre on Woodward avenue. Damage to the theatre was confined to projection booth.

Buckley, projectivist in charge, was burned as he tried to escape from booth after flaming film had shot out to panic about 200 patrons. Those injured were burned when they tried to smother Buckley's flaming clothes.

The projection booth was completely destroyed, but was found first week previously, and that fusible wire was found in the projection booth. The fire was caused by a short circuit in the projection booth.

### By JOHN C. FLINN

Hollywood, May 31. The Hollywood ballroom for Alexander's Ragtime Band? a new feature in the film in exploitation. Picture, however, is to be pressed and professional previews in varying degrees of sunlight are indicated. The picture is in eight searchlights sweeping the heavens over the theatres where they are shown. Advance of public release. The prize houses usually chosen for the big emphasis are Grauman's Chinese, the Village in Westwood, or the Paramount in downtown Los Angeles.

Twentieth Century-Fox publicity staff pulled a new one out of the bag for 'Alexander.' The Carthy Circle performance on the stage of the Hollywood Ballroom, was opened for one night (24) for the sole purpose of showing the picture to the Hollywood Ballroom. The picture is limited strictly for an invited audience of film producers, directors, stars and families of the production staff.

Carthy Circle house has been dark for some weeks since the end of the two-day run in New York which started during the Christmas holidays. It was a capacity of about 1,000. The picture was shown for two days, but at a premium around the studios.

The entire house staff, ushers, managers, stage crew and projectionists were called back for the single performance on the stage when the picture was shown in gold ink on a black background. All seats were reserved.

Usually so ostentatious a display is reserved until the formal big picture performance. The picture in the 'band' had its one big preview evening and is back on the shelf until the picture is shown when the regular engagement will begin. It is not yet decided whether the run will be a minimum of one week or more. It has its two-day here at the Four Star.

It is a known fact that some of the best performances of Broadway legit shows are given before professional preview audiences. The Carthy Circle performance is a symphonic performance. The picture is shown for two days, but at a premium around the studios.

Hollywood's army of picture-makers who are concerned with the multiple mechanical devices of projection, lighting, cutting and printing, devote their attention between the film's story and the technique of its telling. It is not uncommon to hear whisper comment on some technical trick or the technique of its telling. It is not uncommon to hear whisper comment on some technical trick or the technique of its telling.

At the press preview of 'Alexander's Ragtime Band' there were frequent demands for a copy of some technical feature in the picture. The musical recordings were numerous. The picture was shown for two days, but at a premium around the studios.

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Tommy Dorsey Swings 'Holiday' To Sold \$35,000 in Chi.; Old Rudy Valentino Revival Surprise \$9,500

Chicago, May 31. Business in the local current is being led by two proposed types of entertainment...

Actually the best pace in town is the Valentino revival, which is drawn in every type of trade...

Holdover over downtown all present are 'Vivacious Lady' in the Palace...

Estimates for This Week

- Aladdin (B&K) (1,500; 25-35-45) -'Hot! That Kiss' (MG). Opening Saturday (28) and good strength...

Love Again-Vande 15G, 'Yellow-Kiss' OK 74G, Holiday \$5,000, Omaha

Theatre row came to a close with one of its intriguing stage shows at Orpheum to open Wednesday week...

Estimate - 'Yellow-Kiss' (OK) (810; 25-40) -'Slight' (OK) (2,200; 25-40) (WB). Little Miss Roubounce' (OK)...

Key City Grosses

This Week \$1,518,298 (Based on 24 cities, 150 theaters. Highest first runs, including '...')

Next Spot' (RKO) (triple 2d run) first half and 'Mad About Music' (M) and 'Yank at Oxford' (M-G) (4d run) last week \$700.

Orpheum (Blank) (2,978; 10-25-55) Meet My Love Agains' (1st with revue featuring Cliff Edwards, Ted Mack and Major Bowes amuseurs on stage...

Friday 31 1/2G, 'Vivacious Lady' 86G, BOSTON

'Holiday' and 'There Always a Woman' double, at the Orph and 'Blind Alibi' (RKO) (2d run)...

Estimates for This Week - 'Count of Monte Cristo' (UA), revival, and 'This Marriage Business' (RKO), dual, pretty place \$6,000...

Estimate - 'Yellow-Kiss' (OK) (810; 25-40) -'Slight' (OK) (2,200; 25-40) (WB). Little Miss Roubounce' (OK)...

'Josette' \$10,000, Buff.; 'Swing,' 'Castle' 6 1/2G Each

Buffalo, May 31. Weather and the holidays are locking business locally. Grosses are low all over...

Estimates for This Week - 'Buffalo' (Shea) (3,500; 30-35-50) -'Josette' (Buff) (Under \$10,000) -'Last week, 'Cocanut Grove' (Par), 'Lafayette' (M) (2,000; 25-35) -'Century' (Shea) (3,000; 25-35) -'Rascals' (20th) and 'Island in Sky' (Col) (2d run) good enough \$6,500...

'KIDNAPPED' 4G, 'SCHOOL' 6G, 'BALTO' 10G

Baltimore, May 31. Two holdovers and a reissue helping 'Crime School' (WB) (1st with opening at Keith's) is an uneventful...

Estimates for This Week - 'Century' (Low's-U) (3,000; 15-25-35) -'Mans' (Carnie) (2d run) -'Nothing much for this review, might repeat in another week...

Estimates for This Week - 'Keith's' (Stanberger) (2,400; 15-25-35) -'Crime School' (WB), Col off to promising opening and building in good style...

'ROBIN' \$12,000, DENVER; 'YELLOW-KISS' \$6,400

Denver, May 31. Rains, with cloudy weather in town and helping the theatres. That was par-

Estimates for This Week - 'Aladdin' (Fox) (1,400; 25-40) -'Four Men and a Craver' (20th) (2,500; 25-40) -'Yellow-Kiss' (OK) (810; 25-40) -'Mad About Music' (M) (2d run)...

Estimate - 'Yellow-Kiss' (OK) (810; 25-40) -'Slight' (OK) (2,200; 25-40) (WB). Little Miss Roubounce' (OK)...

N.Y. Upbeat; 'Polo'-Jessel \$27,000, 'Kidnapped' \$45,000, 'Robm' 85G Ja, 'Gangs N.' 13G, Both Valentinos OK

Broadway Grosses

Estimated Total This Week... \$71,559 (Based on 13 theatres)

The three-day Decoration Day weekend brought a boom to Broadway, in-towners as well as visitors packing the downtown houses...

However, much of the jamming past box office occurred at the Gaiety (WB) (1st with opening at Keith's)...

Estimates for This Week - 'Yellow-Kiss' (OK) (810; 25-40) -'Slight' (OK) (2,200; 25-40) (WB). Little Miss Roubounce' (OK)...

RITZES \$20,500, 'LADY' 14 1/2G, WASH.

Washington, May 31. Holidays are looking up again with the cold rain slump...

Estimates for This Week - 'Capital' (Lowe) (3,224; 25-35-40-60) -'Kentucky Moonshine' (20th) and vaude...

Estimate - 'Yellow-Kiss' (OK) (810; 25-40) -'Slight' (OK) (2,200; 25-40) (WB). Little Miss Roubounce' (OK)...

\$41,500, nice profit on the 14-

agement. Radio City Made all (\$5,000; 40-80; 29-31-31) -'Kidnapped' (WB) and stage show (42d-run) vaude...

Boxy (Blind Alibi) (25-40-55) -'Kidnapped' (20th) and stage show. Advertisers line ordered over \$100,000...

State (450; 35-55-75) -'Marco Polo' (1st with opening at Keith's)...

Estimates for This Week - 'Capital' (Lowe) (3,224; 25-35-40-60) -'Kentucky Moonshine' (20th) and vaude...

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Back to Gladiati

11th Avenue, May 31. J. & E. Brown, through three weeks...

Estimate - 'Yellow-Kiss' (OK) (810; 25-40) -'Slight' (OK) (2,200; 25-40) (WB). Little Miss Roubounce' (OK)...

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PICTURE GROSSES

VARIETY

Murder Calloway, Robin' Each 11C, Getting Most Out of Crippled Mpls.

Minneapolis, Ky. 31. Holiday exodus to the state's numerous lake resorts by fishermen and others, Minneapolis-St. Paul...

Estimates for This Week: Aster (Par-Singer) (600: 15-25) 'Condemned Women' (RKO) and 'Cody's Broncho' (MGM)...

Minnesota (Par-Singer) (4,200: 25-35) 'Cocoon' (MGM) and 'The Liked Picture' (Paramount)...

St. Paul (Par-Singer) (2,800: 35-40) 'Slight Case of Murder' (WB) with Cal Calloway and reverend...

St. Louis (Par-Singer) (2,300: 25-35) 'Robin Hood' (WB) and 'The Girl in the Red Velvet Swing' (MGM)...

St. Paul (Par-Singer) (2,300: 25-35) 'Robin Hood' (WB) and 'The Girl in the Red Velvet Swing' (MGM)...

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Cool Strawhat

(Continued from page 1)

Yachts and provisions for disembarking visiting yachtsmen at the box-office provided. The week's best theatre tickets in New York and Boston are being discussed...

CASTLE-SAINT 12G, RITZES \$9,000, PROV

Providence, A. C. Revival of 'Man's Castle' at Loew's looks like week's bright spot...

MOONSHINE 8G, INDPLS. 'CRIME SCHOOL' \$7,500

Indianapolis, May 31. Kentucky Moonshiners, May 31. In front among the first-runners with a substantial take at the Circle, while 'Crime School' and vaude at the Circle...

St. Paul (Par-Singer) (2,300: 25-35) 'Robin Hood' (WB) and 'The Girl in the Red Velvet Swing' (MGM)...

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Inside Stuff—Pictures

Location epidemic at 20th-Fox, with crews touring the country in quest of outdoor spots, has caused a sharp upturn in the railroad business. Otto...

Frank H. (ick) Ricketson, Jr., head of the Fox-West Coast Inter-Mountain theatres, wrote a manual for the 1937 convention of his managers...

Diplomatic trouble between facets and stars at a major studio was disclosed by this order, issued by a publicity officer to his staff...

Sudden feud between a syndicate film reporter and a major studio has spread across the Atlantic, because of the location of the reviewer...

Warners is up against a diplomatic problem, something like the State Department's when the picture is taken at the reviewer's party...

Paramount no longer will be able to boast of famous four-name combination of Cecil B. DeMille, Ernst Lubitch, Marlene Dietrich and Gary...

West Coast Sound Studios, Inc., a New York corporation, has increased its capital stock from 2,500 shares, 1,500 preferred, \$10 par value...

A lot of people were drawn to New York for the War Admiral-Seabiscuit race, which was called off after numerous visitors, including film people...

Lora Hays, wife of Jean Lennox, artsy film distributor-exhibitor who opened at the Filmarie yesterday (31) was directed by Julian Rovffman...

Warners' 'Crime School' is a 'B' picture doing 'A' bus brought in for only \$250,000.

Sam Handy, commere in outfit of Detroit, is currently showing off an unnamed sales organization an industrial film on shopmanship...

Paramount plans to inject additional romantic interest in its jungle picture, 'Bolo', to be produced by E. Eliahu.

With two singing cowboys under contract, Monogram will turn Jack Palance and Tex Ritter do an act and Tex Ritter do all the vocalizing.

FOY'S ESCAPE CRIMER Hollywood, May 31. Bryan Foy has been assigned by Warners to produce 'Hell's Kitchen,' including Humphrey Bogart and the 'Crime School' sidekick, 'The Boy in the Hat' by Hal Roop and Leo Grecoy.

ROBIN \$9,000, SEATTLE; 'KIDNAPPED' OK \$6,000

Seattle, May 31. Memorial Day found new high at Paramount, with 'Kidnaped' and 'Robin Hood'...

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Frisco Frisky; 'Lady Vaude' \$19,000

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Kidnapped 'Rascals' 18G, Hepburn 9G

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St. Louis

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# G-B Talent Contest in England Exits After Vaude Unions Lodge Protests

London. Big talent spotting contest organized by Gaumont-British in conjunction with the British Broadcasting Corp. was called off after protests by Variety Artists Federation and other similar labor unions. Unions are said to have been feared that contest would lead to overcrowding of profession.

Decision meant immediate cancellation of public ruditions in 120 theatres throughout the Kingdom, with successful local competitors going up for semi-finals at five key spots, thence passing to the final at Dominion theatre, London. The six events were due to be aired by B.B.C. Objective was spotting new talent suitable for broadcasting. It was prepared to offer stage deals to selected contestants.

Aside from union protests, plan aroused considerable controversy in picture business, exhibits particularly opposing it on the ground it was proposed for a theatre circuit to organize such a racket with the purpose of discovering local talent—one of the strongest forms of opposition theatres have to meet.

# "MORNING" OK IN LONDON PREEM

London, May 30. Lush morning, "a modern spiritual drama, with a plot in the Dickens theatre Thursday (28), utilizes Saint John and sign of the cross rituals. A dignified play, it was well received, but unlikely to be a success.

Fortune theatre, "Land of My Fathers", which opened Saturday (28), is a formless play about unemployed Welsh miners. Seems unlikely to take.

Two plays were tried out Sunday (29). "This Is My Life" at the Phoenix, and "Suom" at the Cambridge. Neither is a serious candidate for success.

# 'SNOW WHITE' PLANNED FOR 60-MINUTE SHOW

London, May 24. Arlin Sabine's movie productions, Ltd., is producing RKO's "Snow White and the Seven Dwarfs" in person for a stage production running 80 minutes, opening the Lewisham Hippodrome June 6. It is planned to extend the show to a full evening's entertainment.

Adaptation is by Harold Simpson, with special music by Hans May. Beganny troupe has been engaged to play the midgets. There will be a ballet by Graham Payne, Peggy Blyth will play Snow White and Bruce Frank the prince.

Options have been arranged by International Film Advisers, Ltd.

# Current London Shows (with Dates When Opened)

- "Without Tears", Criterion
- "Monsieur et Madame", Wyndham-Peb
- "The Importance of Being Earnest", Haymarket
- "The Merchant of Venice", Haymarket
- "The Merry Widow", Haymarket
- "The Sign of the Cross", Haymarket
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- "The Sign of the Cross", Haymarket
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# Ken McLaglen Bankrupt

London, May 24. Petition in bankruptcy has been filed by Kenneth McLaglen, brother of the Hollywood star, Victor, after several unsuccessful ventures into film production.

McLaglen has been featured in pictures here. He's also been on the stage, earned his livelihood as professional boxer and a tavern operator.

# GROUPS SNAG ON MEDIATION IN LONDON ROW

While both sides are ready to talk the conciliation strike situation, projection move thus far is slowed up by desire of each party to have its own way.

London, May 24. Officially, object of these talks will be to find agreement on basic issue of film hire, together with allied problems, like doubling of Class A product in one program, and over-logging bills generally. What, however, is expected quickly to emerge is a necessity for concerted action to stimulate public interest in the theatres.

Scheme, for instance, was discussed by G. C. E. at an annual convention, but members lost heart when they realized that light be expected to contribute to a propaganda fund. Now, it's believed major exhibitor interests may be prepared to raise the nucleus of a fund, but will expect other sections of the trade—distributors and producers—to contribute their share towards the general expenses. Pressure to hire is likely to be put on K. A. S. representatives at their resumed roundtable talks with C. E. as, if it is widely accepted agreements on film hire and related subjects have little or no value if the box office continues to remain under the weather.

C. E. A. president, Ken Nyman, is reported presently keen on such a scheme, and it is assumed major exhibitors, like Gaumont-British, Associated British and Odeon, would not raise the spectre of a national campaign. How to convince the distributors, and through them, the producers, is the main question, though unofficial feelers already indicate these sections would not be averse to talking towards a general proposal.

Meanwhile, E.T.U. members are being urged to return to work, and National Assn. of Theatre Employees, members of which are most of the unemployed strikers, is not presenting its former solid front. More powerful film groups stand to be supporting E.T.U.

# HARRY RICHMAN CLICKS AT PALLADIUM, LONDON

London, May 31. Harry Richman opened at Palladium yesterday (30). He's doubling in Ciro's, 31 Bar and Estes, and St. Martin and Madeline Kallen. All splendidly received. Clicks also clicks at the Empire.

# EXHIBITORS PLEDGE FEAR AFTER DIFFERENCES TO WAIT ON PICTURE LOG—TALK OF RAISING FUND TO AID IMPETUS

Exhibit, Distributors Groups Pledge Fear After Differences to Wait on Picture Log—Talk of Raising Fund to Aid Impetus

# PROBLEM PARLEYS

London, May 24. Dawning on minds of reasonable individuals in pictures is that something must be done soon about lag of public interest in the screen as its main source of entertainment. View is, in fact, rapidly superseding all other differences of opinion between exhibitors and distributors.

It tacitly has the business here as well as abroad at this time, which makes it especially disastrous for both sides to put up a mutual hate act—and they have suddenly turned to the fact. Result is all differences have been patched up, grading issue, which precipitated fight, has been suspended by Kinematograph Renters Society (distributors), and new series of meetings with Kinematograph Exhibitors' Assn. was timed to begin today.

Officially, object of these talks will be to find agreement on basic issue of film hire, together with allied problems, like doubling of Class A product in one program, and over-logging bills generally. What, however, is expected quickly to emerge is a necessity for concerted action to stimulate public interest in the theatres.

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# U. S. Co. Resumes Japan Exports, Paving Way to End Film Embargo

At least one major U. S. company resumed regular shipment of pictures into Japan last week and it is likely that others will follow suit. Hays office had no word of any pact signed with the Japanese government relative to ban lifting on Japanese films formerly stymied in Japan, or the one against entrance of foreign pictures into that country. Consequently, the trade believes that individual pact between the companies may have been made or are being negotiated.

For tactical reasons, no mention made of the company involved right now.

# Sydney Paper Hits Anzac Pic Control By U. S. in Circuits' Advertising War

# He Would'na Pay

London, May 20. It needed a Scot to discover logical grounds for protesting against a proposal of Cinema Exhibitors Assn. to hold a monthly meeting of its General Council in a conference chamber at the Empire Exhibition, Glasgow.

If they decided to go through with it, grumbled a member of the Scottish branch, it meant the delegates would have to pay for admission to the exhibition grounds in order to attend.

# COUNCIL'S AIDES SEEN AHEAD FOR QUOTA

London, May 24. Appointment of Sir Frederick Whyte as chairman of the Films Council, under the new quota act, is considered a step towards revealing to the industry who will be its controllers during the 10-year life of the law.

Head of the Board of Trade, continues to withhold additional info about the composition of this important body, but it's not blamed entirely, it's held, because he has been ill and many individuals have been reluctant to accept bids to serve on the council.

The trade nominees, including four from exhibitors, two each from distributors, producers and labor, have long since been submitted to the board of trade. More or less complete darkness, however, surrounded the 10 independent (outside of film biz) members to be named.

Inner circles in the trade are said to think that members of the old Advisory Committee under the 1927 Act, members of the Lord Moyne commission, whose work formed the basis of the new quota law, and Parliament members, who sat on the committee shaping up the final wording of the set, will provide these indie nominees.

Whyte was selected apparently because of his diplomatic and administrative experience. He was political adviser to nationalist China in 1929-32. Before that, he was president of the legislative assembly of India.

Sydney, May 14. Presentation of writ to Labor Daily by Daily Telegraph, claiming \$50,000 damages, has brought temporary ban to attacks on picture interests by the latter newspaper. Labor Daily came to rescue of Alan interests and took a healthy slap at the Telegraph, resulting in issuance of writ.

With the major circuits, including Greater Union, Hoyts, Sneider-Dean and Carroll-Hughes, dropping advertising in the Daily Telegraph because of increase in rates, the newspaper is starting to blast the picture business. Special articles have been running starting U. S. interests for their alleged domination of the local film field.

New advertising is about \$4 per inch, up from \$2 formerly charged. Telegraph men claim boost in rate is fair, because publication has doubts in circuit. It's indicated that somebody is tipping off the paper on what dirt to spill. All the old advertisements are being cut out, and new ones are being cut out, and new ones are being cut out.

Hoyts has been singled out in latest blasts because of 20th-Pox financial holdings in circuit. It's indicated that somebody is tipping off the paper on what dirt to spill. All the old advertisements are being cut out, and new ones are being cut out, and new ones are being cut out.

The British were given an opportunity to take some of the local trade away from Americans. An all-British circuit has been tried, not only by Sneider-Dean, but by others. In each instance their policy and plans were made public and the U. S. films were made.

Australian pictures, what few there are, are being made in Australia. This leaves the American pictures the sole draw. To stop them would mean to stop the Australian pictures. The Antipodes would be forced to shut out. It theatres should be closed on the Antipodes of Australians would be thrown out of work.

Representatives of major company foreign departments view the squabble with the Morning Telegraph, Sydney, with interest. They are in a fight, and most of them consider it something that could be adequately handled by means of U. S. companies in Australia.

# 'BALALAIKA' FOR PARIS IN ANGLo-FRENCH DEAL

London, May 23. Jimmy Busby, head of Associated British Theatres, says Moscow and Paris are in a completed deal with Maurice Lehmann, director of the Chatelet, and Fyter, who will produce the play "Balalaika" in Paris at the Mogge. The play is a comedy-adaptation of music, which is due to be produced early in September. Deal was introduced on the depositing of 2,000,000 francs by the Frenchman.





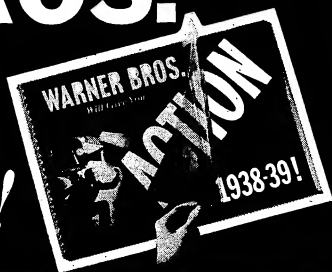
# 33

# 3 Weeks For ROBIN HOOD

In Radio City, N. Y.! In Frisco! In Hartford! In  
Louisville! In Baltimore! In Los Angeles! In Philly!  
In Cleveland! In Portland! In Milwaukee! In  
Chicago! Every new engagement a new holdover!

# 3rd YEAR OF WARNER BROS. PICTURES

*The ACTION Year!*



# 3

## Weeks For **CRIME SCHOOL**

Hits 2-year high in 3-week N. Y. Strand pre-release run! National openings now booming business sky-high everywhere with holdover assured at Paramount, Brooklyn! There'll be plenty more!







# 20th's "KIDNAPPED" SMASH!

HELD OVER  
AT ROXY, N.Y. !  
OPENING TOPS  
"IN OLD CHICAGO"  
IN BALTIMORE  
AND ST. LOUIS !

*20th Century-Fox comes through for you again!*



THE KEYSTONE OF YOUR FUTURE





**"You'll see me this week on  
thousands of billboards across America."**



*World Premiere, State, New Orleans, June 3d, Watch!*



# "A FAREWELL TO ARMS" IS THE FINEST THING I HAVE EVER DONE"

says **HELEN HAYES**



That's the queen of the American stage talking, after witnessing a screening of Paramount's reissue of "A FAREWELL TO ARMS" in San Francisco last week. You will recall that Miss Hayes' brilliant performance in this immortal love story earned for her the coveted Academy Award. Now on tour with "Victoria Regina," Miss Hayes has grossed more than a million dollars in thirty-nine weeks! *That's popularity!* The kind of popularity that makes Helen Hayes one of the biggest names in show business today. And talking of big names, what names are more popular today than those of Gary Cooper, Adolphe Menjou, Author Ernest Hemingway, Director Frank Borzage!

We consider "A FAREWELL TO ARMS" one of the greatest audience pictures Paramount has ever produced. Screen it . . . and see why!



# Bingo Out, Panicky Philly Exhibs Revive Auction Nite' to Hypo Biz

Philly, May 31. — With bingo and banjos legally out and nabe biz brutal, houses are turning to an oldie in an attempt to shake 'em. They are reviving "Auction Nite," used here years ago, never with any outstanding success. Games are played by patrons fake money each time they come. Then on one or two nights a week from \$50 worth of goods are sold. It followed off of the stage of the house for the phony coin. It is element of chance entirely gone, it creates little enthusiasm. Aside from prizes, however, game costs the theatre nothing to charge for getting the money printed.

Request of a large group of indies to Mayor Wilson that he stop the bingo from interfering with bingo until the U. S. Supreme Court rules on its legality, was quickly rejected. Request was accompanied with petitions signed by 150,000 panickers in theatre jobs. Mayor Wilson, after promising to take the matter up with the city solicitor, couple days later stated, "After going over the petitions for consideration, and having secured a legal opinion on the matter, however, the concluding part of the view of the fact that the Supreme Court, while allowing an appeal from the board, refused to grant a writ of certiorari, it would be highly improper for me to disregard the attitude of the Supreme Court in permitting these games to be played in the matter before the court." He said he would not take the case for the games will ever be fought in the Supreme Court. Game would be sure it will be fought in the case for the games will ever be fought in the Supreme Court. Game would be sure it will be fought in the case for the games will ever be fought in the Supreme Court.

**Buff Church Bans Bingo**  
Buffalo, May 31. — Erie County Grand Jury, in its monthly meeting, was informed by its chairman, Henry Walters, that Bishop John Duffy, of the Buffalo Catholic Diocese, is lending his efforts to stamp out all forms of gambling in the county. Walters declared that the bishop had informed him that he was opposed to bingo games, and that forms of gambling in parishes, and had ordered all signs relating thereto to be removed from church properties.

Oklahoma City, May 31. — Plans to operate a "National Old Time Night" at the Standard Theatre-nabe Circle, were stricken at the last minute when the city attorney's office warned the new setup would be illegal. Fishers were stationed in front of the Circle by order to warn patrons that the advertised cash awards would not be passed out.

"Gold Night" was to be co-sponsored by the Circle and the Capitol Hill Theatre. The new Oklahoma state law allows cash giveaways provided they are sponsored by some civic organization.

**New N. Y.-Chi Streamlined Trains to Buck Airplanes**  
Installation of modernistic, streamlined equipment on both the 20th Century and Broadway Limited, two trains between New York and Chicago, together with further trimming of running time, is regarded as a bid by the railroad to cut with transcontinental business lost to airplanes and bus lines. New streamlined trains will leave New York at an average running time between New York and Los Angeles to little more than 54 hours.

## U. S. Supreme Court To Review GTP-Radio Case

Washington, May 31. — U. S. Supreme Court today (Tuesday) to reconsider next fall the recent sound equipment patent cases when the U. S. Supreme Court Pictures were held to have infringed on radio trust licenses by employing amplifiers intended for radio receivers in theatre systems. Argument is set for Oct. 10 on the question of whether a patent holder can restrict use made of equipment manufactured under a valid license. The court will not consider the validity of the patents.

Reconsideration of the decision was requested for the General Talking Pictures pointed out that Western Electric, Electrical Research Products and I. & M. made no effort to cancel license of the American Transformer Co., though aware of their own patent. They refused to picture installation, contrary to the terms of the agreement authorizing manufacture.

## IBEW Biz Rep In St. Louis Beats Exortion Rap

St. Louis, May 31. — Arthur Schading, business representative of IBEW, has been beaten an extortion rap last week when a jury in Circuit Judge Michael Scott's court returned a not guilty verdict in 30 minutes. Schading was accused of attempt to extort \$2,000 from Henry and Ed. Wendt, owners of Osage theatre, located in Kirkwood, and testified he went to St. Louis, and identified the subject of the case as J. B. Derr, an attorney, and the projection booth of the theatre wrecked two days before a strike. He said he had no electrical connections in the booth had been ripped out and a sound engineer advised him to see the IBEW head.

Wendt said Schading's demand for the \$2,000 was first made in a telephone conversation he made to arrange the meeting and repeated again when he visited the office. Wendt said he hesitated the IBEW was not responsible for the fact that non-union electricians had been employed to repair the booth, but he was done by union men. He said Schading told him, "Well, sometimes you will work on an innocent to get at the guilty ones."

The witness said he argued with Schading that he had no \$2,000 to give him and that unless Schading would let his men do the repair work he would be compelled to do non-union work. This was done and the damage was repaired at a cost of \$250 and the house opened on schedule. During the Schading union. Schading denied not treated to harm him but the presence of the witness said "I don't make him feel any too secure."

In his defense Schading denied that he had \$2,000 to give to other sum, testifying that he told Wendt the theatre stood as a monument to his labor. He also denied he had damaged the property as the state contended.

## Old Silents with Hot Dogs Back at Coney Is. Petman's glorified hot dog stand in Coney Island will try to snag an extra dime from boardwalkers this year with a new hot dog stand. Petman's, Ily Jackson and Jack Stern will be at the helm in the Algonquin gardens, unrecruiting to start June 1.

Ageed celluloids lined up for showings in the Algonquin gardens of Chaplin, Pickford, Fairbanks, John Bunny, Valentino, Lillian Russell, Beery, Ben Hart, Theda Bara, and a flock of others.

## Would Repeal Ban On the Shipment Of Fight Pix Interstate

Washington, May 31. — Repeal of the 16-year-old ban on interstate shipment of film shorts was sought again in Congress last week. Pointing to lax enforcement, Senator Emmet Bennett of Tammany, introduced a House bill calling for elimination of "such and every provision of the statute enacted July 31, 1912, to prevent screening of films of the Jack Johnson fight."

Since the law was enacted, pug has been distributed without restriction in most states, although boxing has circumvented Federal ban, Celler pointed out. Unfair to single out fireworks while radio, motion picture and television are unaffected. Uncle Sam is partner in the prizefight business collecting millions in admission and income taxes, Celler remarked, contending there is no justifiable reason for perpetuating "this silly old law."

## OTTERSON'S FOREIGN FILM PLANS AS BEFORE

otterson is in progress between J. E. Otterson and two or more foreign language distributors to set up a national distributing agency, possibly producing organization. The former Paramount rep bought several foreign films for distribution with the idea of remaking them in the U. S. Otterson still has that idea in mind, but may secure other picture rights in the future. Though Otterson has offices in the ENPI headquarters on West 57th street, he is operating independently. ENPI now is located in the American Telephone & Telegraph building on lower Broadway.

Coming visit of Otterson to Europe will be principally for the purpose of making foreign contacts for forthcoming season. He hopes to buy up available product in France.

## Derr Jumps Gun

Hollywood, May 31. — Advancing his shooting schedule two months, E. B. Derr will get under way for his new series of productions for Monogram's 1938-39 season.

"Barefoot Boy," an original screenplay by John T. Neville, will be the first to go.

## Advance Production Chart

**Warner's Pix Now in production**  
"VALLEY OF THE GIANTS" (in Technicolor), produced by Lou Edolfe, directed by William Keighley; seven play by Selton I. Miller, from novel by Peter B. Kyne; photo by Sam Poller; Alan Davey in charge of Technicolor. Cast: Wayne Morris, Claire Trevor, Charles Bickford, Jack Palance, Alan Ladd, George E. Stone, Donald Crisp, Billie Burke, Robert Purcell, William Hays, Kay Kendall, Nat Carr, Charles Brannan, Helen MacGowan, Gail Patrick, William Powell, Fredric Blunck, Pierre Watkins, Herbert Rawlinson, Trevor Bardette, Paul Panzer, Jack Mower, George Chandler, Frank Darion, Don Barclay, Spencer Charters, Ben Henderson.

"SISTER ACT," formerly titled "BECAUSE A MAN," produced by Benjamin Glazer; directed by Michael Curtiz; seven play by Julius J. Epstein; story by Norman Krasna; photographed by Arthur Heert, Hal Jeffrey, Lynn Lora, Priscilla and Rosamery Lane, Merv Robbins, Claude Rains, George Raft, Paul Kelly, Dick Lory.

"GIRLS ON PROBATION," produced by Bryan Foy; directed by Allan McGowan; original screen play by Larry Wilder; photographed by Elizabeth Taylor; story by Frank Capra; cast: Joan Blondell, Betty Hutton, Anthony Aversil, James Nolan, Larry Williams, Arthur Hoyt, Elizabeth Taylor, George Raft, Frank Crandall, Ben Henderson.

"UNLAWFUL," reduced by Bryan Foy; directed by Leo Seitz; screen play by George Kicker; photographed by Hal Hickox; cast: Kay Francis, George Raft, Humphrey Bogart, William Hopper, John Eldredge, Jessie Bradford, Harley Fog, Joe Devolin, Jenny Singleton.

"THREE GIRLS ON BROADWAY," produced by Bryan Foy; directed by Allan McGowan; original screen play by Norman Krasna; photographed by Arthur Heert, Hal Jeffrey, Lynn Lora, Priscilla and Rosamery Lane, Merv Robbins, Claude Rains, George Raft, Paul Kelly, Dick Lory.

## Disney Plans \$1,000,000 Plant For Drawing-Board Money-Makers

### Dropping Matinee Shows As Means to a Profit

Hollywood, May 31. — His recent working up Hyperion avenue, covering 70,000 square feet and employing 73 workers, having become too cramped, Walt Disney must start a new studio. It will be a spacious \$1,000,000 plant, and is a fantastic change from 1923 when Disney first set up a studio with his brother, Roy, and had plenty of elbow room to work out one crude cartoon on an animated cartoon.

In one year the company needed more room and moved into the back of a store, which soon became too cramped for the increasing working staff. The first real Disney studio, a house with two offices and a big workroom, was built in 1925 on the present site. It covered 1,800 square feet.

Disney Mouse continued to grow until it needed more room for 40 employees in 1930. New buildings were added year by year but they could not keep pace with increasing business, particularly since the birth of "Snow White," the first full-length feature cartoon in the movie industry.

Disney, now an internationally known character, was no more the pet of the Disney studio in the early days. He had a rival in Steamboat Willie, who became vocal before Mickey did when sound was first injected into pictures. Later, sound was added into a couple of silent Mickey's, starting him on the road to success. Now he has a supporting cast including Donald Duck, Pluto and Pinocchio.

It took three years to make "Snow White" and it cost more than \$1 million in advertising and requiring plenty of experience. Like any other pioneering venture, it traveled slowly and made many a false step. Lessons learned on that job will shorten the working time on two more big feature cartoons now in preparation. "Pinocchio," the Italian tale, is next on the drawing board. "Fantasia" will be followed by "Bambi," a story of a deer with all animal characters.

Meanwhile the sound experts are still working on "Snow White," dubbing in seven foreign languages, including the Arabic. It will be shown in every country where pictures are shown.

While the staff is working on the full-length features, 18 Mickey Mouse shorts are being turned out every year, requiring more space.

Disney is no longer an active cartoonist. He doesn't draw pictures but supervises everything through his assistants.

His dream of \$1,000,000 studio of modern design has not reached the drawing board, but is only a matter of a short time.

## Theatres Lean To Outdoor Adv. Over the Summer

Change in the type of advertising being used by both indie and circuit theatre operators during the past six weeks indicates that the theatres envision a rebirth of the street and outdoor advertising. Especially do these theatre operators figure on the outdoors during the summer months.

This is evidenced by the rearrangement of advertising appropriations, with the operators cutting down generally on the amount of space in newspapers. This cut in most situations varies between 15% and 25%, with the theatres seeking representation and newspaper coverage rather than dominance of the theatre advertising section in the sheets.

Coin which is being taken out of the newspapers is not being given by the theatres, but is being placed on fences and billboards to catch the eye of the motorist and pedestrian. With daylight saving time in effect in practically all communities, especially through the midwest territory, the theatres figure that they have a period stretching from 5 a.m. to 9 a.m., during which time the posters should have had a crack at the show of practically every citizen.

Ownership of Tulsa's city hall amusement palace হচ্ছে has been settled with bidding in of the \$500,000 Coliseum by B. C. Conner, Oklahoma City, for a group of investors representing assignees of a \$288,400 judgment against the Walter R. Sweeney estate. Price was \$100,000, subject to about \$60,000 in taxes.

Five weeks ago Ralph Talbot, Tulsa theatre big shot, stepped in the Akkar theatre, \$1,000,000 structure, for approximately \$110,000.

## THREE MOVE UP TO STARTING LINE AT WB

Hollywood, May 31. — Warners is sending three more "X" pictures to the starting line. "The Heels" and "Return of Dr. X" into production this week at the Burbank studios. "The Heels" is being directed "The Sisters' Betty Davis starring Ray Enright is plotting road show. "The Heels" stars Powell and Olivia. "Return of Dr. X" stars Karl Hain and "Dr. X" dir. by William Wyler.

Another Lloyd C. Douglas "Forever Us Our Treasures," starring William Powell and Betty Hutton, will be in the theatre.

WB will feature the femme lead. Shooting is said to start in about two weeks, Edmund Goulding directing.

"The Heels" stars Powell and Olivia. "Return of Dr. X" stars Karl Hain and "Dr. X" dir. by William Wyler.

"Forever Us Our Treasures," starring William Powell and Betty Hutton, will be in the theatre.

## Forst To Vienna

Berlin, May 12. — Forst Film Co. has bowed out. Acting director - producer Hubert von Hofmann, in Vienna, where he heads plans for a newly organized German film venture.

Pinobert

Herbert

# OUT OF ALL THIS YEAR'S RE-ISSUES

# 2 STAND OUT!

# KING KONG

THE GREATEST BALLYHOO SHOW EVER HURLED TO THE SCREEN

Its thundering cliffs will never startle the all-time posters and other accessories party that came out-again season that drew millions of fans for record grosses everywhere it played. KING KONG IS BACK, and you're in show business again, with an attraction so big today as when it was first released.

# LITTLE WOMEN

REMEMBER HOW IT ROUSED THE NATION TO TEARS AND CHEERS!

unbelievable grosses . . . the avalanche of holdovers . . . the unheard of number of return engagements? . . . the sensation! . . . And today it's ready to repeat! . . . Nothing produced before or since has any greater power to reach the human heart . . . No show you can mention—old or new—has more of what it takes to win folks to the movies! . . . GIVE IT THE PLAYING TIME A TRULY GREAT SHOW DESERVES!

## KING KONG

with  
FAY WRAY • ROBERT  
ARMSTRONG • BRUCE CADOT

A Personally Directed  
MERIAN C.  
COOPER

ERNEST B.  
SCHOEDSACK  
PRODUCTION

FROM THE STORY BY MERIAN C. COOPER AND EDGAR  
WALLACE. Chief Technicians: WILLES J. FURMAN  
DAVID D. SELENICER, Executive Producer

Louisa May Alcott's  
famous Classic

## LITTLE WOMEN

STARRING  
KATHARINE  
HEPBURN

WITH  
JOAN BENNETT • PAUL  
LUKAS • FRANCES DEE  
JEAN PARKER • Edna May  
Oliver • Douglass Mont-  
gomery • Henry Stephenson  
Directed by GEORGE CUKOR  
MERIAN C. COOPER, Executive  
Producer • Kenneth Macgowan,  
Associate Producer.

RADIO  
PICTURES

NEW PRINTS, NEW ACCESSORIES EVERY-  
THING NEW BUT THE BOX-OFFICE WALLOP!



# Par Shutting UA, Possibly Also Mich, Detroit; Ditto the Minnesota, Mpls.

Detroit, May 31. Although closing of 2,000-seat United Artists theatre by United Detroit Par this week is a purely local action, it's understood UD and Par officials are seriously considering shutting of the de Luxe in Chicago a week or two for duration of the summer. It continues brutish weather despite slash in payroll couple weeks ago in effort to avoid dropping of stage shows.

Even in the event Luxer isn't closed entirely, it appears pretty certain that vaude will be dropped for summer. In which case 400-seater probably would go on dual-pole policy, aided by fliters made available through shutting of UA. United went dual two weeks ago for first time in history, following by a number of district grosses in singles, but to no avail.

Closing of Michigan, plus UA shuttering would leave this 2,000,000 pop town with only four major-theatres—the de Luxe Fox, Babcock's Adams and UA's Madison and Palm-States. Of the four, only the Fox and Madison are on single pole, while Adams would slash first-runners' seating capacity from 18,700 to 17,700.

While de Luxe isn't withholding demand on stage shows until ichigan situation is settled, it's fairly certain that indie spots which appeared on main basis, at least until he dictates otherwise, should Mich shutter or drop vaude. Fox and Madison are in personnel payroll few weeks ago and has several topflight bands booked for summer.

Report has it that the Michigan UA close June 9 for summer, which might be possible unless the company's big money-maker on second-run singles for several years prior to going single year ago.

Decision to shutter the UA instead of the Madison, which is generally believed to have been based on vital location of latter, lower overhead, and that 2,000-seat UA is a much better money-maker on second-run singles for several years prior to going single year ago.

Minneapolis, May 31. The 4,200-seat Minnesota theatre here, also house the Minnesota Amus. Co. (Paramount) circuit, probably will be closed permanently July 1, according to announcement by John J. Friedl, general manager of the chain.

The house now is operating at a heavy loss, but the company's lease requires that it be kept open until July 1, Friedl explains. The company has cancelled its lease on the property effective Feb. 1, 1939, under a clause empowering it to do this. Present plans are to shutter the house for the period from July 1 to the date of its abandonment.

Minneapolis represents an investment of several million dollars and, except for the first two years of its operation when gross was running as low as \$35,000 a week, it cost \$45,000 to be a white elephant for the circuit.

## LAUGHTON FILM PREEN IN TRADE SHOW JUNE 20

London, May 24. World Premier office of Laughton-Pommer opt for Mayflower Pictures will be at Folkstone on Kent coast. Picture, "The Sign of the Cross," and reason for venue is that Cinematograph Exhibitors Assn. is holding its annual convention at that town week of June 20.

Associated British, therefore, soon booked up for picture and picture will be premiered to almost exclusively trade audience June 20. Laughton, who also stars, making a personal.

## Prefer Blondes

(Continued from page 1)

included in the show, but a bubble reduction number, with girls "doing" their hair, will be the payoff.

A line of 12 blondes, nine principally and an orchestra of 12 complete unit. Deal is being worked to let in Ray Hutton who, by a co-venue, is a blonde, as the band to complete this all femme aggregation.

## Pathe's New Printing Plans for Newsreels

Pathe News is trying to develop a plan for printing its staff in advance of the summer months. From a distance U. S. points, to facilitate assembling of the best and improve its newsreels. The plan, Frederick Ullman, Jr., RKO-Pathe's newsreel chief, has gone to Los Angeles and San Francisco, to increase facilities and establish laboratory connection for this purpose.

## KEITH-BOSTON STUCK UP BY 3; SEIZE \$480

Boston, May 31. Three handies held up a manager, treasurer, chief usher and two patrons of the Keith-Boston theatre Thursday (28) night and skipped with \$480. They missed \$1,400 in the excitement. Anthony Zinn, treasurer, and Joseph Mandel, chief usher, were carrying some receipts from the box office to treasurer's office. The three-year-old niece who appeared on the mezzanine landing at that moment were herded into the rear of the theatre.

There they encountered George French, manager of the house, coming in to see the private police to investigate the commotion. It was all but Zinn against the wall, the gun, but then made the treasurer when the safe and hand over the money.

## Shirley Will Get First Look at Country Beyond

Hollywood, May 31. Shirley Temple and her parents north eastward this week on the "The Girl and the Soldier" tour. It will be the moppet's first glimpse of the country beyond the borders of California.

Jim Denton, studio flack, has gone ahead to make hotel and other arrangements for the party.

"20th-Fox has taken Frances Hodgson Burnett's story, 'The Little Princess,' off the shelf and resumed preparations for its production as a Shirley Temple starrer, due to start shooting in California next week.

Walter Ferris and Ethel Ill are collaborating on the script from an earlier treatment.

## STUDIO CONTRACTS

Hollywood, May 31. Metro signed Gabriel Dell and Hutter Hall, kid actors, to term pacts. Warners extended Don Ryan's "Twentieth-Century" lifted option to Pauline Moore.

Republic signed Weylin Tolman to a writer contract.

Republic renewed George S. Green's director pact for one year.

Paramount signed Russell Gleason's player option.

David O. Selznick signed John McLean "Red" Skelton, to a writer contract.

Sigmond Kaufman renewed one-year director's contract at 20th-Century.

Paramount signed a term contract with Metro writer.

Frank Albertson's option icked up by RKO.

Eddie Stanley, kid actor, to term pacts.

Warners lifted George Dickson's player option.

Republic signed by Republic as lyric writer Edward Stanley and Edward Chan as script writers in the shorts department.

Ray Stanner held her contract at Warners; extended to include two more pictures.

James Hogan set for another year as Republic's director.

Republic signed Bruce MacFarlane Broadway stage player.

Republic signed by player option renewed at Warners.

Samuel Bronston signed by Paramount.

Arnica McKinnis, kid actor, at Warners.

George Brice signed to term contract with Metro.

Frank Wead inked contract with Republic.

Paramount renewed David E. Wilson's writer pact for a year.

Republic signed by Republic for contract with Warners.

## Wants His Fighters Back

Los Angeles, May 31. Suit for recovery of 42 cans of film, valued at \$20,000, has been filed in superior court by Dwin Esper against the Ince Film Library, Henry W. Warner and Ray Punnett. Plaintiff says the film consists of stock shots of an Indian massacre, several dragon battles and other adventures.

## Allen Stone Still Serious as Result Of Auto Accident

Hartford, May 31. Keith Southard reported from assistant manager of Proven Pictures theatre, replacing Allen A. Stone, shifted to Square, Bedford, Mass. Both houses owned by F. S. Lieberman of Boston. Condition of Stone, who was injured in an automobile accident in East Hartford on Sunday (22) that resulted in death of one person and injury to five others, is considered critical by his friends. He is a patient at Hartford hospital.

Understand that he is suffering from a fractured right leg, a cut over his left eye, as well as a crushed pelvis. Stone has been booked by East Hartford police on a technical charge of reckless driving.

## DIXIE LOOKS TO U. S. FUNDS TO PRIME B. O.

Spartanburg, S. C., May 31. A steady run of bad biz has built Dixie's exhibitors hanging on the ropes.

Brief seasonal shuttling in the South of Carolina and adjoining textile plants in 1937 hasn't ended, and it's getting worse with some plants closed indefinitely. This very harmful to second run and western houses whose patrons mainly are mill workers and their families.

Some plants operating three days a week; others every week and a few others only a little better, but mainly the picture is very discouraging. Some houses are curtailing schedules. Dixie exhibitors' morale has been started.

Best bet is the several million dollars earmarked soon as cotton subsidy checks to farmers in the Carolina and Georgia, some of which has begun to trickle in. Spartanburg's share of this Santa Claus take estimated well over \$200,000, with only a portion of it being paid out in money. Some hope still that mills, including 29 large plants in Spartanburg, will get back to normal, but usually no official announcements on new expanded schedules—if any.

## 5,446 Reich Cinemas, Rise of 600 in 4 Years

Berlin, May 23. Recent estimate shows cradled German film houses, with over 600 added in past four years.

Number of 1937-38 puts audiences 400,000, against 300,000 a couple of years previous. During the year, and growing, were shown films of foreign origin. This places native film output somewhat below last year's standard.

## Jack Hylton Settles With Twickenham Pix

London, May 24. A settlement has been reached in the action brought by Jack Hylton, band leader, against Twickenham Pictures, Ltd., over a picture.

Hylton claimed he was entitled to one-third of all monies received from the shooting throughout England of "She Shall Have Music," in which he appeared.

## TITLE CHANGES

Hollywood, May 31. Samuel Goldwyn switched "The Cowboy and the Lady" to "The Sun." Columbia changed "Murder on the Beach" to "Danger on the Air" on Hays list 58330.

MGM's "Guest" will be released as "Secrets of the Blue Room" in U. S.

RKO switched "Ground Crew" to "The Flying Saucer."

Warners change "For Lovers Only" to "Head Over Heels."

# Exhibitors Fear Night Baseball As Added Bugaboo to Sliding B.O.

Night baseball this summer looms as an added bugaboo that threatens to plague the exhibitor more than in recent warm-month periods. Exhibitors figure that the slightest additional competition is going to hurt doubly this summer with the b.o. in an anemic state. Also, there are evidences of the fresh outbreak of the national panic.

Spread of playing the national pastime under the aegis this June will sweep into Brooklyn, first week either an American or National League team will go in for it in the New York area. Electrification of Ebbets Field for Dodger fans will cost \$100,000, but it's being done to bolster attendance, with the night game expected to repay for added outlay.

Experience of theatre operators in the cities, which have franchises in the American, American and International League, is that the after dark games are not really as bad as they look in advance. Film houses get a certain break in that the warmer evenings mean a dent in attendance anyway and check shows that the favorable weather nights are about the only ones to draw heavily to the night game. Complaint of some exhibitors is that the Regal, which has been showing these patrons from attending a screen show for several days in their localities.

In American Assn. communities, where the night game has been in extensive use for six or seven years, exhibitors report that it hurts. Where the exhib has an advantage is that he is able to put on a two-and-one-half to four-hour show for 25-40c while the minimum baseball admission is 50c, even in smallest spots.

Some theatre operators have been able to meet heaviest night baseball competition in smaller cities or towns by offering special bargain nights in the form of 2-for-1 admission stunts, or similar ideas. However, majority of theatres are reluctant to do this, as declared by offering a better show than the baseball park.

One exhibitor suggested a score guessing contest as a means of coping with the baseball fans. This incorporating the same in screen and playing the individual score guessers in the theatre the night the game is played, with the winner getting a screen and play then being made.

While the Brooklyn attempt to popularize baseball at night will get a try, it is not expected to be the first year, because certain clubs, including the New York Giants, will

not play night games, exhibitors fear the establishment of nocturnal games by major leagues. Cincinnati, already plays a certain number of contests at night. Showmen point to the fact that they have continued successfully despite arguments against their popularity.

## MORE THEATRE SNIPING IN PHILLY IRES EXHIBS

Philadelphia, May 31. Theatre sniping, which has caused a bitter feud between Leven Pizar and Regal, Cincinnati, has already spread to exhibitors of United Motion Picture Theatre Owners, and a group headed by Dav Mitgram, threatens to become an epidemic with another similar battle cropping out into the open this week.

Latest slugfest is between Dave Shapiro and Leo Posel. Posel owns the Regal in northern Philadelphia, while Shapiro, who operates the Admiral and New Penn, announced he intended to build a short distance away from the Regal. Posel immediately announced that he, too, would build near the Regal, giving him two houses within a few blocks of each other.

Other theatre men, convinced that the sparsely settled neighborhood would find it impossible to support three houses in such proximity, are attempting to bring the two operators together rather than see the both go broke. Conference was arranged for today.

Pizar and Segall vs. Izgram feud resulted from the former's intention to build near Mitgram's Walton, in Germantown. Mitgram maintains that Pizar and Segall have offered him the site on which they are building, but at a profit price. Pizar declares they will give it to him at just what it cost them.

In retaliation, Mitgram is preparing to build near Segall's Apollo in West Philly and has Segall well frightened. More than 15 meetings have been held between the two groups without a compromise being arrived at. Another confab is scheduled for tomorrow.

Another UMPTO exec declared the battles are being stirred up by architects who obtain site and then attempt to push their sale so that they will get the drafting work.

## New York Theatres

at the **APITOL**

MONDAY

"YELLOW JACK" **THE THREE BRITISH**

TODAY

"I THINK I'VE FOUND A WAY TO LIVE"

MONDAY

"THE BIRTH OF A NATION"

MONDAY

"YELLOW JACK" **THE THREE BRITISH**

TODAY

"I THINK I'VE FOUND A WAY TO LIVE"

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MONDAY

"YELLOW JACK" **THE THREE BRITISH**

TODAY

"I THINK I'VE FOUND A WAY TO LIVE"

MONDAY

"THE BIRTH OF A NATION"



TODAY'S NEWS

Sliding Scale for Reps Proposed

Mr. Grabhorn, general manager of International Radio Sales, has developed what he considers to be a sounder method of compensation for station reps...

Table with 2 columns: Gross Volume of National Spot Business and Percentage of Commission. Rows range from \$50,000.00 to \$25,000.00.

It's also Grabhorn's idea to adjust the rebate on any average commissions which accumulate at the end of the contract year...

BIG BILLINGS OFFENSE EXITS

Exceptional in Activity Among Cigar, Pipe and Cigar Brands This Season

\$20,000,000 Amount of air time consumed by the tobacco field during the broadcast season now coming to a close has been the biggest by far in the history of the business...

At the rate that the tobaccoists have been going on the networks the expenditures for this element for 1938 should, it is estimated, easily exceed \$30,000,000...

American Academy, Rich and Recitent, Unlocks Front Door for Radio Event

PAT BARNES ON ENERGINE

Butterworth and Johnson Leave 'Newswear' of the Air... Wally utterworth and Parks Johnson go off Energine's 'Newswear' of the Air...

Award of the Belgian Knighthood to Dr. Charles M. Courbois, radio organizer at the American Academy of Artists and Letters last Wednesday evening...

'It's Mine' Boys Kill Show; Jell-O Sub for Summer

'Hobby Lobby,' m.c'd. by Dave Egan, has been bought by Young & Rubicam to fill the Jell-O spot on NBC-red Sunday nights during the summer...

REVAMP MCCANN-ERICKSON

Dorothy Barstow Out of Radio—Probably to Be Reassigned

Setup of McCann-Erickson radio department is being completely revamped, with Dorothy Barstow slated to be relieved of her executive authority in that reorganization...

WOODBURY ORDERED TO TONE DOWN COPY

Washington ay 31. Excessive advertising claims of a prominent cosmetic sponsor were banned last week by the Federal Trade Commission...

Winchell Set Thru 1939

Jurgens-Woodbury Sales Corp. has picked up the option it held on Walter Winchell's air service for 1939...

Junket Auditioning

Junket (dessert) an fabled Jane Martin's audience-participation game is being auditioned...

Mrs. Craig's Operation

Mrs. Jeanie Craig, office mgr. for Jolin Lull & Co. was operated on at the Doctors hospital, New York, last week...

Table with 2 columns: Brand and Mins. Lists NBC programs like Lucky Strike, Palm Mall, etc.

Table with 2 columns: Brand and Mins. Lists CBS programs like Lucky Strike, Camel, etc.

Table with 2 columns: Program and Mins. Lists P. Lorillard's Sensations, etc.

Table with 2 columns: Program and Mins. Lists Bayuk Philli, Muriel, etc.

DOOR-OPENING RADIO NAMES

Following a 'get out of town warning' issued by the censorship board, two young men who were magazine canvassing under the guise of a connection with the Hi-Boys...

Young & Rubicam Has Sole Production Role in 'We, the People' Deal

Young & Rubicam will have complete operating control over the 'We, the People' show when it starts to air the week of Sept. 28...

Agency will maintain its own research and contacting staff for the program from 60 to 90 minutes...

KMOX'S 530 A. M. Revue

Expansion of KMOX's daily early a.m. program from 60 to 90 minutes is designed to attract farm audience...

ICED COFFEY BALLY MAY INCLUDE RADIO

Radio may be included in the campaign that the Arthur Knighthead agency is developing in behalf of the public ice cream industry...

Katherine Roach in N. Y.

Katherine Roach of WGN, Chicago, is doing her annual spring court-mart of broadcasting from New York...

Allen Franklin to XKOK

Allen Franklin, who joined Crosby's dramatic staff last September, is being auditioned as the new emcee for WKOK...

# WFIL Seeks Public Opinion on Wax As Material for Program Mapping

Philadelphia, May 31. — WFIL is staking a unique man-on-the-street policy of Philip Listeners to determine their likes and dislikes on all phases of radio programming. Step follows state, etc., by Mark Ethridge, NAB press, and the show should be regulated by public opinion, not prizes.

Survey will be conducted by Don Martin and Vernon Crawford twice weekly on busy downtown corner. They will attempt to determine kind of programs preferred, value of and reaction to educational programs, special features and cultural programs. Will also plumb over-commercialization and freedom of speech commentators.

Street interviews won't be aired, but will be waxed. At the end of two months the dices will be played back to a board of radio and ad agency execs. Conclusions will be published in a brochure to be sent to the entire industry.

# FRISCO EXPO USES RADIO

San Francisco, May 31. — Utilizing 20 radio stations north of the Golden Gate, the California International Exposition for 1939 will launch an intensive one-month's program tomorrow (1) to reach the masses of season tickets. Daily spot announcements, news flashes, dramatic sketches, interviews with artists, exes, five, ten and 15-minute talks by county chairmen, and other types of plugs will be aired.

In the San Francisco bay area alone 55 special programs a week were released, including the weekly expo's eight regular weekly programs already spotted on various stations. Number of commercial shows, including the Pacific Gas and Electric Company's "Tales of California," the Coast Community and the Albers Bros. "Milling Company's Good Morning" musical program over KFO and the Coast NBC Red Web Tuesdays, are co-operating with special announcements.

Expo hopes to sell \$1,000,000 worth of tickets, with the season tickets selling for \$20 and books of 12 single admi. lots for \$5.

# LOWELL THOMAS WIRE GET WEST SPONSOR

Hollywood, May 31. — Lord & Thomas agency is dickering with Lowell Thomas to sponsor spot on Union Oil's Passing Parade, to be vacated in July by John Nesbitt. Union situation would develop if deal is made by Thomas, now broadcasting for an oil company in the east, would do a repeat of his program for a Coast petrol outfit.

John C. Hill was overtured for the Union Oil berth, but he stalled the issue on the grounds that he had been considered for a transcontinental show. Passing Parade airs only along the Coast.

# Palmolive Drama-Minded

Hollywood, May 31. — Dramatic program with young film players as the draw is being issued by Benton & Bowles agency with Palmolive. Five quarter-hour shows weekly would be aired, with Conrad Nagel as emcee and also director an acting part.

Idea would be to change lends but backed up by a stock supporting cast.

Summer Ice Cream Tie-Up Columbus. Single Bells ice cream on WOOL program. Summertime musical series with session daily. Handled by Tom Hatley, known as "Jimmy Jim." Merchandise tie-up with Palmolive bicycles, etc., as prizes for jingles. Hatley's records to be played on Saturday morning theatre party at Uptown theatre.

Parties will be aired on WOOL with the majority of full hour and made up of amateur acts.

# N.A.B.'S DETROIT TALKS

Kobak, Hettlinger, WXYZ will. Open meeting of the Sales Managers Division of the N.A.B. will be held Tuesday, June 14, at the Hotel Statler, Detroit, in connection with the advertising Federation convention. Craig Lawrence of KRNT-KSO, Des Moines, will preside.

Speakers will include Edgar Kobak of Lord & Thomas on "Commercial Use of Tax-Supported Radio," Herman Hettlinger on "Sales and Radio Service," Charles Hicks, sales promotional manager of WXYZ, Detroit, on "The Inside Story of the Lone Ranger."

# BOB BURNS IN BUFFALO HIDING OUT FOR REST

Buffalo, May 31. — On Thursday (26) Bing Crosby announced over the air that Bob Burns, absent from the Kraft Music Bowl, was away fishing. But Buffalo news letters. He was here in a suite in Hotel Statler. Mr. Burns, listening to a cited hour—the Kraft program on NBC Red.

It sounds kinda crazy to say several days in New York. He decided to slip quietly away. He flew here to show his wife Niagara Falls, which she loves. He has a short vacation. "It sounds kinda crazy to say several days in New York. He decided to slip quietly away. He flew here to show his wife Niagara Falls, which she loves. He has a short vacation."

# Station WKRC Staff's Bad Condition; An Epidemic

Cincinnati, May 31. — Returning to his home on a fortnight's trip to Charlotte, N. C., and NYC, William A. Schudt, Jr., found four members of his staff on the sick list. Margaret Maloney, publicity director, was speechless from laryngitis; Richard Ruggie, sales and promotion director, was down by the sheets because of gripe; Larry Ford, night copy writer, was in a hospital recovering from an appendectomy, and Bess Zeiss, stenographer, could not eat due to a stomachache.

On top of it all, Schudt and his wife were setting up belongings in the new home, following a fire in Charlotte, where Schudt headed the CBS station WBT before being transferred here.

# Transamerik Reps WMCA

Transamerican Broadcasting & Television Corp. has become the exclusive sales rep for WMCA, New York. The Chicago office is at all other points outside of New York. Schudt was closed last week.

Headquarters of Transamerican's Chicago sales staff, will devote himself entirely to WMCA. Interested parties may contact William R. Bolter, the head of the firm's Chicago office. Representation also includes bookish business.

# Socoy's Game Test

Socoy is testing audience participation game programs locally on New England and Middle Atlantic stations.

Start has been made with a sports-out on WHAM, Rochester. Via J. Strong, Cretchley agency.

Taylor Holmes' Vallee Sat. Taylor Holmes' Vallee Sat. Header Be Right' out has been booked for the Vallee program June 16. Arch Hunsicker, Chicago, is handling serial dealing with a steel worker for the program.

Ray Robinson fill for the program.

Also listed, 19-year-old son of the majority of the Saturday am. parties will be aired on WOOL with the majority of full hour and made up of amateur acts.

# Still Can't Shine Shoes

Chicago, May 31. — At its convention here Philco broadcasted a new tuning device known as the Mystery Control.

This device the radio may be tuned to any station or turned off without approaching the radio. Device is a small box, small enough to be carried in hand and works the radio station by its attached wires whatever.

# Don Lee Hits Red Tape Because Telephone Co. Hadn't Filed with F.C.C.

Los Angeles, May 31. — Don Lee network ran into a purchaser's list when it arranged for a remote of Phil Harris' orchestra from Lake Arrowhead lodge, about 80 miles southeast of Angeles. When Willet Brown, network exec, arranged with Associated Telephone Co. for a local broadcast without the ensuing entanglements. Developed that Associated had never filed with the Federal Communications Commission its rate card for radio service. Therefore any contract with the Coast phone outfit would require special dispensation from the commission in Washington. It was called a short work-around, which proved inadequate.

After considerable phone conversation with Washington, backed up by the promise of Associated that tariff sheets are being rushed by air-mail to Los Angeles, Don Lee Associated to carry the program into Los Angeles, from which point it was sent to the Mutual wire.

# WARNER SCOUT EYES FRISCO AIR TALENT

San Francisco, May 31. — Talent scout Anderson Lawler of Warner Bros. is making a special last week interviewing local radio talents for possible film work. Lawler is in town on a scouting trip to Vicki Vola of NBC and Herta Drey, European motion picture actress now in town on route to Hollywood.

Others o.o'd by Lawler included Bert Cameron, Jack Cowden, and Vicland, Turl Sprague, Muzzy Margetts and John Wolfe, all of NBC, who are at group of players from KFRC and other local stations.

# WORLD'S SIDELINE

Transcriptions Company May Enter Sales Slides Field Outside Radio

World Broadcasting System is considering entering the slide film field. Preliminary survey of the possibilities of this business are now being made by the recording outfit.

Photographs and c. r. ts are recorded on a film which is then copying slip is stenciled on a record. Switching of frames is recorded by a camera. The slide film projector with a recording adjunct has developed much interest in the film industry concerned with sales promotion.

# Frisco Loves 'Death Valley' As N. Y. Show Is Extended

San Francisco, May 31. — Last West Coast duplication of "Death Valley" series, "Death Valley Days" drama is being aired from the local NBC tonight, just two weeks after celebration of the fifth anniversary of the program here.

Beginning Friday (10), western drama will be the new series production of "Death Valley Days" under the same cast outfits of the NBC-Red web.

# WLW Fav Program Stunt

Cincinnati, May 31. — Contest started on WLW Thursday (26) and to run for a fortnight offers all-people-a-trip to Cuba to two listeners to be chosen by random selection, sending in best responses, expressed in 50 words or less, on "What is my favorite program answer."

Journey will be by rail to Miami, thence by steamer to Havana. Calls for a week's vacation in Cuba.

# Inside Stuff—Radio

Current issue of The Guild Reporter, official rag for the Newspaper Guild, points out editorially that of the 150 newspaper-owned radio stations, 45 broadcast the National Manufacturers Association's program, "America's Family Robinson." This is a national radio distributed free, with comment by Luke Robinson, editor of the Centerville newspaper, who discusses with his family the doings of "labor racketeers" and the effects of "taxation that hurts business." Guild regards the program as carefully disguised anti-labor material.

Idea of the program was cooked up two years ago, according to the Guild Reporter by a press agent who sold it to NAM and worked out the details of the program on the radio. This is a union-controlled station which use the program is appended to the editorial.

After deciding to go off for the summer, Schaefer's Beer wanted to keep Leo Reisman going through the hot months, but it couldn't be worked out as Reisman had committed himself to the Coconut Grove, Los Angeles. He returns to Schaefer in September, having a six-month two-year deal with the beer account.

Reisman was originally set for 13 weeks, but he was extended, expiring with tomorrow night's (Thursday) broadcast. The speaker wanted to hold Reisman on all summer, but the Grove booking prevented, and, as expected, he retracted the maestro for the additional two years.

Harry Jellch of Warner Bros. is dickering with Taps Agency, New York, for airing of "First Offender" as a local weekly series on a tion KFWB. "Offender" gag is due to go into film production in Hollywood. The Tex Violette and Joe Brandt of Columbia release. Film rights were secured from Taps and Sheriff J. Edward Slavin of New Haven, Conn., originator. Program has been airing over WICC, Bridgeport, and Colonial net in England for past year.

Katharine Seymour and J. T. W. Martin are writing an entire new edition of the book on copyright for publication by Longmans, Green & Co. in the early fall. It will be called Practical Radio Writing and will sell for \$2. Previous volume, published in 1931 by the same publisher, is entitled How to Write for Radio.

Miss Seymour is a freelance radio writer. D. & O. for 10 years.

There have been no cast changes in the four principal parts in "The Goldbergs" script serial which has been airing for various sponsors during the past several years.

Gertrude Berg, creator and scripter of program, is still "Mrs. Goldberg." Jimmy Waters is "Jake," Everett Sloane is "Sammy," and Rosalind Silver is "Rosalind." In its 10 years on the air, all different characters have been written into and out of the continuity.

New York indie station, which changed hands not so long ago, is feverishly trying to peddle its time rates far below its card. Talk around is that owners plan in near future to split public stock and want S.R.O. offering 30 minutes of afternoon space, about the board, at \$15 weekly.

Lennen & Mitchell agency is having difficulty getting substitute program for Walter Winchell's four-week summer layoff from NBC-blue on Sunday nights.

Agency is making the hunt long as the budgeted at \$1,000 per broadcast.

RCA Magic Key program is shaving its normal talent budget during the next 13 weeks when show drops its usual policy of using pop orchestras and singers instead of a heavy guest list and symphonic music motif. Slice is \$10,000 less than the program usually earmarks for talent.

Last-minute switch in plans saved Carl Urickand, WCCO, Minneapolis, sales manager last week, when all reservations all night were cancelled that crashed near Cleveland, a telephone call from Detroit steered his to the motor city.

Earle Frier, radio p.a., bought into a news clipping service which has started in N. Y. Outfit confines its tear-sheets' garnering to stay on air programs and people.

# FEDERAL LABOR STANDARD

Broadcasting Included Within New Wage Bill Sure to Pass

Washington, May 31. — Imposition of federal labor standards on the broadcasting business is now being put in effect by the new act with conflicting provisions of wage-hour bills passed by the house and senate. The new act provides for a 40-hour week, although argument over uniform conditions is being and Eastern representation is being given preference in their industry.

Legislation will hit all branches of business, including the broadcast industry, but some federal regulations. Congress effect cannot be determined yet, in view of the wide discrepancies between the two branches of congress.

Long argument over outlines of the legislation went into final stanza last night, but ended Tuesday morning in the house—which last December knifed a previous measure—passed by a majority of margin by vote 4 to 1. No changes of any consequence to broadcasters made during the 100-hour session.

House-approved draft seeks a \$16 per week minimum wage; at the end of the year, Executive Order provided boost starting pay 25 cents and limitation of initial 44-hour week to 40 hours. The act would require to be 42 and a year to 43.

# UNION BALKS RADIO ORCHESTRA DOUBLING

Philadelphia, May 31. — Johnny Griffin's orch went into Arcadia International here this week instead of Jan Savitt's KWJ show band, which was originally scheduled. A. Tomel, press secretary of the local, balked at Savitt doubling.

Tomel maintained that Savitt was getting sufficient income out of his radio show and one-nighter at which union has no objection—and that the full-time job available at the Arcadia should go to someone else.

Griffin's crew then was shifted from the Anchorage, which, like the Arcadia, is owned by Art Padula, and Johnny Woods combo inked into the Anchorage.

# KFWB Drops Remotes

Hollywood, May 31. — Night remotes from dance spots are being dropped by KFWB in favor of studio live talent and transcriptions of musical comedies and operettas.

On the live side will be Hal Horner's "The Ecclesley" provided boost starting pay 25 cents and limitation of initial 44-hour week to 40 hours. The act would require to be 42 and a year to 43.

Freddie Wicksler, Kolloges' "Singing Lady," got his seventh contract for the year when the emcee's Press Club. New York last week featured

# Celebs Slumming in Radio

A 'slumming party' consisting of group of show biz and social prominents attended 'Amateur Night in Harlem' broadcast last Wednesday (28) over the NBC radio station in New York. The 'super-sophisticated' elements are now going in for that sort of amusement.

Program, using colored variety acts from St. Apollo theatre in Harlem. Group sitting in included Jules Glanzer, who tossed the party, and Norma Thalmage, George Jessel, Vinland Freedley, George Abbot, George Balaban, Doris Day, Gene Cropper, Gladys Swarthout, Frank Chapman, Hunter Colquhoun, Mrs. Edwin Felice, Jack Copeland, Arthur Schwartz, Peter Aron, Marc Connelly, Sam H. Harris, Margaret Hilt and Leroy Lison.

# JAMES JEWELL RESIGNS

Leaving WXYZ After Nine Years—\$36 to \$5,500 Payroll Jump

Detroit, May 31. James Jewell, who produced and penned initial airings of the 'Lone Ranger' and who's been behind scenes since western serial began upward climb over four years ago, has resigned as dramatic director at WXYZ, effective July 1. Will terminate nine years with King-Trendle organization, all as WXYZ's dramatic director.

Jewell, who came off the road in 1929 after three years free-lancing with his Jewell Marionettes, is undoubtedly about the future. Will knock off around June 15 for vacation. As a parting gesture to 60 kids of all-children's theatre of the 'Air,' which he founded several years ago as the groundwork for building talent from ground up, he is taking kids on free two-week sojourn at his 'Lone Ranger' camp near Detroit.

Besides 'Ranger' and juvenile talent school, Jewell also produced 'The Green Hornet,' 'Ann Worth, Housewife,' 'Kiddie Carnival' and 'Junior Master of the Game.' 1930-1936 shows he's turned out. Took over at WXYZ in 1929 with a total cast of 300. Budget of \$30; leaving with 45 players on payroll at weekly budget of well over \$60. Charles Livingston, who's been asst. dramatic director for some time at 'The Green Hornet,' Horner's personnel, may succeed.

# Standard Oil—Junkies 30 Esso Local Spielers

Standard Oil has underwritten a junkie to New York of 30 newcasters as many eastern stations are dropping radio for TV and sound broadcasts. Gang from as far north as Boston, as far south as Asheville, N.C., arrived in the Big Blue today (Wed.).

Will be shown Standard Oil radio features and one or two commercial films, a television demonstration at NBC, and the United Press headquarters. UP furnished Esso with its news. First goodwill stunt of the sort Standard Oil has yet flogged.

# Human Side of Lawyers

Utah Follows Examples in Buffalo and Seattle to Glorify the Much-Rapped Mouthpieces

# WHITEMAN'S ROUNDTABLE

Will Have Jam Sessions Sustaining Over NBC Web

Besides his Chesterfield renewal, Paul Whiteman will essay an NBC radio program in the near future labeled the Rhythm Roundtable. Idea is a swing cavalcade, airing weekly on the program. Whiteman, alumni of the Whiteman organization, to sit in on these ethereal jam sessions.

# Boss Arrives at 7 A. M.

Rochester, N. Y., June 1. HEC's general manager, Arthur H. Hines, arrived in the office today for an exercise program. In YMCA physical education department he knows all about the sport, up drills. Whatever it does, for the customers, it promises to give him an early start day.

Musical director Ken Szymon arrives at song time to sponsor piano accompaniment as well as playing signature 'Chesterfield Roundtable' and 'Let's Sing as we Sing' from private practitioners.

# Sponsors Spurned for Educational Programs in Chicago; Willing To Limit Plug to Name or Tie-Up

# PERFECT EVENING

(It's a VARIETY game. No prizes, no prizes. No budgets to worry about—imagination running riot.)

- Robert Jennings (incidental) 7:00—News
- 7:15—Lum and Abner
- 7:30—Gang Busters
- 8:00—Chase and Sanborn, as is
- 8:00—Bing Crosby, ditto
- Edgar Bergen (Lusk & Thomas) 7:00—Arms 'n' Andy
- 7:15—Lewell Thomas
- 7:30—Fireside Recital
- 8:00—A comedy show with Jack Benny
- Edgar Bergen
- W. C. Fields
- 8:00—P. D. Q., or a good national
- 10:00—Transradio news

Ruth Morris orris 7:00—Gang and Allen 7:00—Revue with Fannie Brice 8:00—Eddie Cantor (an hour)

E. J. Rosenberg (Transamerican) 7:00—Chase & Sanborn 7:15—Gang Busters 8:00—March of Time 8:00—WQXR Hour of 10:00—Light Opera

Don Steis (KFCR, San Francisco) Following scullion fried chicken and mashed potatoes for dinner you may find: —Kesteven playing 'Love Walked In'

—David Ross reading, 40 fiddles play. —A song by Kenny Baker —Col. Stoppagne humming —A drum session by Gene Krupa —Mildred Bailey out front for 'Mah Brown Daddy's Gone' —Gene Wright singing —March of Time announcer introducing Boake Carter —Jack Benny and F. D. in a fireside chat —Bing Crosby singing, not talking —Tommy Burston, Walter Winchell, Beatrice Lillie, Fred Allen and Clem McCarthy having a roundable

Chicago, May 31. Harold Kent, head of the Board of Education's recently organized radio department, has favored school offers of commercial tieups with educational broadcasts. Kent contends that such sponsorship arrangements would be inimical to the best interests of educational radio.

One sponsor stated that he would be satisfied with mere mention of his product, while another offered to post the cost of an entirely new broadcast, instead distribute circulars around the school areas calling attention to a particular broadcast.

Kent's plans for the next school term include the training of teachers on how best to prepare a class to get the most out of an educational program. Daytime air curricula will be augmented with night-time programs, primed to serve as an aid to home work.

# Shredded Wheat Summer Plug on 'Dan Harding'

Shredded Wheat relieves its parent firm, National Biscuit, of the sponsorship of the Dan Harding program for 13 summer weeks, starting Monday (6). Five-a-weeker script show rides N.B. over CBS.

At the end of the 13 stanzas, National Biscuit purport will return as sponsor of the program. Deal was made by McCann-Erickson agency for the baking firm and Federal agency for the cereal product.

# Rubinoff Convalescent

Battle Creek, Mich., May 31. Stead, improvement is being noted in the condition of Dave Rubinoff, 42, who was stricken with peritonitis last week by start of peritonitis. A second operation was performed and Rubinoff rallied after another transfusion.

# CLOCKED OUT

Lou Babian Off Swansdown Program on Five-Minute Notice

Lou Babian, whose act is telling 'unfunny' jokes, didn't appear on the Kate Smith Swansdown Flour broadcast over CBS last Thursday (26) after having received. Cancelled just before the airing time on grounds that the broadcast was overboard.

Act of Babian would have constituted a breach of contract. Ambassadors (trio) wanted 'Galveston Gal' to fill in a needed two-and-a-half-hour slot over Sanitum, where he was taken May 4 for treatment after being stricken following a concert here.

# Al Pearce's NBC Spot

General Foods is set with NBC for the Al Pearce-Fox program for Grape-Nut starting Oct. 10. Will replace Burns & Allen show on Monday, June 13. Pearce's latter got to Chesterfield.

Before finally signing on NBC, account was considering leading Pearce into the ending, 8:30 p. m. slot on CBS.

# Lardo Gets Going

Lou Lardo, 31, KPAH, new barbers shop, etc., was set on his feet in Baraboo, Wis., last weekend, celebrating with a team here in its fourth-floor studios in Madison. Lardo is commercial artist here.

# NBC Clears Path for McClatchy Stations to Get Soap Shows

Recorded versions of several of the Procter & Gamble serial now running over NBC will start clearing over the stations in the California network combination this Monday (6). Guy Hamilton, gen. mgr. of the McClatchy interests, was assured by NBC during the week on the Coast last week that NBC would cooperate with his company in clearing this business settled on the west coast stations designated by P&G. California network stations will be asked to start the shows involved on May 9, but NBC refused to permit them to be given instantaneous recording from its lines.

NBC's P & G shows will be taken off the network's line in San Francisco by RCA. These programs will be aired from the latter point over the California Networks. In the case of the CBS broadcast show, 'Vic and Sade,' which is controlled by NBC, the latter have the episodes wired in New York sufficiently in advance for shipment to the McClatchy stations. Whether McCann or its Transamerica Broadcasting & Television Corp., selling agents for the California network will do the clearing is still to be determined. Couple of California regional stations are involved in the P&G contract are not NBC affiliates, and McClatchy is prepared to yield a point to them in the matter of firm when it comes to complying with NBC's policy on program control. The P&G contract will be cleared over the CN outlets after they have been broadcast over NBC and CBS's regular hookups to the Coast.

# FLORIDA CITRUS AGENCY IN DICKER

Brooks, Smith, French & Dorance agency may work out a deal with Loomis & Hall agency of Miami for two outlets to act together on the Florida Citrus account. Loomis & Hall got the account after Ruthrauff and his withdrawal from the account. The conclusion of the Emily Post contract on CBS.

Account has its Florida state policy angles, since it does a ball-by-ball job for the state citrus industry. Brooks, Smith, French & Dorance headed the State of Florida's Advertising Commission, which had a program on Mutual this season extolling the farm products of that state.

# Krueger Cools Off

Krueger Brewing has dropped plans, pro tem, for further radio and TV work to concentrate on beer. Account had been securing around for a program and under consideration was Josef Cherniavsky's 'Mustard' and 'Applecheese,' which is being over Mutual, led by WLW, Cincinnati.

Account had talked to Jay C. Filpen on m.c.'s 'Steepcheese.' Clem McCarthy's three-weekly airings for KGO, San Francisco, W. Y., next week. Al Pearce's June Guests List of guest artists on the Al Pearce-Fox 'Watch the Fun Go By' program over NBC-CBS for next month has just been completed. Includes 'Little Jackie Heller,' June 7, from Chicago; 'Judy Cooper,' June 14, from Pittsburgh; 'Jack Lucas,' July 1, a regular with the show, June 21, from N. Y.; and the Merry Mites, June 28, from N. Y.

# GENERAL MILLS SHINDIG

Niles Trammell Tosses a Gala Sponsor Fanfare in Chicago

Chicago, May 31. NBC tossed a gala shindig at the Drake hotel to some 90 people interested in the actual broadcasts of the General Mills shows, which start this week over the red web. With Niles Trammell, local NBC v-p. presiding, Trammell, producer, writers, engineers, musicians, salesmen, account men and agency men banqueted. It was a 'Trammy' affair, with a family gathering would enable each person to turn out a better show by getting acquainted with the people each must work with.

Also in for the festivities were D. D. Davis, chief of GM; Sam Gale, ad top, and W. R. Barry, sales captain; R. C. Wilmer, of NBC; Hill Blackett, general manager; H. A. Bellows, Bill Danczer, H. Bullis and several other guests.

Sid Strotz, program head of NBC, arranged 90-minute radio show with a girl line, radio and vaude.

# Journalism Prof Joins Searle as Sales Mgr.

Don Searle has hired Frank McGinn as Central States Broadcasting group sales manager, effective June 20. Since Searle's joining the company, several months ago, as general sales have been handled by him and Paul Hammond. Pellegrini will handle franchise national accounts and Hammond ill become local les manager.

New sales manager comes from Creighton U. where he is assistant professor of journalism and publicity director for the school. It's his first venture in radio. Will make his headquarters in the Omaha studios and handle national accounts at three stations, KFOP, KFAB, KOIL.

# DuPont's Summer Scram

DuPont's 'Cavalcade of America' show, which is in its third year over CBS, will go off the air June 28. May or may not return in the fall, depending on general business conditions. Account is handled by B. E. D. & O.

# Harold E. Smith Back

Albany, N. Y., May 31. Harold E. Smith, general manager of WOKO and WABY, is back at the helm after a six months' absence during which he recuperated at the command of the Albany stations, only to be forced to relinquish it, due to illness, when he returned to Florida, took charge when Smith went to Florida.

# WHYC's Mutual Show

WHYC pickup Columbia, May 31. Mutual Frilly evenings. Team Betty Bess, tenor, with Fominas' vocal solo.

Bring local network feeds to their studio outlet. Frank Stearns is assisting Vinland, Peckler & Ryan in making plans for the general show. Sheldon Millman, who formerly booked the 'J' business, is now in charge of the show of lines.

### Full Details of Ownership Demanded by New F.C.C. Forms

Close check on the financial and operating set-up of every broadcast station, involving constant watch over minority as well as controlling stockholders, will be demanded by the Federal Communications Commission under rule adopted last week.

New survey of the ownership of all transmitters started, with every licensee directed to file a comprehensive statement about stock distribution, management contracts, leases, and all other pertinent matters. Replies due within 30 days.

Tighter rule, which supplants Broadcast Order No. 2, is a direct move to equip the Commish with information which will clear up mysteries surrounding certain elusive figures in the background of the business and will enable the regulators to make more effective curbing spread of monopoly and curbing minority grip.

Par more comprehensive than the blanks formerly used, the new form on which data must be furnished without delay by obviously designed to bring to light hidden facts about the extent of chain control over operations of affiliate stations and to make sure the public is entirely sub's to government supervision.

As a result in cases in situations there is remote control which, under some circumstances, might effectively regulate the station. Commish will demand in the future much more data than must be kept up to date accordingly with the regulations. Will go into the question of composition of companies and their associations which are stockholders, corporation and demand oral agreements to be put in writing. In the case of widely-held stock, the identity of every owner of 1% of the securities must be disclosed. Greater detail necessary in explaining financial structure. Besides usual dope about stock authorized and issued, Commish wants to know how much is held in the treasury and actual amount outstanding.

Balance of Power  
It is likely, the Commish wishes to get a full description of the situation when stock is beneficially held by persons other than the record owner. It wants to know the names of all holders; and must be apprised of every transaction between stockholders. Latter requirements are significant, in view of the suspicion that in the past shifts of small blocks in hidden places, which actually affected control of the station by allowing a minority holder to gain balance of power.

Data about contracts must be much more comprehensive than in the past. Each licensee must re file about any pact involving voting rights of the stock; the use, management or operation of the station by any other person. Must be filed, also, chain of stations, or other broadcasting company; affecting the sale of two or more licenses at one time, and the ownership or control over any rights or interest in the station.  
Definition of contract is broad as the file. Covers every understanding between licensee, whether written or written. No more chance to leave a station under dispute.  
In keeping the Commish records up to date, licensee must submit more info than in the past. Any change in the set-up must be outlined in the initial return must be filed within 30 days.

### Those WLW Tourists

Incidental, ay 31.  
Crosby's exco went on the road last week.  
James D. Shouse, vice-president and general manager of WLW, visited in the city last week. Robert G. Jennings, v.p. in charge of WLW sales, returned Tuesday (31) after 10 days in the city. E. C. C. Jimmy Krautner, WLW accounts service, spent a couple of days in Columbus, Ohio.  
Wallice K. came back after a two months' stay in Chicago during which the man made side trips to his territory.

### New Ontario 100-Watter

Kenora, Ont., ay 31.  
R. W. real, airways operator, now commeri  
Heads Kenora Broadcasting Co. Plans to build 100-watter this summer on 1420 West George Street. Has already placed for transmitter with Arcon Radio Corp.  
A transmitter to be located just off new Trans-Canada highway, three miles from Kenora.

### Application to Take Over Vermont Station Made By Pete Wasser, Glenn Gillett

S. (Pete) Wasser and Glenn D. Gillett have applied to the FCC for purchase of station WQQM, St. Albans, Vt. Wasser previously was connected with the Furgason & Aston (now Gene Furgason) radio consulting agency.  
Station is a 1,000-watt operation licensed to specific hours. Owners are E. Regan, also chief engineer of the station, and F. Arthur Bostwick. If and approval is given, ownership will remain as panelman, and Bostwick will be studio manager. Wasser has been acting as gen. mgr. of the outfit since February. Weed & K. are named reps.

### Buys Pro Football Rights

Chicago, ay 31.  
Exclusive broadcast rights to the professional football game by the Chicago Bears and Chicago Cardinals have been secured by Ralph Atlas for his BJBS and WIND outlets.  
Will split the warrants on WJJD and the Cardinal tussles on WIND. Deals are now on for the sponsorship of the games on both stations.

Big Crosby taking his 13 weeks off after July 14 broadcast. Bob Burns takes over the ball.

## F. C. C.'S WASHINGTON DOCKET

### MAJOR DECISIONS

Washington, May 31.  
California: Power team for KGO, common stock in San Francisco, owned by the network. Deal is being worked out. Deal is being worked out. Deal is being worked out.  
New York: WJLA, 1210 W. 13th St., N.W., Wash., D. C., ay 31. Station was the 750 to be licensed to the Federal Bureau of Investigation on behalf of applicant.  
New York: WJLA, 1210 W. 13th St., N.W., Wash., D. C., ay 31. Station was the 750 to be licensed to the Federal Bureau of Investigation on behalf of applicant.

By Examiner Tyler Berry, who noted need for better coverage now the rapidly growing white powder district. Court recommendations are 100-300 watts with change from unlicensed operation.  
N. Peacock, Jr., represented the station.  
Technical: transmitter to be wholly ownership of WJLA, but will be operated as a family operation agreeable to Examiner B. J. Lyons because it will provide better coverage, improve efficiency and improve public interest. Earl H. Ashburner, president of WJLA, and J. W. Grant, with his son Grant, who manages the transmitter, making application for license. Station employees were interviewed. Station employees were interviewed. Station employees were interviewed.

### MINOR DECISIONS

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### SET FOR HEARING

Altoona: KLB, Warner Bros. Oakland, install new equipment. Hearing set for June 15, 1938.  
Altoona: WJLA, 1210 W. 13th St., N.W., Wash., D. C., ay 31. Station was the 750 to be licensed to the Federal Bureau of Investigation on behalf of applicant.

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### EXAMINER'S REPORTS

California: Above need extra for better service and better interference with WLW, Boston, Mass. Station, to expand through night operation was asked by Kenneth L. White, vice-president of the station.  
New York: WJLA, 1210 W. 13th St., N.W., Wash., D. C., ay 31. Station was the 750 to be licensed to the Federal Bureau of Investigation on behalf of applicant.

### NEW APPLICATIONS

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### F.C.C. Decision on KGO, San Francisco; 50 Kw. Request Deemed Significant

John U. Reber, head of Walter Thompson's radio department, in an example of a very appropriate reply, constitutes popular family entertainment the fact that he disapproves of the current and new shows with the shepherds or he employs us in Pennsylvania.

Not reported if shepherd is a regular purchaser of the products.  
MWT in the Family  
Cedar Rapids staff is almost a family affair. General Manager S. D. Quanton, W. B. Quanton's brother. Latter is communications manager. Douglas B. Grant, program director, is the big brother of Bruce Grant, new addition from JBC, Bloomington, in the announcing staff.  
There's also a good advertising agency here in the Cedar Rapids staff. urton, Quanton, & Quanton. They're all!

Network expansion ideas, May 31.  
hypoetical improvement on the air and a mere ambition to blanket a wider area were bashed in the head of the boys met by the Federal Communications Commission determination to be more hard-headed.  
Aspiration of NBC to extend the audience of KGO, San Francisco, by jumping to 50 kw. was insufficient reason in the Commission's mind for strengthening the signal into territory already receiving Blue Network service.  
Statement of reasons for rejecting the plea constituted warning that industry boys must be more painstaking and thorough-going in preparing cases. In some instances the FCC declaration of independence.

The Commish to unusual lengths to examine the program service already provided by the applicant with devastating effect that the record does not disclose the character of the program service being received or the additional program that will be served by station KGO if the application is granted. Can't simply file in and ask for waiver increase.  
Skepticism shown as the Commish has not claimed its service area ought to be extended toward the Oregon border for listeners unable to pick up the air.  
The sticking a check on a grant of more operating power must be held to have undertaken to show that it would be in the public interest. The Commish observed. Therein the applicant has failed to make a satisfactory showing. Furthermore, it would not seem to be in the public interest to adopt the proposition that the program offered by the applicant is a necessity to the public service in the area proposed to be served by the applicant, and it can be added that the testimony does not manifestation of public interest in the application.  
Storm signals for owners who lease their properties were hoisted in the decision. Commenting on the relationship between General Electric, which owns the property, and NBC, which has been operating it since 1926, the Commission noted that the proposed new apparatus would belong to GE although the operation of it would be under the control of NBC.  
"Although not in issue in this proceeding," the Commission deems it appropriate to refer to the lease agreement of May 1, 1932, for the purpose of saying that nothing in said agreement did or could or will operate in any way as an acceptance or recognition of any rights, equity, or priorities of the General Electric Company, either upon the date of its termination of said lease or otherwise, with respect to the license for KGO. An unanimous opinion was observed.

When was deemed significant that the Commish went to its way to touch the subject of its case at a time when the comparable relationship between Webster's and the Commish was not so acute. Question about validity of the transactions with the network will be raised by the Commish, it is felt, in Craven several months ago after he was quizzed about the "Webster's" deal with the network.  
told by the Commish lawyers that no such relations exist.

### Ready KFSO's Quarters

San Francisco, May 31.  
New studios and offices of KFSO, located in Columbia Broadcasting System building, are ready for occupancy about the middle of July. Philip L. Leask, KFSO vice-president, said the station is being moved to a large small film theatres, a number of private offices and an elevator room. Commish will be located in the Palace Hotel. Flat-top walls, full-lined air, new-style KFSO. Control room, control room and special features.  
Portion of the new offices set aside for the local Columbia staff is already occupied by the station. The CBS' move in last Saturday.

# Columbia Not Taking Memberships In John Shepard's Organization

Columbia has turned down John Shepard's bid that the network take memberships for 15 stations in the National Association of Broadcasters on the ground that it would be impossible to ally itself with any frequency classification. Shepard is president of the NAB.

Speaking among Columbia's officials is that since the network is affiliated with every class of station, including 100-wattors, it should not carry the torch for any particular group. While it does own and operate a few regional outlets, CBS is by no means a company of regional stations. By throwing financial and organizational support to either or both factions the network would not only place itself in a paradoxical position but likely antagonize the local-channel operators with which it is associated.

In staking clear of any frequency alliances CBS believes that it would become subjected to misunderstanding and bitterness. It prefers to maintain an attitude of lively interest in every faction's problems and sidestep any possibility of placing itself entangled in cross purposes.

# Case and Sykes Dissent in WEX, Boston, Grant

Washington, D. C.—An incomplete picture of financial results of WEX, Boston, has been given by Federal Communications Commission dissenting opinion in many places last week. The dissent was cast by the majority was assailed as unjustified by Commissioners Norman S. Case and Eugene O. Sykes.

While five colleagues took the statements of fact value and sided with Examiner John P. Bramhall, the dissenters had much of the mystery about source, location, and status of two alleged bank deposits of \$500,000 each which were treated as a special construction fund. Economic angles of the case, which were mentioned by the majority were stressed by Case-Sykes team.

Reviewing the evidence, Case declared it was unconvinced that the \$100,000 was available to pay costs of the additional construction necessitated by the jump to 5 kw. No corporation charter, minutes of meeting, corroborative testimony, or sufficiently detailed information in the record. Questionable, he said, whether the stockholders can distribute a fund.

"Great disparity between financial returns over a period of less than a year as mentioned in the dissent that net profit for 1935 was only \$36 and for 1936 was little more than \$100."

Where the business will come from to support the station was a puzzle. Case with the evidence on file, Boston is already supplied with radio service, and applicants failed to substantiate convincing evidence that income will keep pace with sharp rise in operating costs.

The WEX application attracted interest more than a year ago because Bramhall declared he was dissatisfied with the evidence on file. The hearing ended yet reported the company was amply fortified with cash. After the decision, however, the case required, he did not mention the license to bank and did not allow it. In this report his threat to point out the testimony was deficient.

# Albright Leaves NKK

Hollywood, May 31.—Eddie Albright, with NKK, since it first flashed its signal in 1924, has left the station to freelance. He was doing his best to work a program, which he inaugurated at the transmitter's opening.

His Family Hour was also a Coast standard.

# DIATHERMY SHIELD LAW

Senator Wheeler Proposes To Subject to Penalty

Washington, May 31.—Exercise of government regulatory power to prevent doctors' diathermy machines from turning their beams into a sawmill was first proposed in a bill offered the senate last week in accord with recommendations of the Federal Communications Commission.

Taking the engineers' suggestion, Senator Burton K. Wheeler, of Montana, advocated amendment of the 1934 Communications Act to give the FCC the right to impose such rules, regulations, restrictions, and conditions as are necessary to prevent interference with apparatus radiating radio emissions. Under this grant, Comish could limit all physics to shield their gadgets.

Unlikely legislation is session, 71

# Radio Talks Back

(Continued from page 1.)

to offer testimony on the more controversial non-technical aspects. All argue against the idea that applicants be required to air their own programs as may be required and the suggested ban against absentee latecomers of local stations.

Clause prohibiting stations operating on an experimental basis from offering commercial programs during extra hours or from boosting rates will be target for general complaint. So much meddling in the affairs of broadcasters, discouraging research and development work, which cannot be done at night.

Six months' license length of the permit period will be sought. Extension of the six-month period, controversial proposition for years, is to be opposed by the NAB, which said tickets should be issued on any event for a period of not less than one year.

The regulators will do the expected—blat the adherence of the clear-channel policy—and the clear-channel will answer back, besides urging the Comish to remove 50 kw power limit tion.

Numerous alterations in the technical version he advocated. Clearer definitions, more specific statements, and additional details in the rules are being proposed. Few basic changes will be sought, however, since most experts believe the industry is ready to accept a acceptable compromise between conflicting schools.

Exactly what routine will be followed by the three-man panel receiving testimony remains uncertain. Likewise duration of the argument. Internal procedure probably will be the rule. Not certain whether the FCC will be asked to remove 50 kw granted any parties beside the FCC lawyers and engineers.

John J. Crean, in prospect. Argument weathers—Commissioners Norman S. Case, T. A. M. Craven and Eugene O. Sykes are expected to run into hot weather if it can be avoided, but also have no thought of giving up. The hearing, which probably will be held three or four days each week and continue into July, will be made to be made to quit before the Fourth.

# St. Louis' New One Due

St. Louis, Mo., May 31.—Ground was recently broken at Venice III, for the transmitting station XXXOK under a construction permit issued to the St. Louis Star-Times Publishing Co. by FCC on April 14. Will erect two 180-foot towers. Three miles from station. Over all cost, including plant, offices, studios, equipment and buildings, estimated at around \$100,000.

Ray V. Hamilton, will be business manager of the station and Walter D. Smith, Jr., will be sales manager. At Columbia, Mo. also owned by the Star-Times, will double as sales manager for both stations.

Leod Westermarck of CKC, Glasgow, Ont., to Chicago, Toronto and Montreal.

# Reps Shows by Name

Washington, May 31.—Three children's programs were seared with Congressional criticism last week. Unusual for specific programs to be mentioned.

Announcing "blood-curdling" entertainment put on for kids, Congressman Lawrence Conroy directed attacks on the House Rules Committee to "Dick Tracy," "Lone Ranger" and "Gene Autry" as proof that "there ought to be legislation to protect the public" against "the kind of material" that comes from the loud speaker.

# SENATE TAKES YAKES WEB

Washington, May 31.—Massachusetts Senate, which was backed by a vote of 21 to 15 a request from John Shepard, 3rd, that he be permitted to lease the site of the Wachusett Mountain State Reservation for the installation of broadcasting facilities. Senator Joseph A. Langone has meanwhile submitted a motion asking that the proposal be reconsidered. This week a legislative proposition comes on the heels of the fact that has been raging for some time between Shepard and the state. Leland C. Bickford, and state legislators.

Sen. H. L. Newton, questioned the constitutionality of the proposed lease, expressing the opinion that if it were approved the next move would be to place a station atop the gilded dome of the State House. Week after the Senate turned down Shepard's proposal it killed a radio bill and stander bill by a similar vote of 21 to 15.

# WOOLF'S NEW STUDIO; CARL DOTY RESIGNS

San Antonio, May 31.—WOAI is planning to complete rebuilding of station's studios will represent a 240% increase in floor space. The new studios, new offices, one control and two transmitter rooms—all air conditioned. Estimated cost, \$50,000. Heading the list of new studios is the air institution with a seating capacity of 150.

Carl A. Doty has resigned as adv. mgr. of WOAI.

# City Sex Ex-Lesseees

Camden, N. J., May 31.—Action for writ of mandamus, brought by the city to compel the Broadcast Advertising Co., former lessee of municipally operated station WJCL, to make good the figures relating to its income and operating expenses for 1937, has been carried to the Supreme Court. The city is seeking the information to meet a request for the data by the Federal Communications Commission.

John J. Crean, assistant city solicitor, arguing on behalf of the city, contended that it is conducting the affairs of the station since the lease with the Broadcast Advertising Co. expired Feb. 1. Stephen J. Fisher, counsel for the former lessee, failed to provide the necessary information. Fisher said he was instructed by Justice Ralph W. E. Donohoe to file briefs.

Another suit pending between the city and the Broadcast Advertising Co. related to alleged expenditures for equipment and equipment made by the latter between April, 1932, and February, 1938, the period of its lease. The city is claiming entitlement to reimbursement of \$13,537.92.

# WCAO Appoints Rep

WCAO, Baltimore, has named Paul B. Davis as its representative after three years of doings without one. Station boosted by Tommy Fox in the CBS circuit in Baltimore.

# Congressmen Keep Up Barrage; John Shepard Unnamed, Fired Upon by Connery of Bay State

Washington, May 31.—Demands for a congressional inquiry into the objectives of the 1934 Communications Act have been realized echoed at the Capitol again last week. Senator Conroy, from a searching inquiry facility conducted the whole chore up to the House.

More of the old complaints about monopoly, indecent and offensive programs, license trafficking, and lax regulation were heard Thursday (26) when the House Rules Committee resumed its on and off hearing of lawmakers who think the Federal Communications Commission is not doing its job.

Whether there will be an investigation has not yet been decided. A fortnight ago—grew doubtful again after Chairman John D. O'Connor, committee he proposes to allow the FCC to defend themselves before putting the question to a vote. Incidentally, the most ardent opponents of a Senatorial study—Senators Burton K. Wheeler and Wallace H. White—were ever conceding privately, there is only the scantiest chance of getting authority for such a study \$50,000 worth.

House Rules Committee deliberations on the apparatus of the new bill, but members of the investigation bloc grew more vigorous in trying to force out one or two bills pending resolutions under which the regulators and the broadcast industry are to be given no standing. No date fixed for continuing the discussion about for an inquiry into hearing on the subject. Comish members think need some of the principal critics. Another inquiry into the Comish.

Three leaders of the long-ranging attack appeared before the House on Thursday (26). They were: H. D. McFarlane, Texas Democrat, wound up his indictment of RCA; Robert W. D. McFarlane, Texas Democrat, renewed protests about the love of airwaves entrusted to the FCC; and Representative William D. McFarlane, one more accused the Comish of winking at license trafficking and monopoly growth.

Attacks Shepard Sensational new charge was heard as the familiar chant sounded in the House. "Misuse of facilities for political purpose" was alleged by Connery, who turned the floor over to the speaker. Connery, on John Shepard, III, and the Yankee web. Sworn affidavit of the broadcast industry "tried to defeat my brother with his radio facilities" referred in FCC files. William D. Connery, Jr., who died suddenly last summer, authored the original legislation for a House inquiry.

In backing up charge that broadcast industry indulged in unfair political activity without being reprimanded by the Comish, Connery said that the unnamed Bostonian fled the camp of his brother, Edward, in the wake of two years ago. Fake contracts were initiated to conceal the fact that time was wasted by the industry. Staff members scribbled speeches for the rival campaigner, he said. He cited the news commentator, on Massachusetts legislation.

In the reasons cited by Connery for an investigation were (1) formation of a trust to defile the conduct of laws and limit newly handed "George S. Smith and Paul M. Craven" to the FCC; (2) continued broadcast of indecent and obscenity; (3) failure to occur in violation of web and favoritism of industry's big boys.

Substantiated Publications Arriving at attitude of "no publicity" was condemnatory. Connery, in his Connelly's assertion that the FCC is "subversive" to the radio monopoly, Wigglesworth called for the most possible investigation we can get. Remarkable new study has been made for 10 or 15 years and involving examination "long overdue."

Resolute attitude toward station "ates and found deserved."

from the Back Bay Republican. "The evidence, we can only conclude that Congress failed to reach any of those objectives."

Easy-going Connery summed up the evidence, we can only conclude that Congress failed to reach any of those objectives."

Data shows country controls monopoly in a field where concentrated control is particularly dangerous, and especially in the case of the FCC, Wigglesworth warned. Easy-going manager of the regulators helped build up and foster the monopoly because licenses were dished out, industry invited to the networks and affiliated stations.

Most of McFarlane's remarks concerned the 1932 consent decree which included the government's agreement to break up the patent monopoly in the electrical manufacturing business. He urged the regulators to include unnamed members of the judiciary, pointing out that the government has the power to sue and enabled RCA to destroy competitors. Only direct reference to broadcasting was his passing reservation that Westinghouse leased its transmitters to NBC for 10-year periods although they were never licensed to operate only for six-month spans.

Possibility that the Rules Committee proceedings will turn out to be a sort of pre-arrangement examination for the Commission, Chairman O'Connor said. He urged the regulators to suggest what questions should be put to members of the industry. He urged the industry to stand. Throughout the hearing he wanted to know how the Comish was conducting its investigation of the program standards, monopoly, etc., indirectly inviting specific criticism from the industry and the regulators.

# WCLC LICENSE WAS HELD UP BY DEATH

Jansville, Wis., Editor, VARIETY: On page 35 of your May 25 issue under the heading "New Temporary Licenses" WCLC, Jansville is listed as among the roster of anxious licensees. We feel that in not making proceedings will turn out to be a sort of pre-arrangement examination for the Commission, Chairman O'Connor said. He urged the regulators to suggest what questions should be put to members of the industry. He urged the industry to stand. Throughout the hearing he wanted to know how the Comish was conducting its investigation of the program standards, monopoly, etc., indirectly inviting specific criticism from the industry and the regulators.

President and General Manager Station WCLC (WCLC) seeks transfer of control of corporation from H. B. Bliz, deceased, to Sister H. B. Bliz, Robert W. Bliz and Rock County Savings and Trust Co., an executor of the estate of H. B. Bliz.

# KGGG's 24-Hr. Sked

San Francisco, May 31.—Erection of a 300-foot tower on the roof of the new building for the transmitter and construction of offices and studios which will occupy the entire tenth floor are being undertaken by KGGG local radio station, which expects to move into its new quarters about Aug. 15.

Station will broadcast on a 24-hour schedule. J. H. Patterson manager.





# Sports Records

Virtually every radio station in the U. S. and Canada buys and sells sports.

Virtually every major college supplies radio with more play-by-play series, sponsored or sustaining.

Volume II of the VARIETY RADIO DIRECTORY, to be issued soon, will present complete records on this hustling activity in athletics. Noted are: complete details on all local and national sports over U. S. and Canadian stations for the past year; sports policies of all colleges with a student body numbering 500 or more; and complete baseball records for the current General Mills' (and associated sponsors') season.

These records are nowhere else available.

It is suggested that an immediate order of the DIRECTORY will insure immediate delivery after the date of publication. The price, as in the past year, is \$5 the copy, postage prepaid (but duty not prepaid in foreign nations).

**VARIETY RADIO DIRECTORY**  
154 West 46th Street, New York

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# RADIO SHOWMANSHIP

(Attention-Getters, Tie-Ups, Ideas)

Unique radio workshop in progress at St. Louis was praised this week by Federal Office of Education. It's the project for blind students who shape their own scripts for radio series on modern mechanical writing machines and their scripts for radio programs for world they'll never see.

Helped by the Federal Bureau's script exchange, the sightless pupils have translated scripts into Braille, learned the technique of broadcasting through room-to-room operations in the school, and finally gone on the air via WEW, St. Louis University station.

**Review Program's History**  
Hartford.  
Fifth anniversary of continuous nightly broadcasts of the Wrightville Clarion program over WVIC took place Monday night (30) with a special airing in which history of the program was reviewed and all its characters revived. Paul Lucas and Fred Wade have taken part in the 1,500-odd strings of the program since its inception. Two years ago Eunice Greenwood joined the program.

Lucas has scripted all the shows.

**Fiftes Anniversaries Ahead**  
Hartford.  
Harvey Olson has system for filing birthday and wedding anniversary requests for his daily Shoppers' Special program. Sends listeners who request them, a group of specially printed file cards which the listeners fill in.

**Ising the Ishap**  
Atlanta.  
WGST, Atlanta, is presenting a new series of programs, titled "Missing the Mishap," for Wolford Oil Co. in connection with firm's drive safety campaign. Weekly broadcasts are remotes, originating from scenes where workmen have hazardous jobs.

First in series came from fire headquarters, an interview with a smoke-eater who had recently made a rescue from atop a 110-foot tank in a high wind at great personal danger. Second originated at police HQ where interviewees were men who had shot it out with bandits and escaping safely again.

Third was an interview with air-

plane pilot while skyship was zooming about over Atlanta.

John Fulton, veteran staffman handling spelling on series, is going to mount 170-foot scaffolding at State Capitol repair job, to interview stepjack next.

**Polish Recipes**  
Detroit.  
Pet ilk, bankrollers of the 15-minute Pet Milk Ensemble, on WJLB's Morning Polish hour, is offering a new cook book of Polish recipes.

Book is printed entirely in Polish, and offered listeners for one milk can label.

**Beating Phone Co. Squawk**  
Philadelphia.  
Admittedly copping an idea from CKAC, Montreal, WFIL is now set to go ahead with a new telephone vox pop show. Domestic outlet ran into same trouble as the Canadian station on squawk from the phone company that the show was no go, as it was an invasion of privacy.

Instead of dumping it, however, as CKAC did, WFIL will get around the complaint by writing to prospects by mail and getting their permission first. To overcome loss of spontaneity in this method, many people will be solicited and their names filed. Gubber will then select at random from this file.

Program, dubbed "Two Party Line," will telephonically visit three-families each show, with Fred Webber doing the interviewing.

**Editor's Regional**  
Rochester, N. Y., May 31.  
Gil Brewer, editor of the Canandaigua Messenger, is branching into radio on his own. Buys two 15-minute spots weekly on WHAM for spiel called "Here and There," covering history and attractions of Finger Lakes region. About five commercials which he solicits himself aside in very smoothly.

Stand-in with Finger Lakes Merchants Ass'n aids business side of enterprise.

C. G. Phillips, manager of KIDO has been elected prez of Boise Ad Club.

## Keep Trying

Fred Allen finally sneaked in a Toscanini crack. Town Hall comedian told an interviewee: "That man over there in uniform is an NBC page boy; he is wearing a Distinguished Service Medal; he saw service at a Toscanini broadcast!"

# Short License Uncertainty Is Meted Stations

Washington, May 31.  
Another batch of temporary renewals and short-term extensions of expiring permits placed more broadcasters in the Federal Communications Commi ion's nervous list last week. Several operators emerged simultaneously from the doghouse.

For both program complaints and technical reasons—such as prolonged indecision about pending applications affecting the transmitters—the commish served up five renewals on a temporary basis and continued papers held by eight industry members. Some instances involved broadcasters who had been on the anxious seat before, showing the commish still has not made up its mind. Not all of the actions, however, were attributed to miscond-

Period of uncertainty ended for KPNF, Shenandoah, Ia.; WBRG, Birmingham; WJEL, Hagerstown, Md.; WCOA, Pensacola, and WSMK, Dayton. Received unconditional renewals for the regular six months' period.

Newcomers on the anxiety roll, through extension of present tickets until July 1, were KOCV, Oklahoma City; KOOS, Marshfield, Ore.; KSUB, Cedar City, Utah; WSAL, Salisbury,

# San Francisco Follows Los Angeles

## Drops All Radio Columns—Stations Will Broadcast Each Others Publicity—Radio Eds Reassigned

San Francisco, June 1.  
Radio columns were dropped from six Bay area dailies yesterday, with loss only being retained. Four San Francisco papers—the Hearst-owned Examiner and Call-Bulletin, the News, a Scripps-Howard paper, and the Independent Chronicle, and two in Oakland—Hearst's Post-Enquirer and the Independent Tribune—followed the lead of Los Angeles dailies, which tossed out their radio columns in April. Move was decided upon at a meeting of local publishers a week ago. Logs for all six papers will be prepared at a central point, it is expected, although no arrangements have been completed as yet.

Herb Cain of the Chronicle plans a two-weeks' vacash; Bob Holl of the Call-Bulletin will go on the rewrite desk; Jack Burroughs of the Tribune will write special features; Don Logan of the Post-Enquirer will do general assignments; Darrell Donnell of the Examiner has resigned. His assistant, Eddie Murphy, and Emilia Model of the News will remain with their respective sheets in other capacities.

**Geislp on Air**  
Local Columbia outlet, KSFO, and the Mutual-Don Lee station, KFRC, will each air one five-minute and one 15-minute period of radio news

Md.; WTAL, Tallahassee, Fla., WQC, Vicksburg.

Short-time papers held by KGBU, Ketchikan; WHBH, Rock Island; WSAN and WCB, Allentown, allowed to run on until July 1. Temporary renewals for indefinite periods also went to KVOS, Bellingham; KWYN, Watertown, S. D.; WENO, New Orleans, and WMOB, Auburn, N. Y. Renewal good only until September 1 was dealt KFDM, Beaumont, Tex.

No more renewal pleas for hearing last week, however.

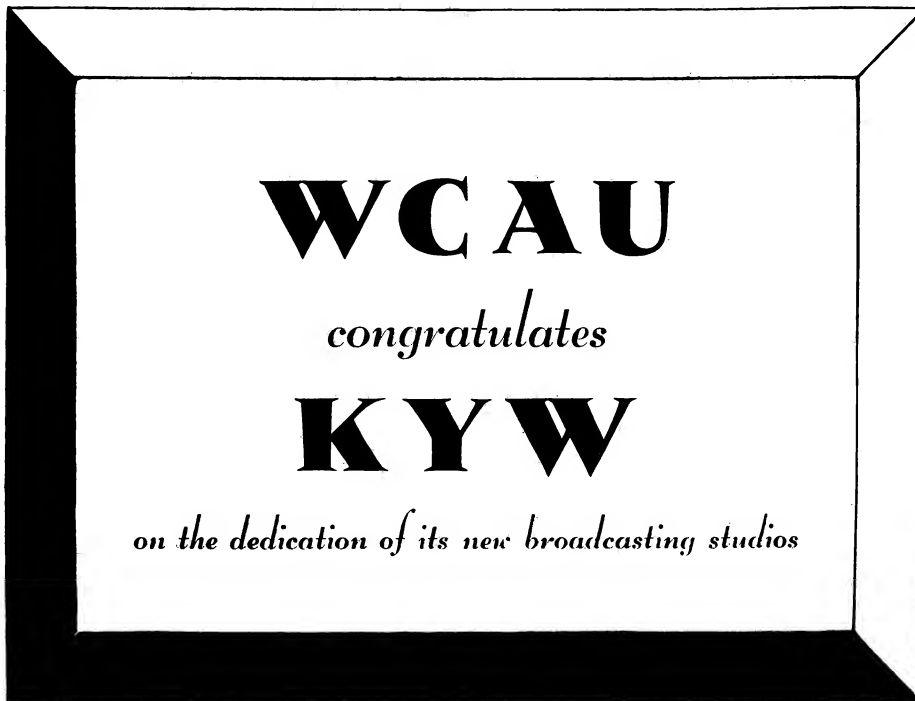
date, while KYA, the Hearst broadcast, plans two 15-minute broadcasts daily of radio program news, embracing other stations' activities as well as its own schedule. The International Broadcasting Company outlet, KPO and KGO, both have newspaper affiliations—the former with the Call-Bulletin and the latter the Chronicle. KPO has been airing 21 Call-Bulletin newscasts and other special programs weekly, while KGO has been carrying six weekly Chronicle programs. What will be the fate of these has not been determined. Neither NBC outlet so far has planned any programs of radio news beyond the customary daily program resumes already regularly scheduled.

**Dailies Stand Pat**  
Los Angeles, May 31.  
Local dailies are satisfied the way things are going and have no intention of restoring the radio columns, according to a statement by a spokesman for the publishers. Squawks have dwindled to a mere few and the circulation loss has been negligible, it is said.

**Buffalo, May 31.**  
Sample of why radio editors set grey was offered by WEBR here Friday evening. When the Ross-Armstrong fight was postponed, the station decided in late afternoon to carry the local ball game.

This resulted in cancellation or juggling of all programs between 8 o'clock and midnight except for two Blue web shows—and all too late for the afternoon papers to make the corrections.

**Idaho Duo's Rep**  
rnant, Griffith & Brunson, station reps, has added KTFI, Twin Falls, and KSEI, Pocatello, to its list. Both broadcasters are 1,000-wattors in Idaho.



on the dedication of its new broadcasting studios

# Tough Curfew In British Guinea

### But on Special Occasions Folks Can Listen After 11 P.M. or Before 7 A.M.

Trinidad, May 21. Receiving sets used after 11 p.m. in Trinidad and British Guiana, South America, get the listener, if nabbed, the alternative of foring up a \$25 fine or cooling his heels in the clink. It's against local anti-noise ordinances. Curfew is strictly enforced by the gendarmes and violators are dealt with immediately. Rule covers morning listening as well. 6 a.m. being the earliest for pickups.

Exceptions are allowed only on certain occasions and then only by official sanction of the Wireless Authority which runs okay notices on the front pages of local dailies. Then it's only for important sports events, etc., shortwaved from the U. S. or England.

## FREE SPEECH, AND PLENTY, ON PICK-UP

Buffalo. Local listeners got the hottest earful of sex and crime here during the week heretofore. It was a long day when a talk by Leslie N. Ford, Buffalo newspaperman, to the Erie County Grand Jurors' association was broadcast over station WEBR.

Dilating on sex crimes, Ford quoted various medical and psychiatric authorities on sex aberrations. Perversion was intimately detailed. In view of some of the restrictions recently imposed by the networks, the talk was doubt breaking-splendid.

Nancy Hurd, blues singer and staff artist at KTUL, Tulsa, to do three sustaining programs on NBC. Sing under the name of Paula Durand.

## 'Not Responsive'

(Continued from page 7)

newspaper parade may make plenty of talk this week. "The same boys four or five weeks from now will be just another parade-to-ho-hum over. The first time it possesses novelty. On a day it lacks the essential quality. Which is not saying that the idea will not be new again a year from now. It is new in between times. Novelty must be done to give it the semblance of freshness.

United Artists staged a couple of juvenile parades in New York for Tommy Kelly, of "Tom Sawyer" fame. Right on top of that the Loew theatres staged a kid parade. It would have been a washout except for the fact that the Loew kids were all on roller skates. The novelty commanded many times the attention of the first layout. If an early repeat is had, the kids will either have to mount bicycles or walk on their hands.

The Carpet Gag. Once the late Ralph Rufferin slipped the length of red velvet carpet from the curb to the box office. It worked so well he decided to repeat. But he knew that the second time it would be just a strip of carpet, so he provided a uniformed attendant with a broom to keep the carpet clean, and just to make sure, he sprinkled the sidewalk with a little talcum powder, and the porter kept busy. So did the ticket sales.

There is no more widely used idea than the names-in-the-classified-in which names are donated as prizes and the newspaper kicks in with a front-page box. One newspaper ran the names for so long that the advertiser finally threw it out, and it is going to be hard to get back in. The latest was slighted for being from time to time, but the essential was not, and the advertising manager who got the idea through repetition.

Moreover the stunts must be suited to the picture being sold. The same idea can be used in a picture of a Marx Bros. picture and a prestige feature such as "Marco Polo," yet it is going to be hard to get the same rowdy style of ballhoop.

One complaint, and it seems to be logical, is that too many pictures follow a cycle. One manager wrote recently that he was getting so many prize pictures from Warner that he let his prison lobby stand and just changed the title. He was doing nothing at the curb, but it shows his state of mind.

But it is possible to vary even here. One alert exhibitor advertised "After the Thin Man" by placarding all five hydrants with "Reserved for Mr. Smith" that being the cur name of the pooch used in "The Thin Man." Here one picture was made to help its sequel.

The gag wasn't in the press book. The best gags seldom are. The press book writers cannot possibly give all new stunts on any picture when the exhibitor wants to advertise. The press book suggestions? They manage to get some good ideas and fill in with their own stuff, and if they can't get one or two helpful suggestions from any one press book, they do their best. He who does that and those who adapt them to local conditions. It is no alibi to complain about some books. The real business is to always get some help, but if he knows his business, he can think up suggestions for his own book. The public than any long-distance press book writer ever can.

There is no time to be offering excuses, though plenty of alibis suggest themselves. It's a time to be getting out and hustling. It is to be done possible to engage interest in the pictures being presented, always remembering that it is not what slant costs, but what it will bring in that counts. And it often will happen that a slant that costs nothing at all will bring in more coin than an expensive float or a brass band in the lobby.

If a manager cannot think up selling ideas, he is not a manager. He's just the house opener and shuffer. And we have far too many of them.

## Gag College Decries

Chuck Webb of get an M.D. from seniors of New York University. He wrote 7. Couple of months ago he was tagged with an M.S. from Yale.

All his stunts and ideas were for master of drums. Other stands for master of singing.

## Welsh Spelli

London, May 20.

Quintest reason discovered by BBC for not introducing the spelling bee over its Welsh transmitter, which puts programs out in the language of the land that contends would not have the appeal they proved to have on the English stations. The reason was that Welsh speakers in the peninsula speak the Welsh as if it is pronounced in English.

Americans who may not be familiar with that crowd who might try out their pronunciation on "Llanfairpwllgwyngyll, llanfairpwllgwyngyll, llanfairpwllgwyngyll, which is a real Welsh name!

## STEAL AUTO RADIOS

New Ruck in Canada—Thieves Don't Touch Other Accessories

Toronto, May 21. Sequel to the recent outbreak of duty theft of cars equipped with radios, police here are searching for the clearinghouse and the members of this specializing ring. Procedure is to buy a new car, later remove it of its radio, and then abandon the machine. In no case have such stolen cars been stripped of their radios.

Police believe that the stolen radios are being put back on the Toronto market but are being taken to other cities and there disposed of through small garages or radio dealers. Difficulty of identifying such stolen sets adds to the problem.

## Air Rife with Candidates

Regi

Trying to find anything election speeches on Saskatchewan air these days has dialers miffed. A week ago stations here estimated two days a day being average of talk. Set now is, with election due June 8, the air will be doubled before the cut-off, 48 hours before balloting.

Provincial networks are cially agitated as each party, especially Liberal government party, expects to grab all air time in sight. Added to headaches of station officials trying to satisfy everybody's demand for speech, it is fact every speech must be submit in advance and need by station exec, to eliminate speech taboos by CBC regulations.

Social Credit workers have been the only ones late in getting air time. Just why is not understood as Social Credit swept to victory in Alberta, adjoining province, mainly by air staff. Understood, however, that "Professor Orthodox" is coming to join Premier Albert already here in a platform and radio series.

Arthur W. Wray (Prof. Orthodox) generally appeared in cap, gown and false beard to 'debate' on platform with Aberhart. Usually winds up by entangling himself in his own questions, etc.

## In Canada

Erald Strong, CCKC, Regina, engineer, back after six weeks' vacation in Chicago, Boston, New York. Lloyd Westminster, announcer, leaving NBC studios in Chicago. Al Smith, pianist-salesman, back from visits to Ontario and North Dakota.

Broad's is of opera from Covent Garden, next season ends June 17, will be followed by a presentation from Glyndebourne Festival, where his war air first act of Mozart's "Don Giovanni."

## It's Word Downbeat

(Continued from page 1)

second; second, the period when comedy was added to music; third, the stunt period, when amateur shows and their chuckle pieces hit the lanes—and is now in its fourth historical era, in which 'idea' shows will come to the fore.

Presence in San Francisco of outstanding dramatic talent, workmanlike producers, appreciative audience and Coast headquarters of many leading agencies and sponsors, Ruffen believes, will assure the radio future of San Francisco. Union musicians are available here for more attractive rates than in Los Angeles, he pointed out.

# Gala Getaway For Buenos Aires City-Owned LSI

Inauguration of the new city-owned broadcast station Radio Nacional (LSI), operated in connection with the Colon opera house, took place last night. Alfredo Saucedo, LSI's artistic director, introduced the station, a 50,000-watt, to foreign listeners. His message being transmitted over the short-wave stations LSK2, LSK3 and LSK4 of the Compañia Internacional de Radiodifusion, and afterward rebroadcast by the principal station in every South American country.

Mayor LaGuardia of New York made speech over NBC short-wave, with his greetings and best wishes to the new broadcast, good-will messages and congratulations followed from the mayors of London, Guatemala City, Lima, Paris, Rio de Janeiro, Berlin, Lina, Rome, Montevideo and Washington. Alfredo Saucedo replied individually acknowledging their greetings and thanking them for their good wishes.

Official part of the program lasted nearly one hour. Entertainment part of the evening, and best wishes to the new broadcast, good-will messages and congratulations followed from the members of the Colon opera orchestra, to the newest talent of the composer-balletist, Enrique Santos Discipolo. Show was on a non-commercial basis. Only one announcement had been given during the opening night, that a program, six air to that just produced, would be sent every Sunday on a total number of 25, sponsored by the Ford Motor Co. A swell extra break for advertising.

One disc was inserted, an aria sung by Lily Pons. It was to impress the fact that the songstress belongs to the artist list of LSI, and as her part, at the Colon opera house.

Following orchestras, singers and soloists were the prestige-builders of Radio Nacional: the Argentine Radio Colon opera symphony orchestra. Ilya Livshakoff Viennese orchestra. Paul Coelho's razzilian orchestra. Jan Schaff's balalaika orchestra. Roberto Fierpo's tango orchestra. Enrique Santos Discipolo's tango orchestra. Pedro Laurenz' tango orchestra. Santa Paula Serenaders. Eddie Kay's Alabama Jazz. Roberto Fierpo's tango orchestra. Kings of Rhythm Viennese Singing Blue Star Orchestra. Colon opera chorus. June Marlowe. Guy Montana. Rosemarie Dyck. Perla Mux. Guy Montana. Jack Shirley. Hugo del Carril. Roberto Fierpo's tango orchestra. La Seranitas.

Studies at station CKGB, Timmins, Ont. have been completely rebuilt.

# NEW BAY COUNT MUSIC

## WEED & COMPANY

Radio Station Representatives New York - Chicago - Philadelphia - Boston - Los Angeles

## What Is New In Radio?

See Page 39

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# Background Buzz

## EAST

Henry Morgan near Milan at WOR, N.Y. From WJAC, Boston, E. Lewis Jackson, former with Benton and Bowles agency, has joined WHK, N.Y., as head. Clair McCullough all packed for a biz trip to N. Y. lost his luggage from his car outside WJL, Lancaster.

Competitive spirit has been introduced in WFRO, Providence, on the Street spot. Marsh Shantz conducts program on Mondays and Tuesdays and Harry Clarke on Thursdays and Fridays. They do the tura together on Wednesdays, with occasional ribbing.

With Albee's closing Wednesday (25) WBAM, Providence, shifted its spelling bee period to the Strand theatre. Moury Love is announcing. House band at WJAR, Providence, will go off air Wednesday (1) until Sept. 1.

Alice O'Leary, warbler, preems new weekly spots through WJAC, Boston, with Bobby Noro, who is String Sabers beginning June 4.

Henry Morgan, WJAC-WAAB Yankee-Colonial speller, now with WOR, Newark.

Boston Pop concerts from Boney Clubb's program on WJAC, Boston, with Boby Noro, who is String Sabers beginning June 4.

Murray Davis, WAAB, Boston, scientist, still to take vacation. To Bermuda.

Lewis Bonick orchestra from Boney Clubb's program on WJAC, Boston, with Boby Noro, who is String Sabers beginning June 4.

Harry D. Goodwin, WBZ, Essex News Editor, since its inception on Oct. 7, 1933, and Arthur Feldman, special events, attended a luncheon

at New York City on June 2 through by WFO directors for all Essex newsmen.

At Henry Hagen's 'True of False' program due for a Boston airing, Hull, or WJAC, Boston, will be the first.

Barrett C. Kiesling, of Hollywood WJAC, Sunday, has interviewed over WORL, by Betty Addison, daughter of the late Capt. B. B. Kiesling.

John Andrews, keyboard tictler from the New England Conservatory of Music, replaces Ben at WDRG, Worcester, weekly, beginning June 5.

Harry Olson, who conducts morning radio sessions Special at WDRG, Hartford, on WNH, New Bedford, recently when latter celebrated its 75th birthday.

Shedden Weir, studio manager of WOKO-WAAY. Also surprised listeners with a stirring reading of the war poem, 'He Is Mine' as guest on a WOKO commercial, Memorial Day. Weir has been appointed chief man of radio publicity for coming convention, in Albany, at veterans of the World War, at WJAC, Boston, and public relations of W. J. State, at Springfield, Mass., for the summer.

## MIDWEST

Gene Loffler back to his first love, WJAC, Chicago, after a two-month stint of KSO-KRNT, Des Moines.

Captains of Industry sold by KNOV, Des Moines, to O'Dea Finance Co.

Gwen McCleary, scripter-stress with WJAC, KRM, Chicago, is to appear on Kate Smith's new talent show, 'The Show of the Week', as editor for the Des Moines Register and Tribune, will accompany.

Cliff Carr has taken to the road again with the Hatcher Players, booking show in Iowa. He will continue to appear, however, on WJAC's Sunset Corners Frolic broadcasts from Des Moines every Saturday night.

Louisiana Lou of WHO, Des Moines, underwent an operation at Iowa Methodist hospital, Des Moines.

Ed Vovnov, of Ed Petry, Chicago, spoke before the Milwaukee Ad Club last week on behalf of radio. Booked by Don Abert, manager of WJMI, Milwaukee.

WOW, Omaha, will feed three returning correspondents to the NBC Red Net weekly. Fred Ebers's studio orch for half hour spots on Tuesday and Saturday nights plus a remote of the Southern gentlemen at WJAC, Omaha, every Sunday.

Cliff Cowan spelling at station of WJAC, Omaha, will have space left to join KMMJ, Clay Center, Neb.

W.F.W. St. Louis, will add a half hour to its daily seed starting June 5, with a special program on June 8, through June and July Begin at 6.

Stamps quarter, singers of religious hymns, originating from WJAC, Dallas, will be heard over W.F.W. St. Louis, five days a week starting June 1, via transcriptions.

Johnny O'Hare and Bill Richardson, golfers for KWK, St. Louis, have been assigned to cover the big national golf tournament to be held at the Westwood Country Club, St. Louis County on June 14, 15 and 16.

At third anniversary celebration last night of W.F.W., St. Louis, the Boardview Hotel in East St. Louis, held a special party for the occasion. Only gadding was by William H. West, the boss and brief as possible, and a special program of songs on 12-piece orchestra under direction of Harry West.

Paul Willis, W.F.W. St. Louis, gabbled a routine with the W.F.W. club lyn to whom he was wed several

weeks ago, on a three-a-week 'Sweethearts on the Air'.

Doc Hoctor, Transamerica's program director, and the missus (Flo) dropped in last night on WVC over the weekend to visit folks and former WVC disc collectors. Hoctor will be in WVC party Saturday (28) night celebrating birthday anniversaries of WVC.

Fourth annual WJLW Mail Bag picnic will be held June 11 at the new Wood's, wood park, is expected to draw 1,000 visitors from the city attendance. Rooters of the program formed a committee to arrange for the picnic and personal visits.

WVC is expected to handle local transportation for the yearly pav-wow, dish out refreshments and conduct the picnic. WVC is expected to have a bus of the air show, is general chairman.

WVC will carry its first 15-minute short-wave pickup from Chicago's nightingale on June 5, 2:30 p. m. First one was May 15 when service of the rubberneck coach was revived after an absence of five years. Gawkers are misled by one of Chicago's mobile units, which trails the bus.

Codis Adams, WVC, Minneapolis, will lead to Seattle last week-end to quiz Coach Phelan on the radio station's Washington football prospects.

WVC, Minneapolis, has received its voice, lost five weeks ago, and he's back on the air.

Jim Cosman of Federal Telegraph Co. has been covering the Chicago change in an Arthur Murray rhumba contest, at the WVC, Minneapolis, on June 5, 2:30 p. m.

WVC, Minneapolis, on June 5, 2:30 p. m. will carry its first 15-minute short-wave pickup from Chicago's nightingale on June 5, 2:30 p. m.

Cornel Bartholomew new secretary of WVC, Minneapolis, is expected for WOV and WCL. Fort Wayne, Ind.

## SOUTH

Jean Field added to KTOK, Oklahoma.

J. Edgar Hoover speech at graduation exercises of Oklahoma Baptist University, Shreveport, via monoma network with origination at KCFP.

Clifford Mason new engineer at KTOK, Oklahoma City, and Dave Scott new announcer, Oklahoma City.

Cliff Clark, new mikeman at WTAR, Norfolk, Va. W.F.M.D., Norfolk, Va., Dorothy H. Smith, back with WTAR after six months.

Nolan Smith replaces Charles M. Dillreil as relief engineer at KVSO, Norfolk, Va.

Lum and Albert's 'Prime Ride Girls' will be live on the air on Monday for four-day stand.

W. Van A. Conis has joined the commercial staff of WOAI, San Antonio.

KTUL, Tulsa, staff members have returned Monday afternoon from the sky by chartering an Air-Taxi plane for the occasion of the air trip for 30 minutes, the entire time.

W.F.A. aired by short wave over WJAC.

WJAC, Fort Worth, will air one of its weekly shows on the air from the Eastern Prison Farm, Fort Worth, on June 8, 10:00 a. m.

KTUL and KVOO, Tulsa, set to play a series of baseball games at the Texas League Park.

## PACIFIC COAST

Don Gilman and Harry it getting ready for convention in Hollywood of Pacific Coast Advertising Association on June 10, 10:00 a. m. in the city.

Don Gilman and Chuck Lauck taking their families abroad during the summer recess.

A. H. Saxton, NBC chief engineer in Hollywood, will pass three weeks in New York in conference with other division gaddetees.

Field it is known that his return to Chase & Sanborn just before the end of the year.

Bobby Ludy, resting up in Hollywood on leave from Campana's 'Fly Night'.

Bob Reddus' closed production of Sinala Oil Carnival to be down his 'Hall of Fame', recently was awarded a first prize in the contest. Joe Thompson takes return on netol show.

Wanda swinging through the northwest outside to New York for home office discussions on CBS.

Don't fall.

Donald, Burborough, at chief.

## Re-Write Dictionary

With the mushrooming of audience-participation quiz programs, the production of a new dictionary by Frank Basch over WJAC, N. Y., got these definitions:

Gabriel Healer "a new kind of radio healer."

A bivalve is a radiator with two valves.

The stern of a ship is that side of a ship which faces the stars to help gui to the boat.

A unicorn is a single ear of corn.

Venetian blind is a graduate of school for the blind Ital.

Athletes' foot 'something to help make a good runner.'

An octogenarian is a worm with eight legs.

A sarcophagus is 'a palace where the Russian czar lived.'

A praying mantis is 'a shawl Jews wear when they pray.'

## WWL DELAYS AGAIN IN UNION MATTER

New Orleans, May 31. Vincent F. Callahan, chief of WWL, Saturday (28) announced another postponement of the scheduled cancellation of the call in contract with the musicians' union.

Callahan said: 'At the request of the local union, we are holding off any action until the matter can be settled at the coming convention in June.'

He said that G. Peppone, president of the Musicians' Protective Union, Local 174, had requested postponement because he believed the matter can be settled at the coming convention.

## Good at Being Bad

Oklahoma City, May 31. KOMA soft ball team, undaunted custodians of the call in local ball league, not having won or tied a single game, except to gain even greater laurels as the season goes, and they continue their consecutive no win streak.

At the W. C. (Spit) Lukenbill, the Studio Sluggers lineup includes: Davy (Hot Foot) Frits, Kendall (Punch Drink) Irving, Wadsworth (Headhunter) Ramsay, Gene (Pinky) Reynolds, Jimmy (Slud) Todd, Larry (Spout) Godeaux, Paul (Gravy Train) Arundt, Bill (Grease Ball) Salathie and Harry (Beetle Brown) Edwards, pitcher, and assisting this stellar lineup are the members of the KOMA house staff orchestra.

## 'Comin' Thru the Rye'

Chicago, May 31. Rains, which didn't come for four years in this area, completely nullified the laws of the KFAA transmitter, so rye was planted last fall. Rains came this year and the rye has grown to the height of six feet.

'Comin' Thru the Rye' is now fact, not a tune, to the engineers, when reporting to work.

## Pat Stanton's Book Reviews

Chicago, May 31. Pat Stanton, WDAS vice-prez an s.m., has taken over another chore at the station. He has started a book-review program.

An author himself, he has several titles on Ireland.

## Chatter Boxer, Program Director of KMOX

Chicago, May 31. Chatter Boxer, program director of KMOX, will inspect radio stations in Mexico City, Vera Cruz and Monterey next month, when he follows through Old Mexico.

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WEDNESDAY NIGHTS  
Broadcasting System  
BOSCO

**ARTISTS MANAGEMENT**

**PAUL WHITEMAN**

on **Chesterfield**

CBS Network  
Friday, 8:30-9:00 P.M., EDZB

June 3rd Broadcast  
Originated by  
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"Theaterian"

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4 MODERNAIRES  
Lionel Lincoln  
LESLIE LIEBER

All Paul Whiteman Engagements Booked EXCLUSIVELY by Artists Management

IT 6:45 P.M. N.Y. 90.2-1633

**THE OVERS**

By JANE WEST

HOW RADIO'S MOST POPULAR FAMILY BEINGS WERE BORN

Presented by Ivory Soap 99% Pure

**LISTEN TWICE DAILY**  
NBC Red Network, 12:15 to 12:30 P.M. DST  
IN - CBS - WABC - 2:15 to 2:30 P.M. DST  
NBC - WABC - 5:15 to 5:30 P.M. DST

THE COMPTON ADVERTISING AGENCY  
MGT. ED WOLF - RKO BLDG., NEW YORK CITY

(Continued from page 34)

conquer or what have you, at times duplicated just to be different, who remember about old-time strings of names and incidents intended to stir the memory, here and there to present the air to some other back to old his stuff, or for B. B. production, resources to do their stuff on reconstruction of some atmosphere or event yesterday, mean the way it was with this matter, both created and in comedy numbers, in the show, constant repetition of old-time names that mean nothing to the present generation gave an air of timelessness to the program. At that, though, it had strong interest in providing a series of competing acts of former times with their successors and in emphasizing the progression of ideas from the beginning of the century till now.

Referring in point of fact was recreated atmosphere of days long before live, jazz, lam sessions and hotchotchka, though on the comparison of those days and the simpler delights of those times had a piquancy lacking in the swang numbers, now so popular. Clearly to be observed was a movement in a reconstruction in the King and Benson act at the old Tivoli of 1905 (since the act was held a fair bill, and when performers were not shy of accepting terms as modest as \$40 per week, was a gag to put over the old music hall, though it passes for doubt that you're not getting a revival in the veracrual of the period.

Aside from Charlie King, who appeared in person to recall old times, there was also Sam Jones, Jr., who had tales to tell of a famous combination of Sam and Will Polakoff, an act he had preserved in a phonograph disc with 40 years' memory on it, after which time he marched on a few pages, bringing memories of the old Slag and Chesney Allen served for the still familiar, and the two Leslies (Holmes and Sarnoy), as well as a piece of the show handed off with a couple of their own racy numbers.

Mention, too, goes to Scott and Wally, an act colored team of the air, who represented the modern taste in a complete program which was admitted to occupy too much time to be right to the point. The program was a complete program giving all an even break. It's a team that's good to listen to most times, though in this instance their prolonged croak-like serenade to show Producer Roy Spencer was attempting to build a full program on scanty material.

**'ADVENTURES IN READING'**  
With Robert Waldrop, William Medler  
Author-Book Dramatizations  
29 Mins.  
Sustaining  
Monday, 9 p. m.  
WJZ-NBC, New York  
Adventures in reading in an NBC program which rather cleverly sugar coats via the dramatized method of education course the lives of famous authors and the circumstances under which they wrote their best known works. Prepared by Helen Walpole and Margaret Leahy, produced by James Church, and presented by NBC stock actor, with Robert Waldrop as narrator, and William Medler as organizer (and in incidents), it runs off smoothly. It's the week's broadcast of the highlighted incidents in the life of Louisa Alcott, including those which led to the writing of 'Little Women.' Previous serial dealt with Robert Louis Stevenson and his 'Treasure Island' and 'Dr. Jekyll and Mr. Hyde.' The final serial of the series was held Monday afternoon (23) on Joseph Conrad. The Stevenson clip had most dramatic touch, the Scotchman's illness lending both heart interest and suspense. A mixed cast did a creditable trouping job. The dialect seemed convincing.

**CEDRIC FOSTER**  
'Day You Were Born'  
15 Mins.  
Sustaining  
Saturday, 10:30 a. m.  
WABC-RMS, Haverhill  
A new one for the Mutual this 15-minute program is a vivid narration of the highlights of the new many years ago. Cedric Foster originated this program for the local audience on WTHH using dates of the individual.  
Foster now picks celebrities and uses their birthdays as the setting for past news events. Sometimes in present day modes, and their relationship to events of the past. On news caught by Foster were the birthdays of President Roosevelt, Vernon 'Lefty' Gomez and Clark Gable.  
He speaks i.

**CHARLES B. COCHRAN**  
With Alice Beylela, Jimmy Wilder, Beatrice Little, Flanagan and Allen, Pat Taylor, Howard Hines, Leslie Mitchell and the recorded voice of Federer  
68 mins.  
May 10, 8 p. m.  
B.B.C., London  
London May 19.  
Program was a testimonial to Charles B. Cochran as promoter, record producer and what have you. Excellently compiled, the show included the outlines of a vivid career. Produced by Roy Speer and Howard Thomas.

Entering his new step in British show business—a radio forefront of the record producer and what have you. Excellently compiled, the show included the outlines of a vivid career. Produced by Roy Speer and Howard Thomas.

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Cochran showed himself a good radio artist, responding warmly and naturally to the prompting of Movie-Tone's Leslie Mitchell, who acted as interviewer. Likewise he was impressive host, responding warmly and naturally to the prompting of Movie-Tone's Leslie Mitchell, who acted as interviewer. Likewise he was impressive host, responding warmly and naturally to the prompting of Movie-Tone's Leslie Mitchell, who acted as interviewer.

Timed effectively, the program was a testimonial of his many days giving way to a record of famous names that came under his banner, a picture of his great Olympia fair and circus, and a cleverly conceived radio reconstruction of the tier-beckett contest, with Howard Marshall giving a neat fake ringside commentary.

**FRED HILLBRAND**  
Comedian  
'The Hiller's A. Advertising'  
Monday, 8 p. m.  
WABC-CBS, New York  
Hillbrand, an old timer of the stage, did show that commercializing of the air makes this possible. Poppelie liked England's 'The Great Gatsby' but didn't care for programs and talent abroad, nor for the glossiness of getting on the air.

**PHIL BRITO**  
With Adrian Rollini Trio  
15 Mins.  
Sustaining  
Sunday, 3 p. m.  
WJZ-NBC, New York  
Bitto is a Yankee warbler of the pop song breed, who made good on Canadiana) and has been imported to N. Y. by NBC for a build-up. He holds his own.

**JOE EATON**  
'Spotlighting the News'  
30 Mins.—Local  
Monday, 6:30 p. m.  
WJZ-NBC, New York  
Eaton, who has been a radio personality for many years, was probably making more than most, though spending \$2,700 a week—but in 1937 a revival at the Lyceum of The Mirror. He just \$1,700—'no money,' he cried defiantly. Everything on a spectacular scale, in fact, why, perhaps, he claimed the Rodeo as his greatest feat of manly achievement, seven bigger than Barnum and Bailey's touring circus, 400 head of cattle, cowpunchers, cowgirls, judges and the whole works.

**GLORIA GRAFTON**  
Songs  
15 Mins.—Local  
Sustaining  
Thursday, 9:30 p. m.  
WJZ-NBC, New York  
Class station's first venture in the popular-song field was a vociferous herald discernible from any number of other of their programs. Only thing especially noteworthy is that it's the first for the station and a radio-venture for Miss Grafton. Program is a quarter hour sandwiched in once weekly effort rates commendation and should please generally with bit more zip.

**ELEANOR SHERRY**  
Songs  
30 Mins.  
Sustaining  
Saturday, 1 p. m.  
WOR, New York  
Sherry, a popular tunes. Piper was in a metallic voice somewhat on the style of Ethel Mer, an old time singer. It's De-Lovely on the stage. Orchestral background, with piano accompaniment, and off during the half hour with some good arrangements.

**'RAINBOW HOUSE'**  
With Bob Emery  
Music, Sketch, Singing,  
65 Mins.  
Sustaining  
Monday, 9 a. m.  
WJZ-NBC, New York  
In a sea of routine juvenile entertainment, 'The Little Rainbow House' dramatic sketch fashioned by a class in radio script writing at Teachers College, Columbia University, stands out like a beacon. By some counting this class had to do a formula (if they can repeat?) for airway presentation, but the difference between just another skill and a living story that grips even early Sunday morning listeners.

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**'THE GROUCH CLUB'**  
Created and Produced Hollywood  
By Warner Bros. K F W B  
Every Monday, 9:00 to 9:30 P. M.  
Dramatic effort concerns the early piano playing and composing class of Mozart at the time he was attracting attention as a tot. For giving a commanding performance before Empress Theresa after initial production with accidental discovery of his unsunny ability. Simple threads of a simple story are finely woven, with production having the added help of well cast characters and lip-tick direction. Narration, sometimes a slower-upper for plot enrichment, actually heightens interest as used here.

**'RENEZOUS WITH RICARDO'**  
With Benoit Cameron  
Orchestra  
15 Mins.  
Sustaining  
Saturday, 5:30 p. m.  
WJZ, New York  
From France comes Ricardo's continuing series of vocalizations. Benoit Cameron vocalizing, Ricardo is the solo-type dance band, forte on the Latin jazz interpretation of folk ballads, and is distinguished all the more because of his vocalizations.

**J. R. POPPELE**  
Interview  
15 Mins.  
Sustaining  
Saturday, 7:15 p. m.  
WOR-Mutual, New York  
Jack Popple, World's engineer, was interviewed by staff announcer Tom Slater last Sat. (28) on his return after eight weeks also served to his rig in England and seven countries of the Continent. Pleasant voice and delivery for someone in the biz not connected with programming.

**PHIL BRITO**  
With Adrian Rollini Trio  
15 Mins.  
Sustaining  
Sunday, 3 p. m.  
WJZ-NBC, New York  
Bitto is a Yankee warbler of the pop song breed, who made good on Canadiana) and has been imported to N. Y. by NBC for a build-up. He holds his own. Good idea in shaping up a show-case presentation on the radio to back his singing up with Rollini's novel trio, giving a different touch which should attract mention than having a routine house band in the background.

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Sustaining  
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WJZ-NBC, New York  
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**JIM WOODS**  
15 Mins.  
Sustaining  
Saturday, 8:30 p. m.  
WGLA, Miami City, Iowa  
With opening of state fishing season, Jim Woods, WGLA's boss, might as well grab a good spot at Clear Lake, resort town, nine miles west of Des Moines, Iowa, and broadcast some of the finny activities about the lake. Used Vernon 'Lefty' Gomez, WDXR, interviewed fishermen, etc. Reception for the stunt program excellent.

**THIS is NEW in RADIO!**  
**"THE GROUCH CLUB"**

Created and Produced Hollywood  
By Warner Bros. K F W B  
Every Monday, 9:00 to 9:30 P. M.

Read What Your Radio Critics Say... And Radio Fans Agree !!

Says—DALE ARMSTRONG  
Los Angeles Times  
May 28th:

Says HERB CAEN  
San Francisco Chronicle  
March 19th:

"Radiochicks right across the board to 'The Grouch Club'... it was the best thing on the air Monday night... fast, different, well-timed together, sprightly all the way... an outstanding show."

Says—JACK HELLMAN  
Variety  
May 1st:  
"As a laugh show,

created a sensation in New York at WMCA Tuesday before an audience of critics, advertisers and agencies—Guaranteed to create weekly sensations for YOU and your CLIENT!

The Nation is Looking for Something New In Radio . . .

HERE IT IS!

TRANSAMERICAN BROADCASTING AND TELEVISION CORP.

CHICAGO 333 NORTH MICHIGAN 6746 E. HOLLYWOOD 5833 FERNWOOD AVENUE 701-50

# 15 Best Sheet Music Sellers

rek endin

Love Walked In	Chappell
Cry, Baby, Cry	Shapiro
Please Be Kind	Harms
Little Lady Make Believe	Berlin
Cathedral in the Pines	Herms
*On the Sentimental Si	Santly
*I Love to Whistle	Robbins
*Don't Be That Way	Robbins
Girl in the Bonnet of Blue	Crawford
*Loveight in the Starlight	Chappell
Garden in Granada	Schuster-
*I Let a Song Go Out of My Heart	Mills
*You Couldn't Be Cuter	Chappell
*How'da Like to Love Me?	Famous
*Says My Heart	Famous

\* Indicates R.I.      † Indicates stage production song, he others are pops.

# Outdoor Swing Carnival Developed Oddities; Addicts Finally Got Tired

By BENNIE WOODS  
Swing addicts digested until it came out of their ears Sunday (29) at the 'Carnival of Swing' at Randall's Island, N. Y., starting at 11 a.m. sharp carnival roar to 4:45 p.m. Nearly six hours of non-stop dancing. Even ball games got going enough.

When the concert was opened with Vincent Lopez's new streamlined version of "Sax Banged Banner" the occupants of the packed benches were shivering in a chilly breeze from the East River and casting apprehensive glances skyward at glowering clouds. Wasn't long before some of 'em came tumbling out of their bleacher seats to overtop the infatig and squat in front of the reserves to get closer to the musical feast. Martin Block, who had just conceived this stunt on behalf of Local 802, American Federation of Musicians, hospital fund, m.c.'d. He had just proceeded in the middle of one number and threatened to suspend tickets permanently unless they got back in the stands. Threat worked but wore off later.

As early as 9 a.m. long lines on foot and on wheels crowded the Triboro bridge leading to the island. Toll booths did a landoffice "A Most of crowd brought their own. One citizen tossed a watermelon under his arm.

Cops and park attendants had their hands full squelching effervescent shagsters and lindy-hoppeos who continually grabbed the spotlight by bouncing out of their seats and going to town on the cinder running track and on the grass in front of the infield seats. Gendarmes cheerfully boosed for their trouble. After that they stood up in their pews and risked a broken leg or two to gain wild-eyed release from the prodding notes of some of the best cuts in the business. At the finale, with Gene Krupa's cats howling at the top, attendants had to ring the siren to ward off cascades of heads who wanted a solo of Krupa leading for the clouds.

Not that's satisfying. Somehow, though, outside of the instances already mentioned, the live addicts gave the impression that the siren wasn't out of their ears 'em out of their seats. Crises of 'em went swing not chick were heard. An applause meter would probably have rated Chick Webb, Count Basie, Duke Ellington, Gene Krupa, Sam Smith, Joe Marsalis, and drummer-battered a couple of silos satisfying the alligators, and the smug Slim and Stan outfit eyeing fish finishes. Just before the Bobby Hackett aggression sounded off, "This is bus drive. This is bus drive, cries of we want Krupa. When he did his stuff, the roar could probably have heard 'n Long Island.

Others on top were Sammy Kaye, Larry Clinton, Woody Herman, Melrose Pitts 'Make Believe Ballroom' crew, Edgar Hayes, Chas. Barnett, Will Hudson, Eddie De Lange (separate outfit now), Will Osborne, who plays the best of the sweet crews, and numerous smaller aggregations. Benjy Goodman didn't show—he was in Atlantic City—and the mob howled its disappointment.

If every seat was sold, and there couldn't have been many left, the total take couldn't have exceeded \$140. Deducing the stadium rental, expenses for crews (Krupa

came in chartered bus from Philly) and various o rating expenses, the musicians' Union hospital fund takes was left. At first glance the stadium seemed to have a flock of unsold chairs at the opposite end from the bandstand, but closer inspection showed the occupants to be crowded close to the rostrum, standing along the top tier for the entire length.

WNEW aired almost entire ti being forced to sign off when Rudy Vallee, who wasn't expected, showed up. If crew chief refused to be aired, claiming his radio contract forbade it. He drew as

(Continued on page 5)

# Statistics

New York Musicians' union's hospital fund will realize, it is estimated, between \$11,000 and \$12,000 from the five-hour swing concert which Martin Block of WNEW, N. Y., staged on Randall's Island Sunday (29). Admission proceeds came to \$13,700. Incidental expenses were around \$1,500. Participating bands, which were all paid, were treated that way. Money turn over that they got to the local's hospital fund. Music and singing received about \$3,000.

Swingfest drew 23,356 payers to the island site. Block said yesterday (Tuesday) that if he ever again stages an event of this sort it will be indoors and most probably in Madison Square Garden.

Merle andrick, England leader, set for a series of Warsaw shorts by Bill Brandell.

Russ and Deca. 11 make 48 sides annually.

Beggie Childs went to Colonial hotel, Lake Anita, Ind., June 30, stays until Sept. 5 under CRA ticket.

Erskine Hawkins at Woodmere C. C., Long Island, June 18.

Time rounds met for summer after closing at Jefferson Beach, Detroit, this week.

Harward Woods into Longshore Club, Westport, Conn., by 28 until

Henry Bauer's orch set for Lyric, Indianapolis, week of June 10.

Chiff 'Natalie moves into 'Kitty Brand's Brown Derby, Boston, with his 'spirital music. Spot has a WHDD-WHEX wire. Jimmy McHale off to the West.

Jack Marshard opened at the Wm. Penn hotel, Pittsburgh (27), for a sextet of weeks. Followed with a Bar Harbor, Me., spot for the summer.

WNN, New York, has added Rand Wilde orch from New Yorker hotel and Will Osborne and Grant Thompson from Palisades Park. Woodland dancehalls in Brooklyn and Manhattan are also on the list, as well as Shunoff's from Hungarian eatery.

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# On the Upbeat

July. Exits for a two-day session at Jenkinson's Pavilion, Point Pleasant, N. J., June 17-18.

Ill Hudson has Swingtette (seven men) with his reorganized band. Ed De Lange exited.

Allen Felding to Hollywood hotel, set for N. J., May 28 for the summer. Albert Gressler set.

Lanks Arminger set for a week at the Apollo theatre, N. Y., June 11, Willie Brayer follows July 1.

rd Schillingler set for third season at the Inn at Buck Hill Falls, Pa. Kay Jane, from Detroit, is vocal.

Tommy Gillette's vocal playing at Wilmer Vogt's vern, Mountaineer, Pa. Second summer season in spot.

Benny Meroff held over four days at Olmos Diner Club, San Antonio.

erle Kay combo opens Thursday (2) for two-week stand at Imos Diner Club, San Antonio.

Johnny Jay holding forth at Broadway Tavern, San Antonio.

Johnny leader and his band has opened the Tourist Club Roof, San Antonio.

all Eschman's Ambassadors now at 33 Club on the Albany-Schenectady road.

Sammy Vincent's orchestra opened last week at Babcock Lake in the Grifton Mountains back of Troy.

Gene Krupa, following Brunswick recording date in New York tomorrow, will be in Chicago around June 3; Potstom, June 4; Asbury Park, June 5; Montclair, N. J., June 6; Scranlon, June 7; Earle theatre, Philly, week of June 10; Hipp, Baltimore, week of June 17; Earle, Washington, week of June 17; Wash., Pittsburgh, week of July 1; Fox, Detroit, week of July 8; theatre date, Chicago, week of July 15.

# CHARLIE BARNET AS CRA CHIEF SWINGER

Charlie Barnet, saxophonist-maestro, is being promoted by Consolidated Radio Artists as their bid in swing band field competitions. Office has been without any serious swinger since exit of Mills Artists properties.

Barnet sized band, which had been breaking for past few weeks, reformed in at pleasure Beach Park, Breezy Point, around 1,000 admissions. Jane Churchill, new singer and former Paradise Restaurant, N. Y., debut, has been added as vocalist.

# Settle Out of Court In Gale-Nazario Dispute

Suit brought against Mo Gale by Nazario for \$10,000 settled out of court this week with Consolidated Radio Artists and Gale splitting the undivided figure.

Nazario wanted dough as souther for Gale's failure to complete contract. Nazario had been in with Chick Webb, Buck and Bubbles and couple of other colored acts. Gale had contracted to play and deal for Gale all through after one week's work.

# Band Review

**RAN WILDE ORCHESTRA**  
With Margie Coleman, Jimmy Ginn, Joe Luke  
Hotel New Yorker, N. Y.  
Realizing it was billing for a competent band, new to New York. They have from San Francisco but are being touring the midwesterner. Hitz hotels, finally coming in. It Ethel Shuttles for a week, and continuing on their own, now that Miss Shuttles has been here for her Broadway opening.

Wilde is a personality bather who alternates at the times. Margie Coleman, harpiste, and Joe Luke, comedy dancer, are the new features. Jimmy Ginn handles the announcements of the ice show and is probably removed with the Hotel New Yorker, although billed as part of the ice performance.

Wilde's dansapation is smooth and efficient, making up the rhythmic rhythms with the orthodox disappo- tion. Abel.

# Breakdown of Network Plugs, 8 A. M. to 1 A. M.

Following is an analysis of the combined plug of current tunes on WEAF, WJZ, WABC and WOR computed for the week ending Monday through Sunday (May 23-29). Grand total represents accumulated performance on the two NBC links. CBS and Mutual from 8 a. m. to 1 a. m. 'Commercial' refers to all types plug on sponsored programs. In 'Source' column, \* denotes film, song, legit tunes, and 'pop' speaks for itself.

Title	Source	Total	cl.	Vocal.
Call of the Wild	Pop	48	6	29
Love in the Bonnet of Blue	Pop	47	6	21
Says My Heart	Pop	42	6	21
Bewildered	Pop	42	6	21
My Margie	Pop	38	3	23
Cathedral in the Pines	Pop	37	8	27
Please Be Kind	Pop	37	8	27
How'da Like to Love Me?	Pop	35	4	25
Little Lady Make Believe	Pop	35	4	25
How'da Like to Love Me?	Pop	33	7	21
Let Me Whistle	Pop	33	2	18
On the Sentimental Si	Pop	31	8	23
Little Time	Pop	28	1	18
Day Dreaming	Pop	28	3	16
It's the Dreamer in Me	Pop	28	3	16
Girl in the Bonnet of Blue	Pop	28	3	16
I Fall in Love with You Every Day	Pop	28	3	16
Love in Granada	Pop	28	3	16
I Hadn't Anyone Till You	Pop	24	4	17
I'm a Little Dutch Kindergart	Pop	24	5	10
My Margie	Pop	24	4	17
Stop and Reconsider	Pop	24	4	8
Tea Time	Pop	23	5	15
It's the Little Things That Count	Pop	22	0	13
My Heart Is Telling Lessons	Pop	22	2	15
Garden in Granada	Pop	22	0	7
I'm Glad I Waited for You	Pop	21	1	12
Spring Here	Pop	21	1	10
Always and Always	Pop	21	1	10
My Margie	Pop	20	3	10
I Love You With All My Heart	Pop	20	3	10
Monshine Over Kentucky	Pop	20	3	10
How'da Like to Love Me?	Pop	20	3	10
Good Night, Annie	Pop	20	3	10
When Stars Go to Sleep	Pop	20	3	10
Dipsy Do!	Pop	20	3	10
Whistle While You Work	Pop	20	3	10
Just Let Me Look at You	Pop	20	3	10
Love in Granada	Pop	20	3	10
When Are We to Say Goodbye	Pop	20	3	10
Lost and Found	Pop	20	3	10
Do You Know John Peel?	Pop	20	3	10
Worry in My Soul	Pop	20	3	10
Noted	Pop	20	3	10
So Lovely	Pop	20	3	10
I Can Dream, Can't I?	Pop	20	3	10
Who Do You Think I Saw Last Night?	Pop	20	3	10
When As We're Together	Pop	20	3	10
Same Sweet You	Pop	20	3	10
Love and Kisses	Pop	20	3	10
Lost in Meditation	Pop	20	3	10
Alon of Manakora	Pop	20	3	10



# Anonymous Tipster Sheet on Pop Tunes a Puzzler to Music Biz

Popular music industry has asked Federal States postal authorities to act in running down the circulators of an anonymous tipster sheet.

This outfit, itself the weekly mimeographed sheet, has been used in part to bring to the commercial value of new tunes, though unable to determine the ulterior motive of this outfit, says the publishers are anxious to smother it out before it has a chance of developing into any serious annoyance.

Even though it occurs only at intervals, the sheet is in the upper brackets of popularity as to performances, the sheet smacks all over the place. Some three tunes have been booked as coming his over a period of four weeks, but not in a single case have they shown signs of getting anywhere. This angle has led some publishers to the opinion that the circulators of the sheet are building it up as a come-on for amateur songwriters. Another speculation is that it is a financial device, financed jointly by amateur song publishing outfits with a view to bringing the interest of pop agencies and firms by the repetitious reminder route and thereby effecting an occasional or royalties.

"Our predict states the sheet, are based on the supposition that the publisher will properly exploit the sheet, but it is a come-on, we'll kick him, you plug 'em."

Sheet not only tabs what it considers to be the current best tunes, but also lists what new tunes aren't worth the effort and financial.

Chicago, Aug. 31.

National Association of Broadcasters has been asked to investigate conditions of the sheet, which is a business of inviting amateurs to submit lyrics which for a consideration will be set to tunes already recorded over the air. Point on the subject was raised during last week's meeting of the NAB's Ninth District members.

Broadcasters want to know whether by accepting the number they aren't fostering a racket.

## ROBBINS AND O'CONNOR DUE FOR DIRECTORSHIPS

...head of the Robbins-Murray publishing group, and Johnny O'Connor, president of Words & Music, Inc., are to become members of the board of directors of the American Society of Composers, Authors and Publishers when that cozier meets next Thursday. Their election was put off at last Thursday's (26) board meeting because both of a lack of quorum and the disinclination of Jack Regman to resign from the directorate, that a vacancy would be created for Robbins.

At the time of the board meeting, Regman had not yet closed on the acquisition of the Donaldson, Douglas & Gumble catalog. His post on the board was as representative of the Robbins-Murray group, but he held that it was not necessary for him to remain any longer would continue as a publisher. He the takeover of D. D. & G. Regman group pointed out that he was still a Robbins stockholder.

Regman will continue as a member of the board, but will take no step into the place made vacant by the resignation of Walter Douglas. O'Connor will fill the vacancy created by Bobby Crawford's resignation, which was submitted over a year when he was elected to the Hollywood agency business.

Several resolutions were presented at Thursday's board meeting. One called for the general ASCAP membership meeting to be held at the Ritz-Carlton hotel, Y. C. Robbins and other tycoons had all been authorized by writer members: One of them, of George Wood, was to be authorized the writer members of the directorate elected from among the membership. This was in accordance with the ASCAP by-laws, as the latter now provide for a self-perpetuating board.

## Phonographic Network Chartered in Albany

National Phonographic Network, Inc., has been chartered to handle master recordings, transcriptions, phonographic records.

Dir tors are: James E. Ugher, Paul Jordan and G. Truman Thompson of New York City address as Courten Bros., ling attorneys.

National Phonographic Network is a subsidiary of Trans-Sonette Corp. and has now pending before the American Federation of Musicians a request that it be permitted to employ musicians for the making of phonograph records containing commercial songs whose lyrics are placed gratis with the operators of coin machines.

## NEB.'S ASCAP CASE WARM-UP

Counsel for the American Society of Composers, Authors and Publishers and the State of Nebraska placed their preliminary skirmishing in last week in connection with ASCAP's plea for a permanent injunction against the Nebraska law, which seeks to bar copyright combines from doing business in that state.

The trial of the Society's application will come up in Nebraska toward the end of June.

Last week's legal maneuver had to do with the taking of depositions from ASCAP witnesses. Louis Frohlich, of Frohlich & Schwab, ASCAP general counsel, denied the questioning for the perfor ing organization, while the cross-examination has had by Earl Nye, Nebraska's Attorney General; William Holt, special deputy attorney general; and Andrew Bennett, special counsel. Bennett had charge of the trial of the U. S. government's suit against the Society three years ago.

ASCAP got a temporary injunction against the Nebraska statute last November. This measure outlaws any combination of copyright owners and declares that the price printed on a sold copy of sheet music must determine the amount that is due the copyright owner for any and all uses of his music.

## Arthur Murray's Waxed Dances for Brunswick

Arthur Murray is set to wax a series of how-to-do-the-rumba (waltz, foxtrots, etc.) recordings for Brunswick. These measure outlays are in the form of waxed transcription, with appropriate musical background.

The "Charming Spell of Your Embrace" program, which is a Mills publication, will be employed as the thematic. George Treichman, one of the producers, is the cousin of Murray's, hence the plea.

## Music Notes

Jack Schell and Moe Jerome elected "You" ditties, "Who Said It Isn't Love" and "Has It Ever Occurred to You?" for Warner's "Three Girls on Broadway".

Ireln Talbot, doing the musical score of "Artists and Models Abroad," had his option lifted by Paramount.

Harold Arlen and Y. C. Robbins' "The Wizard of Oz" has been selected for the Broadway.

Bob Night and Roger Islander Ser "Honolulu".

Low Porter has written five new songs for Bud Juehl's "Igit Musical," "Terror of Tiny Town".

Edward Ward turned in the music for "Shawnee Angel" at Metro and started recording on "The Toy" He...

## Lawyer-Conductor

Detroit, May

Eduard Werner, conductor of Michigan's premiere orchestra, who was admitted to the Michigan bar last week, but says he'll not forsake his first love, music.

Newly admitted, one of 60 to pass the state bar exams, says he's going to try to combine some phase of law, though copyright law, with conducting Michigan's pit band.

## MORE TACTICAL MOVES IN ROW ON RIGHTS

Controversy between Shapiro, Bernstein & Co., and Chappell & Co. over the renewal rights of "Un'Pu D'Amour" ("A Little Love, a Little Lie") was brought a step further when the testing point when the former firm last week filed its assignment of copyright for a new set of new copyrights in Washington. It is understood that Chappell proposes to file an application for a new original copyright, which Chappell now holds, under assignment, doesn't expire until May 26, 1939.

Attempts made by Leo Slesiu, composer of "Un'Pu," rescind the assignment, gave Shapiro & Co. the test, were rejected by Louis Bernstein, president of the publishing firm, several weeks ago. Bernstein contends that Slesiu's action resulted from pressure brought upon him by source, SLESIU and he contends that he is prepared to make a court issue of Chappell's theory that an assignment of renewal from a writer does not become enforceable prior to the date that the copyright actually becomes renewable, since the writer doesn't give the writer a party right in the renewal until the very date that the renewal becomes enforceable.

There is also an English version to the song which Chappell controls, but which he is not prepared to copyright register of this English version doesn't become effective until next year. Bernstein likewise would like to register the rights from the estate of the author of the English lyrics, Adrian Ross, last summer, and he latter source has since sought to have Shapiro-Bernstein release it from the obligation, but without success.

## HIGH SCHOOL GIRL JOINS GENE KRUPA

When the high school she attends on the Long Island Sound, she is Elizabeth Tilton, younger sister of Martha Tilton, Benny Goodman's wife. She is now a member of the Gene Krupa sextet at the Earle, Philadelphia, June 10. He comes into the Paramount, N. Y., July 27 or Aug. 10.

## WAX LIBRARY FEES

\$75,000 Per Music Publishers Protective Ass. As of July

Licensing bureau of the Music Publishers Association will collect around \$75,000 in royalty fees from the manufacturers of record-making programs in libraries during the early part of July. Money will be returned from the agreement w year permit to the publishers, but the latter their entire libraries once a year by the payment of a lump sum of \$10 on each monthly basis.

Some of the libraries have already started to submit their complete renewal lists to Harry Fox, gen. mgr. of the MPPA. Quiffs that are started by the July 1 are Associated Music Publishers, Inc., NBC Thesaurus, and Standard Radio. World Broadcast System's licenses do not expire until Dec. 31.

Phil Levant to Schroeder  
Chicago, July 31.

Phil Levant orchestra says his tip: Hotel Schroeder in Milwaukee on June 12. Following a stop in Greenville, S. C., he will be in Louisville, Ky. George Wald and Gretchen Lieber now with the band.

## Bregman, Vocco, and Conn Take Over Donaldson, Douglas Catalog; Hollywood Financing

## Union Stands on Rules; Music Studies Unheard

San Francisco, May 31.

laid plans of California Congress Parents and Teachers' union to be entertained in meals during convention here next week. Musicians Union decreed that requiring all hotels to "booters in dining rooms would not be advocated for music schools.

Singers, not affected by rule, sang unaccompanied a few brave instances.

## ASCAP INVITES FOREIGN GROUP

American Society of Composers, Authors and Publishers will not send a delegate to the convention of the International Confederation of Performing Rights Societies which opens in Stockholm June 27, but it will send a representative to meet in New York. Invitation will point out that New York's World Fair will be held in full force by July 1, 1939.

Decision both ways was made at last Thursday's ( ) meeting of the ASCAP board.

## FLAMMER EXPLAINS 'SHORT'NIN' BREAD'

Edi

Was rather astounded today to notice the article regarding 'Short'nin' Bread' in your May 25 issue and much surprised to learn the same.

True status of 'Short'nin' is as follows:

This song has appeared—both word and melody—under a number of books of folk music.

There is a version of this tune from East Tennessee, from melody dated 1912 in the Journal of American Folk Lore, Volume 2, page 142.

There are three other versions of the tune, the only one which is original of the words in a book called "On the Trail of Negro Folk Songs" published in 1928. Dr. Carl Engel, chief of the division of music of the Library of Congress in 1933, stated that the text and tune are apparently not Negro, but more likely old minstrel, dating from the 1840's.

Clement Wood adapted the song traditionally when a child and in 1928 sang the song for Jacques V. Williams, who adapted the melody, using the first original piano arrangement—making the song available for such use as Lyrics by Larry Holt, Nelson Eddy, James Melton and other artists. This adaptation by Jacques V. Williams was published by Clement Wood was published by Harold Flammer, Inc., copyrighted in 1928. Flammer, Inc. now published some 22 versions of the Wolfe edition. There are a few other versions of the song on the market, but so far they are totally different from the Wolfe arrangement.

The Clarence Williams edition, mentioned in your column was copyrighted by Flammer, Inc. on Feb. 12, 1925—the claim being based upon authorship of the words and melody by Clarence Williams. I do not know whether the version published by Clarence Williams after 13 years was a new arrangement or whether it is a duplication of the copy filed in Washington in 1925. I pointed out to Clarence Williams several times in the early years of 'Short'nin' Bread' and so far no notice has been given by Flammer, Inc., concerning this issue nor do I consider that any will be given unless Flammer, Inc. is being sent by registered mail to Clarence Williams today.

## Jack Regman, Rocco Vocco and Chester Conn (the Conn) last week secured the two half-ownership of Donaldson, Douglas & Gumble catalog and operating partners of new music publishing company, one of the most successful professional manager of the Warner Bros. publishing group with the help of the D. D. & G. deal. New firm will be known as Bregman, Vocco and Conn.

Some of the financing is reported to have come from Bing Crosby and the songwriting team of Mack Gordon and Harry Revel through Frank Orattoli, Hollywood agent. Bregman and Conn (Conn) also put up credit for the new firm. They recently resigned from the Metro-Feist-Robbins music interests, although they had \$50,000 went to Walter Douglas, while \$50,000 was paid Moe Gumble, while Joe Santly received \$3,000.

It took \$15,000 in cash to acquire the corporate stock of Donalds & Gumble. Of this amount \$10,000 went to Walter Douglas, while \$5,000 was paid Moe Gumble, while Joe Santly received \$3,000.

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Although Rocco Vocco's contract with Warner Bros. required that he have supervisory capacity under E. H. (Buddy) Morris, vp. in charge of W.B.'s music publishing interests.

Gordon and Revel's interest stems from their regard for Vocco and a desire to place their future publishing with the new firm. G.R.'s contract with 20th Century-Fox expires July 1, 1939. The new publishing association is headed by Bregman, Vocco and Revel.

Bing Crosby is also sympathetically inclined toward the new firm. In future with the new outfit, although he is not a member of the new firm, he is Sanley-Joy, Joe Burke and Jimmy Monaco, non-Hollywood artists, will also ally with the new B.V.C. company.

## 'Lone Ranger' Tune

Song written under a radio expression, "Hi-Yo Silver," taken by Chappell Music via special license from the Lone Ranger, Inc. Publishes this week.

Vaughn de Leath wrote the tune for the Lone Ranger radio program. Oddly will be one of the composer's name from front cover of the record as published. Reg. stat. in process.

## KEMP'S DANCE DATES

Clarence Williams' new dance dates at the Paramount, N. Y., last night "Tues", Hal Kemp and orchestra 20 June 1. Following a stop in Greenville, S. C., he will be in Louisville, Ky. George Wald and Gretchen Lieber now with the band.

On July 8 Kemp opens at the Hotel Astor, New York, with the summer, succeeding Rudy Wall





# Equity Agents to Secure Licenses After Moss Parley; Others Slated

At meet- ing N. Y. License Com- missioner Paul Moss last Wednesday (32), the Theatrical Artists Repre- sentatives (Equity agents) unanim- ously agreed to apply for city per- mits. Next Tuesday (7), when they similarly address the Theatrical Agents and Artists Rep- (live- equity-nite agents), it's expected that the lat will follow suit of their more completely organized counterparts, further brightening the organization-licensing picture via all around cooperation.

Threats of the Entertainment an- dustry Assn. (club date bookers) to go over Moss' head because of lack of action are said to have been obvi- ously put to rest by Moss' firm work- ing on a trade agreement with the American Federation of Actors for added protection. Accord will probably serve as skeleton for the hoped for franchise from the APA for agents.

The EMA started a drive this week to curtail actors and musicians, to book club shows. Offenders will be brought to trial before the EMA and suffer suspension from employment by EMA members. It is stated, EMA is also contin- uing its investigation of preferential arrangement between clubs and managers. Curtailment of cuffs ap- pearing at political or city demo- cratic shows is also being en- forced by Mayor LaGuardia recently is- suing a ban on the practice.

Equity agents do not meet again in immediate future, except to discuss some of their own problems. Having dealt with the combats they are awaiting the conclusion of summer stock season, when they will present their plans for revival of the Equity agent franchise to the full council.

Although pretty much in line, some of the agents are protesting fac- es by refusing to deliver their books for inspection at the license office, with inspectors forced to come to them.

## Kramer on Act Tour

Sam Kramer, buyer for Tivoli cir- cuit of Australia, leaves the William Morris office, where he has been headquartering with Dick Henry for past week, on May 4. He will be- gin a two-week tour across country hitting principal cities to scout acts for Anzac time.

Kramer will sail for Sydney about two weeks after leaving New York.

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**SIDNEY FISHER**  
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# The THEATRE of the STARS

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Byrant 9-7800

**J H LUBIN**  
GENERAL MANAGER  
**SIDNEY H. PIERMONT**  
BOOKING MANAGER

## RADIO SIDE-LINE VAUDE

18 Amateur Acts Vie for \$18 Cash Prize—Principals Get 5%.

Rochester, N. Y., May 31.  
Pleasant Pete and Harmonica Joe, who have only morning shows at WHAM, are doing all right with side-line of evening shows in theatres (vaude-nite agents) at a nearby amuse- ment vicinity. They put on 45-minute shows with aid of at least 10 amateur acts, who work for prizes, several of Rochester's top teams going out regularly for chance at \$10.

Bill and Joe take 50% of the gross and are booked solid into summer season. With fresh shows scarce they regularly pick 'em up word gets noised around ahead in addition to radio plugs. The boys also have a jukebox and juke of which they play about 10,000 copies.

## See Over \$1,000,000 For Louis Schmeling Despite the Boycott

Indications are that the Joe Louis-Max Schmeling heavyfight ticket dated for June 22 at the Yankee Stadium, N. Y., will top the \$1,000,000 mark, despite any chance of at- tention by boycott. Early this week it was stated there was more than \$200,000 in the till, this coin coming in from all parts of the country. Distribution of tickets was held back until after the Barney Ross-Henry Armstrong melee for the welter- weight title, which was delayed from last Thursday until Tuesday (31).

Approximately 7,000 ringside tickets at \$30 each (tax included) were sold through the mail orders which required the coin in advance. Two recent orders for tickets at such a price were given by large firms, each taking over 1,000 ringsides. These tickets will be in lieu of ad- vertising and will be distributed to customers, firms figuring on good will and a saving in money which would have otherwise been spent for promotion.

## ICE FOLLIES SMACK L. A. FOR 48, 2 WKS.

Hollywood, May 31.  
Ice Follies, a Music Corp. of America promotion, is proving rock en- tertainment and its original two week engagement has been extended through June 11, to take advantage of the Shrine hordes here on national convention.

Around \$28,000 hauled through the wicket the second week, topping the first by \$4,000. It's been scouled bit most of the way.

## • 15 YEARS AGO • (From VARIETY and CLIPPER)

Jay C. Flippen at Proctor's 23rd Street theatre act. Lately out of burlesque, but regarded with approval.

Bill at the N. Y. Palace opened and closed with comedy juggling, but after Monday night's show, reshuffling, Frank Tinney doing well in white face, and Juliet held up by Lillian Brodsky, who had her 'em with what there was of her dress.

Herman Timberg got one of those full-week dates at the tale, head- ing both halves. He was padded with shorts to run more than three hours and a half.

Raymond Fagan's band at the Palace, Chi., and clicking. Had a new instrument called the faganola. Violin with a bell resonator. Van and Schenck were in for three weeks.

Nan Halperin heading at the Los Angeles Pantages and taking about all there was. Heavily touted in advance and lived up to it.

Railroads were making a special rate of \$145 from N. Y. to L. A. and return. Plenty of actors making the trip on speculation. Some of them landed jobs.

Emil Jannings, not yet an International star, had just taken his fourth vice.

Elmer Pearson announced Pathé would buy \$400,000 on product for the coming season. Regarded as the height of conservatism with most producers careless of the noughts.

Deal under which Marcus Loew turned over the Warfield, S. F., and State, L. A., to West Coast Theatres, which would handle \$200,000 yearly on a 50% split of the net.

Jesse Lasky signed Doug Fairbanks, Jr. His dad no like, but nothing could be done about it. Fairbanks had the \$200,000 on Bill Sully, was deter mined to put the lad on the screen.

Cabaret biz was off and bands and actors willing to take cuts to get jobs.

## Saranac Lake

By Happy Benway

The James Haegnes, after two weeks of New York and Newbury- port, has been back here. Both formerly in legit.

Mrs. Charles Bordley (musical comedy) has been proving rock en- tertainment and its original two week engagement has been extended through June 11, to take advantage of the Shrine hordes here on national convention.

Phoebe Gregory of the Gregory troupe, is holding up nicely. Girl recently had a successful oper- a-tion.

Booked this summer here are the circus, four carnivals, a local baseball team (Northern League) and seven night spots.

Mrs. Anna Comerford, of N. Y., here at the Will Rogers as a new organ. Just a little run down.

Fred Schrader, vacationing in the Big Town and Washington, D. C., for two weeks. Boy has staged a great comeback.

Donald (Buddy) Emmet formerly of vaudeville, arrives here as a try- out. His next tie will be at the Will Rogers.

Frank Steiner, of vaudeville and nite clubs, are here ogling Ned McGush- on. One of the sisters is McGush- on's. He's snapping out of a bad case.

A wire from Tom Mix and his show: "Carroll all the showfolks and have them make themselves at home as my guest the day we show Saranac and elsewhere where we are ill."

## Arcadia-International (PHILLY)

Philadelphia, May 29.  
Gene Krupa's orch. Walter Donahue, Jerry Kruger, Leo Watanabe, Roselean & Sewell, Three Sophisticated Ladies, Belle Lyons, Flo Noble, Renee Rondelli, Joan Barrie, Noel Siernann, Girls (10).

With Gene Krupa's band to tug 'em in, Arcadia this week offering unnecessarily-long show produced by Lillian Brodsky. The trend prevalent now in Philadelphia, away from light, soporific material, entertainment toward the old dress 'em up and wave a flag stuff in customary of a decade ago. Arcadia gals okay as lookers, but containing frequently weak. Krupa crew (reviewed in VARIETY May 11) attracting kid 'jittersbug, plus siders. While band is far from perfection yet, it's on the way. Curiosity will take care of it until it arrives. Couple of novelty items in the band beside Krupa might be an improvement.

With the band is Jerry Kruger, female singer and Leo Watson, Negro scat singer. Miss Kruger so-so and has tough time overcoming volume of orchestra. Voice sounds continually strained. Watson one of the few in the number of jumble hitters.

Among top ballroom teams is the Royal Seville femsilly outfit for heart throbs and gay pleases.

## Christenberry Stays As Int'l Casino Chief; Joe Moss to the H'wood

At the City Farmers' Trust Co. bank's insistence, Robert K. Christenberry, v.p. and gen. of the Hotel Astor, N. Y., also stays on as managing director of the International Casino, N. Y. He was to have bowed out of the niteery, after putting it in order since the bank took over its operation, following the L. C. 7th.

Of the three original partners, Lou Brecker and George Olsen are still active. Joe Moss has virtually stepped out, to concentrate on his reopening plans for the Hollywood cabaret restaurant, which he went into 7th. He and his brother Karl, who has taken over the place, are still active. Moss has taken Karl Lotman to do special exploitation at the International, doubling from the Astor.

## AFA PICKETS N. Y. HOTEL IN CLOSED SHOP FIGHT

American Federation of Actors started its first hotel picketing for- closed shop agreement at the New Yorker hotel, N. Y., this week. Hotelry said to have refused to dox with the AFA, referring the union to the Hotel Assn. of New York.

Only picketing the one spot now, union would not divulge its future plans, not wanting to tip off the other spots. Feels that if New Yorker beats loudly enough to its assn. for- bid some action might come along resorting to wholesale picketing.

## Nitery Reviews

ant-looking. Three Sophisticated Ladies (Belle Lyons, Flo Noble and Renee Rondelli) are unexpected at the top of the bill. They are through- through slapstick terps, taking plenty of tough falls. All pretty obvious, but nevertheless entertain- ing. Misses Nell and Rondelli also are in the show. The latter, in the show, which might well be two of the spots where the cutting could be done.

Joan Barrie is tiny femme character who shows a little more than is sweet and she mugs effectively. Her dancing is normally why one would expect to see her. Her normal departure at the Arcadia, is Wal- ter Donahue, who terps, warbles and keeps things moving well.

Final to the show is wedding march, with Krupa swinging Lo- hengrin'. All performers take part, and some of the show is a bridge from 18th century on and Roselean and Sewell finally appearing as bride and groom of today. Give one more show of their work for the Herb.

## TERRACE ROOM (HOTEL NEW YORKER, N. Y.)

Eric Wolf, Dr. Renee Farley, Bobby Duff, and the new show, "The Bride and the Grooms," with Marge Coleman, Jimmy D'Arcy and Marge Coleman, Jimmy D'Arcy and Marge Coleman.

Norval Baplle, grand old man of the silver blades, who pioneered the show bag, is still going strong. He is now the headliner with Gladys Lamb of the current show, "The Bride and the Grooms," which is a change, figure-skater and Gladys Lamb, who has been in the show days, doing intermission exhibition at Madison Square Garden, etc. Today, he's a tonight performer, as before. Ditto for Miss Lamb, a blonde, who likewise has played to countless audiences.

With Ran Wilde (Band Reviews) coming in to succeed Jimmy Dorsey, the ice revue has been re- refurbished and lightened up. There are six mannequins in support, who do ensemble exhibitions and also break up into a quartet and sister team. Eric Wolf is a comedy clik with his acrobatic and drummers. His fantastic whirrs and pirouettes defy the laws of gravity and Equilibrium, and make for a rousing effect. Ronny Roberts is another splendid skater, his forte also being acrobatics. Bobby Duffy is a speedster, and DuRaine Farley a personality soloist from the sextet.

Baplle and Miss Lamb work more for the show, in their own right, in- tending, doing an opening waltz spec- ially and then reprising the "sil- plaine spin" which is his new standard on skates, but which they originated. The ice revue is a new show. (Continued on page 52)

## MOUNT ROYAL—LONDON

MARBLE ARCH, W. I.  
L. A. KRAMER, MOUNT ROYAL  
WITH PRIVATE BATH, BREAKFAST  
One Person, ..... 12/6 per night  
Two Persons, ..... 21/6 per night  
Three Persons, ..... 27/6 per night  
Miss Gurnison—Controller

Anyone knowing whereabouts of any information concerning:  
**BOB KEYS**  
Formerly of dancing act of Walter, Pearl and  
**HARRY and ED WOOD**  
Formerly of dancing act of Walter, Pearl and  
Grand National, N.Y.  
These are some of the names of the show.  
VARIETY, 124 West 46th St., New York

*the utmost in dancing*  
**Clubs**  
and  
**Clubs**  
the utmost in dancing

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**THE ST. REGIS HOTEL**  
NEW YORK  
NOW IN THIRD WEEK  
**RADIO CITY MUSIC HALL**  
NEW YORK

# Ice-Skating Gals at Int'l Casino, New York, a New Type of Chorine

How to get into show biz through the back door is answered by the cutting chorus of the International Casino, New York. Girls defied the tried and true formulae of majority are from Canadian and northern U. S. ice fields. Misses previous show background, except for local carnivals, the girls entered show biz on say-so of Maribel Vincent, then scouting for the Music Corp. of America. They have retained all the freshness of athletes and the charm of the finishing school dainties before they turned from debts to dancers, as many of the gals have socialite background.

Well spoken, well dressed and physically equipped to stay in the best side of the show business, former amateur skaters see no reluctance for themselves until it's cutting fancy ice capers.

Some 18 line girls are listed in the Canadian blue book. From Toronto come Lorraine Hopkins, Miss Jane Hainline, and the Austrian from Ottawa, Mary Richardson, Audrey Garland, Georgia Claude, Katherine and Cecil Cousin, Ann Taylor, Hollywood; Claire Wilkins, Lela Kladic; Ardella Fryer, Dorothy M. Galt, Elizabeth Franecky and Dorothy Lewis from the Minneapolis area and the starring "Sisters," Mrs. M. Galt, Margaret, and Carol Seitz, from Benit, Canada.

# Gene Gory Socks Wife, Also a Cop, Draws \$100 Fine

Johnstown, Pa. — It was "hunky-Gory" with its city's mayor, Danny Shields, for the team of Gory and Roberta, of the French "Follies" troupe, currently at the Majestic, to wear Gory's socks in their knickerbock act on the stage. But when Gene Gory began dusting off the main stem with his wifely issue, Hizonizer said, "we protest!" It wouldn't have been so bad, but when the chief gentlemen refused to take to the lady's aid, Gory had a momentary lapse, and let the offense have one from "way back."

It all happened Wednesday night ( ) on Main Street. When sent before Mayor Gory had the choice of a \$100 fine, or a 10-day layoff as a guest in the local clinic. He paid the fine.

# Leipzig Heads Magis

ati, May 31. — Tenth annual conference of the Society of American Magicians saw Nate Leipzig elected president for the coming year. Elmer Pendleton Ranson was honored with title of dean of American Magicians. Next national meeting goes to New York.

# Misbilled

illing of the George Jessel troupe out front of the State, N. Y. This week is lighted up by names of Ward Byron and Jack Raymond. Former is the producer of the Jessel troupe, and the latter is business manager.

# Reno Bros. of Hartford

Glowingly Describe Show Biz Under Anschluss

Al and Val Reno, smalltime dance hall, hailing from Hartford, Conn., wrote back glowingly to the Hartford Times about his own name on the list. Says it's the first time he ever deprived himself of billing.

Al and Val Reno, smalltime dance hall, hailing from Hartford, Conn., wrote back glowingly to the Hartford Times about his own name on the list. Says it's the first time he ever deprived himself of billing.

Entirely contrary to usual reports from Austria since the establishment of a Nazi regime, the Reno boys are bright in their reports of the new "Austrian Anschluss" much better for the artists and all the people who make a living in the theatrical profession, they write. New York has been given to a lot of artists who were out of employment for years. Salaries were boosted up to normal, and Austria and Germany combined, there will be plenty of work in the theatres and cabarets. All of the film studios are also run by the government.

The "Femina Revue" in which the Reno brothers are dancing, begins at 10:30 nightly and runs until 1:30. It is intended to be what a beautiful production they put on in this little revue theatre.

The stars this month are headed by the German film comedian, Thor von Halmay, who is really a Hungarian. Rudolf Carl, a Viennese, is one of the best things in the show. Be sure is a natural comedian and is going places. Late in the act is interested in bringing him to Hollywood later. We hope he likes.

# Cleve.'s Occasional Vaude

Cleveland, May 31. — After two weeks of straight films, Rip Van Winkle is lighted up by George week of June 3 for Ben's Goodman's orchestra, which was originally scheduled for another week.

# WIFE ATTACKS

CAFE OP., 50G, IN BOSTON

erson, May 31. — Mrs. Kathleen M. Brandt, start owner of the Brown Brier, Hub nery, filed suit against her partner, husband Anthony Brandt, of New ham, near here, and won a temporary attachment on \$50,000 worth of stock held by her husband. She set the amount at \$100,000, but Judge Joseph R. McGuire, before whom the appeared, halved the request.

Court awarded her an injunction restraining her husband from interfering with her personal liberty, and she was given temporary custody of their 10-year-old son. She also got a temporary order for \$50 a week to support herself and the child.

Actions arose out of an incident when she was allegedly dragged from her bed May 11 by Brandt to the kitchen, where he is said to have threatened to kill her with a knife. Brandt denied this in Brookline court, and charged that his wife, also hostess at the Brown Brier, was "in love with other men."

Mrs. Brandt exhibited a black eye to Judge Daniel A. Rollins in Brookline court, testifying her husband had done this to her.

Brandt demanded he be committed for sanity tests. Judge Rollins then set a bond of \$1,000, which was followed by Mrs. Brandt's action in Dedham.

# CUGAT-LANGFORD SET FOR B'WAY PARAMOUNT

Xavier Cugat and his orchestra played the Paramount, with Frances Langford, either June 29 or July 6.

Harry Kalcham, who books houses, has also signed Tommy Riggs, on Vallee air show nine months, for the N. Y. Pac June 15, and the Andrews Sisters (3) who come in July 13. First N. Y. stage appearances for both acts.

# ENGL STAYS AT F M

Harry Engel, remains with the Pancho & Marqeo c o.

He has resigned his week but was recalled.

# Hotel Niterity Summer Biz in Chicago Seen Worst in Years; Spots Folding

Chicago, May 31. — Indicated that the current season for hotels in Chicago is the poorest summer since the mid-thirties years.

On the summer with a small, intimate group. The Edgeview Beach hotel will continue to operate the open-air Beach Walk, traditional summer disc-and-dance spot in the Jefferson parish.

# Philly Agent Group Threatens Strike On Okay Renewals; No Protection

# Niterity Unit

The Vernons, Adel Mofett and Dick Gaspare's orchestra, will play the Niterity Club on July 10. The group was booked in toto from Ambassador Hotel, Boston, which created the idea.

They return to New York today (1) to make a short for Warner Bros. and continue the booking process, as Brooklyn studios are closed.

# Jessel's Josy Starr

Yanked by Children's Society at State, N. Y.

George Jessel, playing the State, N. Y. this week with his radio troupe, had to yank Josephine Starr out of the bill after the opening show last Thursday (26) on orders from the Radio Society. Young nine-year-old Filippa songstress is forbidden by law from doing a singing act in theatres in N. Y. state.

Idea of planning the moppet in the audience occurred to Jessel when he recalled being used by them. He was a kid performer for Gus Edwards in 1911. Barred from singing on the stage, Jessel hid his songs from a box as a filler while Jack Johnson, at that time the heavyweight boxing champion, fought his duels. It was at the old Hammerstein, Victoria, N. Y.

# Miller's Talent Hunt

Sails with Joe Besser. Miller, vaude agent, sailed from New York last Friday (27) for England on a talent hunt. He'll be gone about three weeks.

Miller accompanied the Besser, who'll all a date at the Palladium, and double into the Trocadero. He shows in the Fall June for four weeks; i' the Troc for six.

# envy Sargent in Sling

Kenny Sargent, with Glen Gray's Casa Loma orchestra at Majestic, did his all week with right air in a sling.

He had his collar bone in Houston auto smash.

# Strike against him renew their licenses when the present ones expire

Miss Bernard declared that department of labor and industry, which is enforcing the law, has taken no steps to give the licensees the protection that was promised in return for the fee.

Her principal fear, she says, is that no attempt is even being made to force New York agents like Music Corp. of America and Consolidated Radio to get Pennsylvania licenses, although the statute says that out-of-state bookers must have permits to do business.

In addition, she declared, there are some Philly agents who haven't handed over their cost, but aren't being molested. Politics is responsible, she maintains.

Charles E. DeMa has now been closed, with 40 members. Organization was recently formed by merger of the former DeMa and the N. Y. Assn. New members now have to pay \$50 a litigation fee.

# Cleve. Suburb Shuts 90 Cafes By Sunday Law

Cleveland, May 31.

Ninety cafes and "lunkers spots" in Lakewood, suburb of Cleveland Sunday, are undergoing closing down today. Some 200 owners, who have been campaigning for complete closing.

Town's councilmen also passed a new ordinance curtailing night life, but okayed sale of 32 beer on Sundays.

In advance of Archie J. Leary, attorney for the town, Leary, declined not to take advantage of the clause, which would permit to revoke dry suspensions that are pending Saturday laws, which might precipitate a local option election.

# N. O. TO HEAR MACCO'S PLEA ON DOPE CHARGE

New Orleans, May 31.

The U. S. circuit court of appeals will hear Sam Macco, Galveston night club operator, about the middle of June here, officials announced Friday (28).

Macco was indicted for conspiracy for the sale of opium in New York, and was seized as a fugitive in Texas and held. He fled to Houston after a \$10,000 bail corpus was prevented his return to N. Y., but the district court in Houston held that Macco was appeal to the circuit court here.

# BERNIE-WINCHELL

Billy Rose Made Offer But Acceptance Reported Improbable

Unlikely to go through, but Billy Rose still would like to unite: Benjie WincHELL, who has been with his next stoppers at the Casa Manana, New York, Rose, in approaching the publicist, says he wants to see what attraction to follow the assorted vaudeville that has played thus far. Says Rose is in New York, but he'll check going on a month's holiday in July and Bernie still has the record. Rose is in New York and after his U. S. "re radio sponsorship experience."

WincHELL, however, is virtually set for a winter comeback to Broadway at the Hotel Astor. Rose, like the publicist, says he is in New York, but he'll check going on a month's holiday in July and Bernie still has the record. Rose is in New York and after his U. S. "re radio sponsorship experience."

# 3 NABBED IN N. O. CAFE HOLDUPS; GETS 14 YRS.

New Orleans, May 31.

Irenee Tamm, 31, implicated in two youths as the brains of a trio which staged a series of niterity holdups in New Orleans, was nabbed at his home here Wednesday (25) and confessed participat in the holdups.

Arrest of Tamm followed the capture of Luther Johnson, 16, and Keith Davis, 15, who gave their names as Fred and Ed. State police apprehended the boys Tuesday (23) night in Jefferson parish in what was said to be their last escapade. Expressing a "C" in placid mood, Tamm was taken to the Orleans Criminal Jail, William O'Hara on Thursday (26), made his plea and was sentenced to 14 years in the state penitentiary.

The two "baby handlers" were turned over to juvenile court authorities in Jefferson parish.

New Acts

STATE, N. Y.

George Jessel, Four California Co-eds, Amy Arnell, Ralph De-Edle, Bruce Stryker, Fred S. Tucker, Dancing Theatres, Josephine Starr, Beverly Roberts, Ruby Rogers' house orchestra (U.A.)

Despite the presence of Beverly Roberts and a presentable lineup of supporting acts, this is not a very good show. Comedian not only con-

While some of his solo business is fairly obvious and certain of his mannerisms resemble the methods of other name clowns, his ability to knock making them appear at least subtle and highly effective.

Beverly Roberts (New Acts), substituting Norma Timmons, has a tight windup spot. Needs stage experience in her pretty good singing and stage manner and gets across three songs. Josephine Starr, who was on the first show Thursday night, was replaced by Ruby Rogers who is under age. Mlle Filippino, with a good chuck out of a calatourna voice was spotted in the audience singing two numbers at show caught.

Amy Arnell, a tall, thin girl with nasal voice, clear enunciation and good rhythm, sings two numbers with Jessel. Her act teams with Jessel, Ralph DeAngelo and Eddie Cline to offer George Jessel's "What This Country Needs is a Big Angelus" and "The Big Angelus Factum" aria, from the Barber of Seville. Although its demand for a better singer than a vaudeville singer, it's spectacular and more appealing than anything else, it would be more effective if its theme were explained to the audience.

For the balance of the show, the Dancing Theatres presents two nicely-contrasted dance routines and Jessel engages in a short routine of nonsense. Tommy Tucker, on how to introduce a new act, is followed by the band to accompany Beverly Roberts. House crew, mounted on stage, are amusing. Hobo. throughout.

Roxy, Salt Lake City

Salt Lake City, May 29. Rosita Royce, Corseton Sisters (2), Bromlee Broe, (2), The Flying Circus, Bruce Stryker, Fred Stryker, Eduardo Delgado, Romero & Viola, Bill Flannery, "The Role of the Rio Grande" (Monos). This will be the last.

This bill is lockless. Even Rosita Royce's two nude trips fail to hypno-

Faith Carleton, eye-pleasing red-head, is a Cuban and female who speaks in a subdued tone, making it difficult to hear her. Contributes more to the show by singing "The Role of the Rio Grande" with Pat Carleton, her sister, in style. "Post and Bill Flannery, who Romero and Viandola fail to display anything new in ballroom

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electric lights in the feathers to brighten up the swishing. Eduardo Delgado, as Cuba's Ben Crosby, nasalizes one number in sockless fashion. He also nasalizes "Volare" with big acrobatics and a good chuck out of the job. The robbery of genuine duck-palming by the interloper of the show, is reviewed in tepid humor. Guss.

EARLE, PHILLY

Philadelphia, May 29. Three Stooges, with Eddie Laugh-ton, Tommy Riggs & Champ Lou, Sam Hearn, "The Human Sacrifice to Pele" (Hunted Man), Lou Schrader's house orch; "Hunted Man" (Hunted Man).

Despite names and flocks of acts, Earle up this session lacks com-pat. Bill, drawn by a bo. combo of the Three Stooges, Sam Hearn and Tommy Riggs, satisfactory.

With name band absent, Lou Schrader's home crew, a twister from pit to stage for background, M. Eddie Laugh-ton, who is back-

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LYRIC, INDLPS.

Chicago, Indianapolis, May 29. Craven, Wally Roberts, Ruth Cleve & Co. Mills & Slaty, Patz Doll, Alice Gals, (Wicki Bird's) Royal Hawaiian, Princess Luano, "Crime Show" (WB).

"Waikiki Nights" is an acceptable line of one-act knock-out acrobatics, White Roberts is next with his

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ROXY, N. Y.

Hermah Timberg, Jr., Lorraine & Rogan, Robert Strick, Maurice St. Roch, Eddie Wright, (Coke) (St. Roch), Joe Foster, Gipsy; Paul Atteridge, Kidnaping (Coke). Reviewed in VARIETY May 23.

Current show here plays more like a vaudeville bit than most, being directed by the artist. It is generally entertaining. Principal attraction is the singing of Roy White in the voice of Sam White in "The Boy in the Wood" by Barthelemy and the newcomer, Arleen Whelan, who's in her teens, in "The Boy in the Wood".

Along with Miss Caselotti, who gets the best of her back-ground, including in Harry Stockwell, who is charming in "Sun White", Wearing his hat with a swish, means who double the swish, wearing masks to assimilate the Disney

The Gae Foster line opens up atmosphere for the outline comedy troupe of the following. Gipsy also work with Timberg, doing a routine with gold sticks that develops a good chuck out of the job. Gipsy also uses gold clubs with his

In addition to Monroe and Grant, the comedy department is represented by two other acts, Robert Neller, ventriloquist, and Lorraine Jones, who is a singer. Neller is the best on the show. Miss Lorraine doing contentions gyrations with a dummy called "The Boy in the Wood". Neller, who is a singer, is the best on the show. Miss Lorraine doing contentions gyrations with a dummy called "The Boy in the Wood".

Business Friday (27) on last show with a chuck. Char.

CHICAGO

Chicago, May 29. Tommy Dorsey's orch; Johnny Woods, Phillips & Cole, John Leonard, Eddie Wright, (Coke) (St. Roch), Joe Foster, Gipsy; Paul Atteridge, Kidnaping (Coke). Reviewed in VARIETY May 23.

Tommy Dorsey's swing orchestra is practically the whole show here this week. The jitterbugs, however, are being out of the show. Eddie Wright, who is a singer, is the best on the show. Miss Lorraine doing contentions gyrations with a dummy called "The Boy in the Wood".

Dorsey's arrangements are excellent, making it most of every thing. He parades a flock of off-hand num-bers, but the best of the show is the

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FOX, K. C.

Kansas City, May 29. Sally Roper, Fred Stryker, Eddie Wright, (Coke) (St. Roch), Joe Foster, Gipsy; Paul Atteridge, Kidnaping (Coke). Reviewed in VARIETY May 23.

Only thing blue about this week's bill is the lighting for Sally Roper's act. Roper, who is a singer, is the best on the show. Miss Lorraine doing contentions gyrations with a dummy called "The Boy in the Wood".

the top draw. Her 12-act line is in two routines and ends at each go. Comedy shouldered by two teams, Fred Stryker and Collette, and the Roper Boys. Stritt does a little of the

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CAPITOL, WASH.

Washington, May 29. Abe Lyman's orch, California Variety Eight, Dorothy Arden, Rose Blane, Nick Long, Jr. & Danny Kaye, "Red Pepper", Warner Smith, Walter Dare Wahl, "Kentucky Moonshine" (206).

Even house band had a week off, playing a single accompaniment to Abe Lyman's unit clear road. The show gets no introduction, but the club arranged to have a

California Variety Eight parades, Fred Stryker and Collette, and the Roper Boys. Stritt does a little of the

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ORPHEUM, OMAHA

Omaha, May 29. Ted Mack, Cliff Edwards, O'Brien & Colquhoun, Marie & Joe Smith, "The Flying Circus", Bruce Stryker, Fred Stryker, Eduardo Delgado, Romero & Viola, Bill Flannery, "The Role of the Rio Grande" (Monos). This will be the last.

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BEVERLY ROBERTS

Songs, "The Flying Circus", Bruce Stryker, Fred Stryker, Eduardo Delgado, Romero & Viola, Bill Flannery, "The Role of the Rio Grande" (Monos). This will be the last.

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Embassy Newsreel, N. Y.

Well-balanced bill this week with good diversification. Clips about the new Paramount picture "The Sign" and personalities, sports and miscellaneous. Fun activities show Metro contributing some action pictures in the new Paramount picture "The Sign" and personalities, sports and miscellaneous. Fun activities show Metro contributing some action pictures in the new Paramount picture "The Sign" and personalities, sports and miscellaneous.

Variety Bills
NEXT WEEK (June 6)
THIS WEEK (May 30)
Numerals in connection with bills below indicate opening day of show, whether full or split week

RKO

CHICAGO
ALICE IN CHAINS (1)
THE HUNTERS (1)
THE HUNTERS (1)
THE HUNTERS (1)
THE HUNTERS (1)

Loew

NEW YORK CITY
State (2)
Al Lewis Station
The Danes
Joe Lewis
Jack Lewis
Milly Bruce

HELD OVER
ROXY, NEW YORK
LORRAINE AND ROGNAN
FEATURING
"JIGGS"
in: LEDDY & SMITH

Paramount

NEW YORK CITY
Med News Revue
The Danes
The Danes
The Danes
The Danes

Warner

PHILADELPHIA
Alice Marie (2)
Alice Marie (2)
Alice Marie (2)
Alice Marie (2)

Independent

INDIANAPOLIS
Lark (4)
Dinah
Tommy Wonder
The Al Waldman
Freedman

London

Asteris D. E.
Don & Dorette
Dorothy
CANDEN PAYS
The Danes
The Danes
The Danes
The Danes

Cabaret Bills

NEW YORK CITY
Barney Calhoun's
Marilyn Gaynor
The Danes
The Danes
The Danes
The Danes

Yearly Youcort
Reading 3
Eleganter Beach
Rosa Wolf
Sellers
Brett & Young

Chateau Moderne
Royal Powers
Alice Vegas
Alice Vegas
Alice Vegas
Alice Vegas

NEW YORK CITY
State (2)
Al Lewis Station
The Danes
Joe Lewis
Jack Lewis
Milly Bruce

NEW YORK CITY
Med News Revue
The Danes
The Danes
The Danes
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The Danes
The Danes

NEW YORK CITY
Barney Calhoun's
Marilyn Gaynor
The Danes
The Danes
The Danes
The Danes

Hotel New Yorker
Hotel Hamilton
Hotel Hamilton
Hotel Hamilton
Hotel Hamilton

NEW YORK CITY
State (2)
Al Lewis Station
The Danes
Joe Lewis
Jack Lewis
Milly Bruce

NEW YORK CITY
Med News Revue
The Danes
The Danes
The Danes
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# 60 Strawhat Units Seen with Equity By Mid-June; Stricter Regulations

Summer season in the sticks is taking form rapidly and it's leated that more rural outfits will a rate equity regulations than in the past when 53 stocks were so regulated. Already, 40 have signed with Equity and 40 are expected to do so by the middle of June. Equity will police the strawhats, as it did last summer, by a likely, tightening up on the rules.

To date, there are 38 new plays slated for country tours, being under previous summer, but the total will probably be upped. Reasons for the apparent decrease is explained by the fact that rural impresarios, as well as authors realize that new play presentations under general conditions are too much hampered to attain desirable results. Results have seemed to indicate that few Broadway possibilities are so developed.

However, some Hollywood talent and material scouts are preparing to make the rounds of the country shows, but will pass up most of the amateur groups. Altogether last summer, there were 110 strawhat units on tour.

Herbert Crooker, who resigned as Warner Bros. publicity manager to start his own, will be producing a comedy, "Made in Heaven," this summer at the Pink Box, Somerset, Pa., on tour.

**No straw Angling**  
Contrary to prevalent rumor, the strawhatter at New London, Conn., to be operated by Carlisle Smith, will have Metro backing. It is reported that the film company has no interest whatever in the venture, either for the usual plans or in connection with Broadway production ideas. New London venture has so far not applied to Equity for regular professional rating. Smith is reported to have options on two new plays, one of which is composed of comparatively young players. Smith was for several seasons connected with the New London theatre as an assistant on the production staff.

**Helen Vlasova's Stock**  
Helen Vlasova, making her first summer stock appearance, will be the guest star in a production, "Once Is Enough at the Theatre-by-the-Sea, Malabar, N. J., season. Other features of the production will be the troupe of "Cupid at Vassar," an old comedy by a name playwright, and the first professional performance in America of Gilbert and Sullivan's "Utopia, Ltd." Author of "Utopia" has refused to let his name be used.

**Madison stock**  
Madison stock season will open June 28 and will last 10 weeks. Opening will be "Hay Fever," with Zama Cunningham. Other guest stars will include Sidney Fox and Douglas Montgomery. Performances will be given Tuesdays through Saturdays, with matinees on Thursdays. Herbert Hirschman, director is James H. Fox. Presenting company consists 20, nine of whom are actors. Organization is known as the Madison Theatre Guild and Theatre, and hopes to produce Broadway in the fall. Robert Hately is p. a.

**Nichols, Conn. May 31.**  
The Pine Brook Theatre, organized by Joe Daniels, opened its summer season at its Playhouse here Monday (29) with "The Sign of the Cross," Ladies' Chorus. Present plans call for a new play to be offered every Wednesday.

**Hartford ay 31.**  
Formation of an amateur group to be associated with The Capital Players in the presentation of summer stock at Fox Hill, Conn., was undertaken Saturday (28) by Alan Moore, managing director of the Pine Brook Theatre, and a member of the company. Will consist of 30 members and will be known as The Capital Players Apprentice Group.

**Berkshire Playhouse Plans**  
Stockbridge, June 21. William Miles, directing the Berkshire Playhouse here for his fourth year, is preparing for the opening June 27 of the 10-week season. Guest stars will be Jane Cowell, Joan Barrett, Florence Reed, Edith Bryant and Victor Price. Repertoire will include "Best Dressed Woman in the World," a new play by "Foot-Light, Spoon and God," "Pardon Without

# Chicago's TMTAT

Chicago, May 31. Local district of the Theatrical Managers, Agents and Treasurers Association, set up by Earl Oliver, national rep. of TMTAT.

Sam Gerson, local supervisor of Shubert's Corporation, has been appointed TMTAT chief for the area.

## PRESS UNIT SLATES MODIFIED PROGRAM

At a meeting of Theatrical Press representatives of America, Chicago, May 29, the U. S. It was decided last week in New York to hold the one together for maintenance of an office was deemed unnecessary, however, since their activities concerning managers have been wholly taken over by the Theatrical Managers, Agents, and Treasurers union.

TPROA membership included agents and managers, nearly all of whom have joined TMTAT. Those not eligible to be the New York TMTAT Press Agents, which was slated to be New York agents only. Latter which was formed a year ago, was wholly absorbed. TMTAT has now taken over activities within the union, as have the company managers and treasurers.

A Ben Aulet is the TMTAT head, who will be succeeded by Arthur Albee McVicker, secretary.

## Berlin East to Produce Play with Sam Harris

Irving Berlin, accompanied by his wife, Getta Berlin, is returning to New York, where he is slated to produce a show this fall with Sam Harris.

Berlin is due to return in the autumn to work on a picture for 20th Century Fox, which he has completed. Alexander's "Bagtime Band."

# Washington Deluged by Protests On Salary Cut of FTP in New York

## Current Road Shows

"Pins and Needles", Opera House, Chicago.  
"The Sign of the Cross", Lillian Gish-Burgess (Bertha), Shubert, Boston.  
"The Sign of the Cross", Lillian Gish-Burgess (Bertha), Shubert, Boston.  
"You Can't Take It With You", New York.  
"Never Knew", Chicago (Lupé, Velaz-Cifuentes Webb), Chicago.  
"Buffalo '39-31", Masonic Lodge, Rochester, N. Y. (1).

A deluge of protests is descending upon Washington over the planned salary reduction of the majority of all people on the WPA theatre project in New York. Protests are going on senators and congressmen, not only by those on the theatre relief roster, but by casts appearing in Broadway plays.  
Mentioning those executive posts on the Federal Theatre Project are attempting to have the budgeting order 7807 or withdrawn. A similar opinion is voiced that unless that is achieved, the finish of the project is in sight. Much objection to it, which drops the total annual pay of a worker to \$1,000, is said to be directed at Joseph Bell, WPA budgeter in Washington.

## James Forbes Dies At 66 in Germany, Wrote 'Chorus Lady'; Critic

James Forbes, the stage author of a number of plays, died in Frankfurt, Germany, May 31. He was born in Salem, Ont., and educated in Galt, in the same province. For a period he was dramatic critic of the Pittsburgh Dispatch and gave that up to come to New York as assistant dramatic critic on the New York World.

Should the WPA theatre be curtailed, issue on the roll will probably be shifted to other white collar projects. Equity is endeavoring to ward such situation, saying that one which arose recently when a few of its people on WPA were transferred to projects which pay a lesser security wage.

Actual cut is \$240 annually, that being the average of the entire complement. Although the union on the project getting the top security wage of \$458 weekly would be reduced to \$458 weekly, the balance of many will be lowered considerably more to balance the budget.  
Hardly an appointment following that which permitted 220 additional people to the FTP. Letters on the situation were sent to spots, but may get a break over those remaining in New York if the government in June 15 pay of \$3 per day is made.

# NO ATC CONFAB, FUDS BACKLOG

Lack of funds has forced the American Theatre Council to pass up its convention in New York this year. It was some talk of applying the annual meet in August but there appears to be lacking a force in New York. It was some talk of applying the annual meet in August but there appears to be lacking a force in New York.

Future activities of ATC are sketchy. It is possible that interest will be revived next season and a convention held during the early period of the N. Y. World's Fair, since one of the ATC's aims is to hold a drama festival at that time.

**Talent Auditions**  
Principal product of last spring's convention would be the holding of new talent. That activity will be continued next season by the committee headed by the ATC staff and office and staff of the League of New York Theatre, has held its skeleton organization together, however.

Future activities of ATC are sketchy. It is possible that interest will be revived next season and a convention held during the early period of the N. Y. World's Fair, since one of the ATC's aims is to hold a drama festival at that time.

Another product of the meetings was the formation of a code, which, however, is sponsored by the managerial league. ATC, however, is not to be entered into the plan, which, if adopted, may be the reason for a re-to-getter late in the season. The code is expected to be approved by the ATC. Equity is expected to accept the code, in principle, at least; this would be a move which would be framing of a term or agreement with the managers.

**Gilmore, Turner Aided**  
ATC will be aided by the efforts of Frank Gilmore, former Equity head, and Paul Turner, its assistant. Both have appeared in the past and the result was to bring together all groups and unions in the theatre, with the exception of the unions on the American stage.

No permanent organization was worked out, but the business still doubtless was a factor. Gilmore withdrew from Equity and Turner from the American stage. He left little time to devote to ATC.

## More Strawhats

**Hopalong**  
Lyle Playhouse, Lake Ontario, N. Y., June 30, Eldershaw.  
**Southern Playhouse**, Southampton, N. Y., June 29, Theodore St. John, Helen Thompson and Alice Walker.  
**Washington Heights Actors Guild**, N. Y., May 28; Nat Lichtman.  
**New York Heights Actors Guild**, N. Y., June 29, Leslie Urbach.

## Chicago's 125 Amateur Groups Make Up For Death of Legits

Chicago, ay 31. It is noted that the public, finding no outlet for its theatrical interest in the professional theatre, is turning to the amateur play for stage plays as never in 1929. The tremendous growth of amateur groups in the midwest during the past few years is a fact.

Taking Chicago as example, there are today more than 125 various drama groups presenting from two to six shows annually. This compares with the 24 amateur groups which were active in 1929. The production of plays has become the main activity of many groups, and many of them have organized parties, and dinners, card parties, and bazaars. They are offering an opportunity for participation to a larger number of their membership, in addition to the public with the possibility of acting as a group. The number of groups is larger than that of other types of activities.

Currently in Chicago there is only one professional show in the loop. In the various nabes this week there are 125 amateur groups, each with its own type of every type play.

## Inside Staff—Legit

Controversy between the Bela Blau-Marc Connelly office and the musicians' union as to how many men should be used for "Two Bouquets" was amicably settled after Sam S. of the union inspected the Windsor pit, and found the actual work had been insisting on 14 musicians, but after seeing the Windsor's pit, was convinced it would hold only 12 men. Windsor was selected from five bid systems at an additional cost of \$2,500, or electric apparatus (chemical system), which costs \$7,500. Installation would be made if a promising summer tenant were booked. National went dark last Saturday (28) upon the closing of "Julius Caesar."

The National is still another legittier on Broadway which may be added to the list having air conditioning. When the house was fixed up to include expensive several seasons ago, ducts for a cooling system were installed. Theaters explaining the cost of the system at an additional cost of \$2,500, or electric apparatus (chemical system), which costs \$7,500. Installation would be made if a promising summer tenant were booked. National went dark last Saturday (28) upon the closing of "Julius Caesar."

Edith Christiansen's resignation as executive secretary of Chicago Equity was accepted last week by the staff of Equity. Although four weeks' notice was given, final two weeks are rated as a vacation pay check. She will not be replaced as absorption of the chorus branch by the parent organization is being made. Miss Christiansen, who is said to have many unfamiliar with show business, was engaged as an organizer, the appointment causing a reaction in Equity at the time.

"Pins and Needles" cast, recruited from the New York garment center, reported to have developed temperance when it recently played the Chestnut, Philadelphia. Players wanted the glass partitions removed from the rear of the stage, explaining they were tired of their performances. House manager replied that stars who have appeared in the house made no such complaints, but he would remove the partitions if the show paid for him, no dice.

Sidney Hirsch is out as general manager for Ted Harris, post he assumed when Harris left the actual work of a certified public accountant and maintains an office for that activity. Harris thought the two jobs didn't j. besides there are other arguments with Irish. Tom Bodkin, manager of Harris' "Our Town," is sitting in as the g.m.

When "Susan and God" opens its tour in San Francisco Aug. 8, company will have three from New York. Susan is a certified public accountant and maintains an office for that activity. Harris thought the two jobs didn't j. besides there are other arguments with Irish. Tom Bodkin, manager of Harris' "Our Town," is sitting in as the g.m.

## Future Plays

"A Dime a Dozen", pugilistic play by Edward Craven and Walter Wolf, to be produced by Frederick A. Ager. Piece of old-of-town Irish in August.

"Welcome Angels" comedy about rural enterprisers by Tom Cunningham, will be brought to Broadway by Harriett Lewis, who first played it at his strawhat in N. Y.

## ENGAGEMENTS

Edith Dunnick, Grace McTarnahan, Christine Gray, Charles Ansdry, Jack H. Harris, and others. Engagements: "The Sign of the Cross", Lillian Gish-Burgess (Bertha), Shubert, Boston. "You Can't Take It With You", New York. "Never Knew", Chicago (Lupé, Velaz-Cifuentes Webb), Chicago. "Buffalo '39-31", Masonic Lodge, Rochester, N. Y. (1).



# Arthur Byron Elected President, Bert Lytell 1st Viceprez of Equity; Most Peaceful Meeting in 5 Years

Equity's 25th annual meeting and election, held Friday (27) at the Hotel Astor, N. Y., was a decorous proceeding, the first in five years. As Arthur Byron was elected president and Bert Lytell, spotted to the first vice-presidency without opposition, there was no indication that the younger, or radical, group which heckled the former administration, was still active.

When Byron was introduced he was given an ovation that lasted five minutes. The new leader was visibly affected by the demonstration. When the nominating committee sought a candidate to fill the post vacated by Frank Gilmore last winter, and later by Burgess Meredith, who acted as prep for several months, the selection of Byron, who was elected in California, came as a welcome surprise.

The actor accepted with the stipulations that there be no salary attached to the job and that he would devote as much time to Equity as he could, he would continue on Broadway or in Hollywood. Terms of Byron and Lytell will be for two years, although officers are regularly elected for three. C. M. Turner, former of Byron and Lytell will be for two years, although officers are regularly elected for three. C. M. Turner, former of Byron and Lytell will be for two years, although officers are regularly elected for three.

### Subversive Element

Day before the meeting there was an attempt to stir up the strife of several months ago, when it was charged that a subversive element had originated with the first deflation, which got no further than a yarn in one tabloid, was claimed to have originated with the "old guard." Philip Loeb and Meredith were singled out in the attack. Loeb reported having originated with WPA people with the idea being to out Loeb from the council. Theory is that as Loeb is on the board, he is unable to attend the weekly council sessions, and therefore should be replaced. However, the same argument would apply to other councilors who are in Hollywood.

During the session a statement was given by Byron of a WPA-er, who believed that the election was not a "house-cleaning" but that the new president said he wouldn't bother to read it to the assemblage. Financial report showed a gain of \$26,376, an increase of \$3,322 over the previous year. That is accounted for by enforced economies and the fact that there was no salary paid the presidency from the first of the year to the building at 45th street, was listed as valued at \$134,692, but the report of an efficiency committee made during the year estimated that the property is not worth more than \$60,000. Balance on hand is \$10,000. Investments valued at \$108,276.

**Member Gilmore, Turner.**  
Gilmore was presented a gold watch and a \$20 gold piece in token of his 25 years' service with the organization. The first gift was from Equity, while the four A's presented him with a complete set of Shakespeare and to him a watch presented in 1709. Attorney Paul Turner was also honored for his long service and presented with a silver watch. Named to the council: Lee Baker, Earle Larimore, Hugh Cameron, Robert Crawford, Charles Everett Hale, Joe Vitale, Alfred Kappeler, Katherine Warren, Eric Drester and Robert Leinbach. A new president, over a replacement meeting between John Lorenz and Samuel Beckett and it is expected that Beckett will be elected. Tellers were Joseph McCormack, Dodson Mitchell, Frank Kram and Martin Fullick.

# 90 PER '38-'37 WPA PROGRESS

## Drops for Straight Year, '35-'36 Seeing 120—11 Standouts, 6 Moderate Successes—Decline Traced to ilm Backing Fadeout, Shoestring Drop and Biz Lull

For the third successive season there was a drop in legit productions on Broadway, the season of 1937-38 seeing 78 new plays, compared to 90 during 1936-37. There were 120 new plays in 1935-36.

There were, naturally, fewer hits, also a decrease in first success. Season's final presentation, "Two Bouquets," was made this week and is not counted among the hits of the season, but if it clicks the percentage of successes will be about the same as last season. There were 12 plays in the money, 11 being standouts and six of moderate success rate.

During 1936-37 there were 25 plays in the winning circle, 14 being hits and eight moderates. Failures during the season just ended are 41, against 37 during the previous theatrical year. Comparing the number of money shows with the total per cent used indicates that the drop in the number of hits was not as great as it appeared, for not more so, to land a hit—one out of four and a fraction getting the public nod.

Decline in shows produced is traceable to the absence of picture backing for the second successive season. Also, the drop in legit in shoestringing and the general downward business trend were distinctly contributing factors. There was, too, a paucity of material as indicated by the ineffectual presentations by producers, who have records as makers. One or two failed to uncover anything worth while, but would have produced had film coin (Continued on page 50)

# PIX AGAIN EYED BY MAX GORDON

Max Gordon is flirting with Hollywood again, but not this time. He has done a couple of stints as producing consultant at Metro and RKO but he figures that by next year he will go Hollywood in earnest.

Meantime Gordon, just back from visiting "The Women" in England, will be producing Harold J. Rome-Charles Friedman songs and idea for his intimate revue next August. "The Women" and "The Women" will also pitch in on it, but the material is much better set than are his people. Unlike past performances, Gordon must concern himself now with 100% new faces, which recalls to him his vaudeville scouting days. Rome-Friedman, who figured so prominently in "The Other Ladies" with amateur cast, necessitate 10% use unknowns for their more ambitious Gordon production auspices.

## 6 Shows for S. L. City

Salt Lake City, May 1: Harry David, vice-president and general manager of the Intercontinental Theatres, Inc., operators of six houses here, announced that six legit shows, three definitely booked, will open in the next fall. They include "The Star Again," "Simon and Goli" and "Hoary" by Arthur Koppler. Other possibilities include "Amphitryon 38," "Golden Boy" and "Off and Men." "Off and Men" also is being considered.

# WPA Probing Boxoffice Shortages In New York After 'Irregularities'; Field Glass Snooping, Circus Quiz

## Hollywood Buys

Shows of the 1937-38 season—purchase by film companies with the buyer and approximate prices paid:	
'Star Wagon' (Metro).....	\$70,000
'Golden Boy'.....	70,000
'About U' (Metro).....	45,000
'How to Get Tough'.....	25,000
'Roosly' (etro).....	11,500

Productions of other seasons purchased during 1937-38: 'Room Service' (RKO), \$255,000; 'The Women' (Gauguin), 200,000; by Metro from Max Gordon Film Productions, 215,000; 'Fly Away Home' (amers), 5,600.

## 'Women,' 'Born' Co-op Works OK; % and Min. Wage

The modified cooperative plan used by "The Women" and "Bachelor/Born," with the idea of prolonging their respective Broadway engagements, has so far worked out to the advantage of the percentage-participating players. Stated that some in "Born," at the Lyceum, drew down more than their contracted salaries last week while some in the original "Women" of the Barrymore, again got approximately 80%.

Plan generally calls for the cast and managements to split the profit after expenses are paid, but with minimum salaries guaranteed. Among the players is pro rate, and depends on the original salary figures, who leads getting a share between 10 and 20%. First week of co-op for "Born," the split was on \$500, while the amount divided last week was reported around \$1,000.

"Situations as to mini umms call for \$50 to players who were receiving fairly good salaries, while \$40 applies to those who were tinge that figure prior to adoption of the sharing plan. Latter, however, 12% in the split, getting at least 1%.

## Fights FTP Slash

Chicago, May 31: The Cultural Progress Committee, a mid-lit group within the Federal Arts council, has begun a campaign among Federal Theatre workers to secure opposition against the proposed cut on the wages and personnel of the Federal Theatre players here.

## Hildegard Halliday's Round-the-World Flight

Hildegard Halliday, lecturer who has appeared as a single act in vaudeville in vaudeville, is planning a round-the-world flight. Pilot will be Illinois De Wall, formerly test pilot in Anthony Koppler. Fair is currently for film rights, and may also be up with Harvard on research article.

Following a boxoffice shortage several months ago at the Adelphi, N. Y., were the WPA's "One Third of a Nation" is playing, the project has been checked up on the ticket staffs of other WPA shows in N. Y., but concentrating particularly on the "Circus." Result was that eight men and one woman were questioned about alleged irregularities Saturday (28), but none was detained, although Tuesday (31) it was stated that six were permanently off the payroll.

Circus was in Brooklyn last week when investigators Joseph L. Brandt, Cyrus O'Rourke and William B. Beauchamp claim they used a rooftop opposite the entrance and observed the ticket sale through field glass. The suspects were taken to a police station and interrogated. Understood there were no warrants and certainly the prosecution would have been conducted in federal quarters. Claimed that use of the station house was due to its convenience.

### More Questioning

A telephone message to the Theatrical Managers, Agents and Treasurers' union, of which the WPA people are members, sought aid. Gustav W. Edwards, administrator of the state, was contacted about the state, but his wife, also a lawyer and his associate, accompanied by a reporter, was called to the office of TMAAT, went to Brooklyn after which the ticket people were permitted into the matter. Reported that the circus ticket group would again be questioned.

Paul Edwards, administrator for the WPA theatre project in N. Y., is said to have considered about the statements from boxoffices, which have been credited with drawing strongly, because of low admission prices, the grosses of none have ever approached the figures of commercial productions. Alleged, too, there was a shortage of \$300 discovered at the LaFayette, Harlem, where the WPA's "Hail" with a mixed cast, is playing. When a second survey was made only \$60 was said to be short. At the Adelphi, it was claimed by Federal people that \$1,100 was missing. Later, it was conceded that only \$60 was short, exclusive of \$600, which ticket man could not explain satisfactorily. He said he thought the missing \$600 was a typo on a bill on the way to the money.

Edwards is quoted as saying in interviews that he has no objection (Continued on page 55)

## Cleve.'s New Outdoor Theatre to Open Aug. 5

Cleveland, May 31: Harvey H. Litch, theatre man in these parts, will be ready Aug. 5, when the civic-sponsored Cuy Park theatre, in Cleveland, will open. The theatre is Cleveland Heights. Community enterprise was started four years ago. Besides the Cuy Park theatre, a classic plays, it's intended to be concerts, pageants, songsters in the park, and other things. Litch is planning the project, while Soldiers' and Sailors' Relief Commission and the WPA are assisting in construction. The park was formerly part of the Rockefeller estate, theatre is getting the support of John D. Rockefeller, Jr.

AGMA Choral Alliance Row Flares

In New York's Hipp Jurisdiction

Jurisdictional battle between the American Guild of Musical Artists and the Grand Opera Choral Alliance last Saturday night (28) resulted in the cancellation of a performance of the AGMA...

Affair grew out of the recent differences between AGMA and the GCOA, when the Associated Artists of America revolved the GCOA charter and awarded the opera chorus jurisdiction to AGMA...

AGMA, meanwhile, is conducting a drive to bring the GCOA members back into the AGMA fold...

Contract was signed last week by AGMA with the Columbia Opera Co. which presents a season annually in other cities...

100,000,000 HEARD FMP WORKERS IN 2 1/2 YEARS

Washington, May 31.—Attendance at the FMP concert is staged by the Federal Music Project according to the 100,000,000 mark on May 1...

Rolls of the music venture comprise 37 symphony orchestras, 26 concert orchestras, 71 bands, 50 chamber ensembles, 13 opera units, 22 choral units and miscellaneous.

SAXOPHONE NOT POISON Simply Not Written Into Classics, Says Sir Adrian Boult

Toronto, May 31.—Saxophone is now listed in the symphony player's union rules and the only reason it is never heard in classical concerts is because such composers as Beethoven and Brahms hadn't written parts for the then non-existent instrument...

Philly Orch Signs Heifetz, Lehman and Melchior

Philadelphia, May 31.—Following success this past season of doing its own concert booking here, Philadelphia Orchestra Assn. has booked two concerts for next season while the orchestra is on tour...

COLUMBIA OP. \$6,700. BALTO; PEECE IN LEAD

Baltimore, May 31.—Third season of top priced opera by Columbia Opera Co. at the legit Maryland last week garnered \$6,700, due mainly to sellout performance of 'Rigoletto' with 'Pat Peerce' in lead...

Critics Box Score

at the critical post, is at 803. But succeeded Douglas Gilbert as reviewer this season. Combined average for all the critics, 853, was, hit's show caught, was the basic drama oracle of the season...

Variety Box Score Winners

Table with 5 columns: Title, SE, W, F, Pct. Includes entries like '23-24 CRAIG (Mall)', '24-25 POLLOCK (Upbeat)', '25-26 GABRIEL (Sun)', etc.

was 395. Best previous mark was 400, set up by Gabriel in winning the 1935-36 season. Gabriel also topped five times, in 1925-26, 1926-27, 1927-28, 1928-29 and 1935-36...

Brown scored his 835 average reviewing 82 shows during the current season, less plays than any other critic. However, he called wrong titles only four times and had no opinion reviews. Shows on which the Paris critics were wrong were 'George and Margaret', 'The Winner', 'Star Wagon', 'hit', 'Golden Boy', 'hit, and 'Virginia', a moderate success. His reviews on all four were unfavorable.

Only one Broadway closing, 'Golden Boy', is definitely slated for this week. The picture musical 'The Sign of the Cross' is running a run of 31 weeks...

GOLDEN BOY Opened Nov. 4, 1937. Clifford Odets drama, elevated to a vaunted response from the critics. Atkin (Times) wrote, 'a long time in the making, but worth waiting for'...

Helen Traubel's Divorce

St. Louis, May 31.—Helen Traubel, concert and radio warbler, in private life Helen Traubel, was granted a divorce from Louis DeForest here last week...

Critics Box Score

the Lot', which evoked two moorcock reviews. 'The sign of the cross' on 'The Lady Has a Heart', 'Between the Devil', 'Three Waltzes', 'Ghost of Virginia', 'Doodle', and 'I Am My Youth'...

Lou Reals' Bankruptcy

Lou Reals, theatrical manager of the Hotel Belvedere, N. Y., filed a voluntary petition in bankruptcy Thursday (26) in federal court. Only liability listed is \$5,519 owed the State Superintendent of Banks in connection with the failure of the Bank of the United States, in 1934...

Some change occurred in the ratings...

Some change occurred in the ratings from the half season mark to the final listing. Reason was that a number of shows, rated as moderate successes at the halfway mark, were excluded. At that time they were established runs because they failed to get back their production cost and had to be sold as failures...

Broadway Play Toboggan

(Continued from page 49): been available. Such plays have borderline chances in the lion of those managers.

Picture Backing Declines in the sale of picture rights was even more acute than anything the data of 1937-38 could reveal. In 1937-38, Broadway bought 17 shows and also picked up eight from the previous year for a total of \$1,782,500.

GROUP SPENDS \$50,000 FOR CLEVE. OPERETTAS

Fortune Gallo and John J. Herbert, Jr., are here today to start chorus troupes. outdoor summer operetta season Billy Rose's old Aqueduct. About 75 local singers and dancers to be picked for chorus, although principal roles in the operettas are going to Shubert talent from Randall's Island and Jones Beach, N. Y., troupes.

Evening date changed from July 2 to a first operetta to be either 'The Sign of the Cross' or 'Chocolate Soldier'.

Lou Reals' Bankruptcy

Lou Reals, theatrical manager of the Hotel Belvedere, N. Y., filed a voluntary petition in bankruptcy Thursday (26) in federal court. Only liability listed is \$5,519 owed the State Superintendent of Banks in connection with the failure of the Bank of the United States, in 1934...

Hits of 1937-38

- 'On Borrowed Ti', 'Our Town', 'Shadow and Substance', 'Star Wagon', 'Susan and God', 'The Winner', 'The Sign of the Cross', 'The Sign of the Cross', 'The Sign of the Cross', 'The Sign of the Cross'...

seven plays for which more than \$100,000 was paid by Hollywood (top price was \$120,000 for 'You Can't Take It With You'), not one of this season's crop approached the \$100,000 level, being \$70,000 for 'The Star Wagon' and 'Golden Boy'.

Higher prices were claimed for some recent hits, but a conservative figure of the total is an insignificant \$225,500. Added to that was the \$200,000 for 'The Sign of the Cross' for about \$125,000 and resold for \$200,000. Authors were paid off on the picture sale of some of the previous season, doesn't bring the total to higher than \$418,000. Even if the claimed prices were considered, the total would not touch the \$500,000 mark.

There are several additional plays being considered by the films, but the chances of purchase are not indicated. Picture people explain that the off-year by pointing out that the most of Broadway's successes are not salable to pictureization. The so-called Intellectual dramas, with something of a death and hereafter character, are considered not to sell the average patron will go in celluloid form, despite the stage success.

There is no doubt about the scarcity of comedies during the past season. The 'The Sign of the Cross' drama. Dramatists Guild surveyed their film sale situation and came to the conclusion that not all seasons are productive of screen material. Guild people claim some seasons are measure in the respect and that the going good on alternate years. There is no hint that Hollywood remained quiet, notably into action in November. The studio needs more material than can be secured, and their scouts are constantly on the alert. Still, a revision of the objected-to basic contract between the authors and managers might be the ticket to Broadway.

Added the season's success string there should be several reviews, notably into action in November. The studio needs more material than can be secured, and their scouts are constantly on the alert. Still, a revision of the objected-to basic contract between the authors and managers might be the ticket to Broadway.

Among the successes is 'Pins and Needles', which has been revived by amateurs under sponsorship of International Ladies' Garment Workers' Union. It has been a real freak, musical attracted much attention, and though not regularly presented, it earned recognition.

WAGON' \$14,400; SEASON ENDS, PHILLY

Local Philadelphia, May 31. ... last Saturday week ... Clint's production of "The Star ..."

Estimate for Last Week: "Star Wagon," ... \$14,400 for the second week ...

PRINCE' SELLOUT IN L. A. FOR 23G WEEK

Los Angeles, May 31. Second of the opera revival of "The Student Prince," ...

Nothing else on view downtown, ... with Helen Hayes on deck for a ...

Estimate for Last Week: "The Student Prince," ... (2,896; \$2,290). Town's appetite ...

"Froggie to Glory," Hollywood ... Die in June 16, to follow ...

"Take It' Ends Season, \$7,000, in Port., Ore." Portland, Ore., May 31. ...

Estimate for Last Week: "You Can't Take It' With You," ...

WPA PLAY CREATED EQUAL

Salem, Mass., May 31. Historical drama in two acts ... by John Hunter Booth, presented ...

"Created Equal," which premiered ... in Springfield, Mass., simultaneous ...

A rising chorus for all relief ... in the time is indicating that ...

Road Legit Grosses

Estimated total grosses: \$464 (Based on 4 shows); Total grosses same week: \$485.46 (Based on 4 shows)

HAYES HIKES FRISCO, \$31,500 IN 2D WEEK

San Francisco, May 31. Extra Friday (27) matinee of Helen Hayes in "Merchant of Venice" ...

Estimate for Last Week: "Victoria Regina" (2nd week) ... (1,771; \$2,765). Business better than last week ...

"Froggie to Glory," Alcazar (2d week) ... (1,299; \$1,105). Special concessions to WPA workers ...

Equity Oks Ticket Code, Further Mulling

Voluntary approval of the theater ticket code of fair practice ... has been given by representatives of the Actors Equity Assn.

"Paul N. Turner, Equity at reye, yesterday ... that two identical codes be issued. One will be signed by Equity ...

Code was recently drawn up by the association and submitted to Equity ... which would sign a one-year basic agreement ...

"Strawbet Review THE FREDI" Philadelphia, May 21. Drama by D. L. Kennedy; presented ... by Jasper Deeter, Delmore, Adrienne Bancroft ...

Hedgerow's 12th production in its repertory is a ... it's extremely doubtful if it has any competition ...

But they are in a pitiful minority. They have as little political insight ... as they have business sense ...

But they are in a pitiful minority. They have as little political insight ... as they have business sense ...

"Created Equal," which premiered ... in Springfield, Mass., simultaneous ... in the time is indicating that ...

Legit Grosses

(Continued from page 1) \$300 (\$285.50 last season); aving Wonderful T1 \$252.50 (\$105.50 last season); Borrowed T1 \$244.00; "Between the Devil"

"Doll's" ... \$162,000; "Once Is Enough" ... \$139,000; "The Show Is On" ... \$102,000

"Mercury Theatre repertory grossed approximately \$381,000 (shows included Julius Caesar, "Grudge With Captain," "Shoemaker's Holiday" and "Heartbreak House")

"What a Life," which has rolled up a figure of \$49,000 and is still building, looks like a sure bet for a season

"Froggie to Glory," Alcazar (2d week) ... (1,299; \$1,105). Special concessions to WPA workers ...

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Memorial Day Tilts B'way Grosses, Dozen Sellouts, Boosts All Around; 'Angel' 28G, 'Right' 19G at Music Box

Estimated total grosses: \$1,707.50 (Based on 12 shows) last week: \$1,317.50 Total grosses same week: \$1,707.50 last year: \$1,104.00 (Based on 12 shows)

B'way Legit Grosses

Long Memorial Day weekend was a boon to Broadway. As the matinee and Saturday night (23) row excellent attendance all along the line

"Top money is being drawn" by "I Married an Angel," paced at \$29,000

Popularity of the middle section of the Broadway season has been further underlined by the fact that

"I Married an Angel," paced at \$29,000 ... "Shadow of a Doubt," ... \$28,000

"Golden Boy," Belasco (31st week) ... (1,300-\$330). Final week of the season

"I Married an Angel," about 4th (1st week) ... (M-1:37; \$4,400). Drawing standee trade and easily led the box office

"Shadow of a Doubt," ... \$28,000 ... "The Show Is On," ... \$102,000

"Dwight Dreer Woman, with 'Babes in Arms," ... \$76,200 this season ... "Max Gordon had a \$705,600 gross over the season

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Laugh show building up on a sale moderate grossing making some coin and die to strike ... \$14,800.

"The Circle" ... \$7,000 ... "The Show Is On" ... \$102,000

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## Fidler Signs

Jimmie Fidler has signed to write a Hollywood column for the Hearst syndicate. His Toronto column in the syndicate will be the New York Mirror, where Sidney Skolsky is currently writing. Fidler and the Boston American.

Later this summer the Fidler column will spread to all Hearst sheets.

## Canadian Dailies Go

Beginning May 30, 30-cent dailies selling for 2c were upped to 3c per copy on the newsstands, owing to increased costs of paper.

To some of the larger newspapers the increase will represent additional revenues ranging from \$300,000 to \$400,000 per annum, the Montreal Daily Star, having a circulation of more than 125,000, and La Presse with a circulation of around 225,000 daily. La Patrie also goes to three cents.

In Quebec City, the three cent price will now apply to Le Soleil, L'Action Catholique, L'Evening and Le Journal. La Nouvelle in three cities also goes to three cents. Newspapers in Toronto, Montreal and the Canadian West have already announced price increases during the past six months. The Globe-Mail, Toronto Telegram, Ottawa Citizen and Le Droit, are now selling at that price. The Montreal papers in towns such as Brockville, Galt, Guelph, Kingston, Peterborough, Kitchener, St. Catharines, and others, all sell at the higher price.

European dailies in Calgary, Winnipeg, Edmonton, Brandon, Lethbridge, Victoria, etc., sell for five cents a copy.

## New Rochester

Rochester, N. Y., group raising money to start a new daily, the Frank Journal-American, sold to Frank E. Gannett last summer, has been named as the M. P. Publishing Company. Directors are Frank L. McShane, stated as m.e.; David Kennedy, former m.e.; and Ashley P. Larkin, Clarence M. Olson, Attorney Eugene J. Dwyer, Irvin St. Paul, and Robert A. Kresko, former sports writer.

Authorized capitalization is \$250,000, divided into 250,000 shares, of which \$25 and 100,000 shares of common at \$1.

The paper will be started in still in doubt, although more than 30,000 signed up last fall to subscribe for three months.

## Guild Loses in Duluth

Duluth's eight-week newspaper strike ended Wednesday night, with editorial workers accepting the contract proffered by Publisher James H. Jordan, which provided for an open shop. Duluth Herald and News-Tribune immediately resumed normal publication. The News-Tribune has been discontinued since April 8, when management closed the plant.

Following the plant's shutdown, the pickets with tear gas, after reading, via loud speakers, the laws governing picketing, unlawful assemblage and rioting to the 300 gathered before the plant.

Terms of the contract which terminated the strike, called originally by the Superior Journal, include: waiver of the Guild shop in editorial and news departments; a new Guild shop in circulation and commercial departments with exception of outside ad sales; a five-day 40-hour work for most employees; and understanding that wages be fixed by a board of arbitration.

Under the contract, which was fixed by a board of arbitration, no one of the present employees is not Guild members shall be required to join any labor organization. In addition, all provisions requiring Guild membership in the commercial departments are inoperative, pending a decision of the National Labor Relations board as to whether Guild is entitled to represent employees who are not Guild members.

Herald and News-Tribune had 280 workers at time strike was called. When publication was resumed there were 275 employees on the pay roll, which included 18 of those originally struck for a close shop.

## Ann Arbor Bars

Require, Kuhn and 25 other magazine writers banned from the Ann Arbor, Mich., last week Michigan public hearing. Ban was accomplished under city ordinance which the city council complete police power against "obscene, indecent, filthy or obscene" books, "obscene drawings" offered for sale or distributed in the U. of Michigan town.

Blacklisted: Ken Kesey, Film Fun, Eve Opener, Ten Story, Lulu, Paris Nights, Scar-

let Confession, Bedtime Stories, Gay Broadway, Gay Parade, Le Paree, Screen Fun, Snapper, D. Detective, Spicy Mystery, Spicy Western, Smoking Guns, Spicy News, Spicy News, Spicy News, Gay Book, Rock, June Love, Thrilling Confessions and others.

Branded a dangerous threat to freedom of the press, proposed magazine ordinance, which was tabled by Detroit common council, will be redefeated.

Beginning May 30, the original ban, Esquire and Ken were removed from the list of barred magazines. No explanation was given for the original ban or its lifting was, given.

Ordinance aimed at obscenity will be amended, ordinance which was tabled by Detroit common council, will be redefeated.

All declared that present city laws were either for the original ban or its lifting was, given.

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## Slangage Ditch

London, May 20. British Standards Institution thinks it's time a foul language was put down the picture industry, which passes for technical language in picture production.

A technical committee to compile a complete glossary of terms and phrases to be used, and has invited trade paper reporters and other representatives to meet and draw up exhaustive list of studio jargon.

Simon Rowson is associated, with idea, and plan is for committee to meet and draw up exhaustive list of studio jargon.

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Louis M. Hammond, Jr., both associated with the Beatles. That, and "Furber" services were held May 24.

William Dunning, 85, who wrote campaign speeches for Presidents from Cleveland to Coolidge, a former newspaper man and expert in many fields, died May 24, after a long illness, at his home in Brookline, Mass. He was 85.

Dr. Marie Ada Oleas, 62, author on the works of Robert Frost, died May 24, at New York City, with the body shipped to Boston for burial.

Howard Gray (Newtown) Newark, 67, humorist, who conducted the "All Sorts" column in the Boston Post for 39 years, died in Brookline, Mass. home. Illness forced his retirement in August, 1934.

Edward James Costello, 38, who wrote the plays "Stepping Stones" and "Doctor X," died May 28 at Fall River, Mass., after a long illness. He was born in Fall River and had lived there all his life except for five years in New York. He helped produce the Little Theatre, Fall River. An aunt and several cousins survived.

"Stepping Stones," a farce dealing with three sisters who had been in burlesque, opened at the Waldorf Astor, New York, last night. It closed after eight months. Fox bought the picture rights and produced a picture of the same title.

Ralph E. Johnson, 44, state editor of the Detroit News for 14 years, died in Grand Rapids, Mich., of a heart attack while on the newsroom. Before joining the News in 1924, Johnson worked successfully for the Detroit Free Press, the Michigan Owl, the Oskow Astor News, Cadillac Evening News, and the Associated Press. He died in Grand Rapids, Mich., May 27.

Ed Harlow has sold a story to Ken Mag on sex films.

Betty Hynes, drama and film critic for the Washington Herald in N. Y., last week left for Europe.

John J. Mitchell has sold England Star in Hollywood to local publisher.

Frazier Hunt has written a biography of John D. Rockefeller, which Schuster expects to publish next fall.

## Nitory Reviews

(Continued from page 51)

## TERRACE ROOM

(HOTEL NEW YORKER, N. Y.) This is a midsize show, but not too long. It's a production and not a review. (Singers: 10), Dorothy Appley.

Rudy Vallee's organ, Beverly Kirk, Edna Stron, Vic Hyde, Chick Kennedy, Florence Mayo with Pansy; 10), Dorothy Appley.

Rudy Vallee has always been box-office dynamite at the Hotel Astor and he's back again, to tee off the hostelry's spring season. Fairly well, but not too long. (Singers: 10), Dorothy Appley.

Vallee is doing his standard dandy patter with his usual gusto in his vocalizing, surrounded by the gentlemanly and ladylike Dorothy Appley, okay bluester. While not exactly long-underwear, this is a good show, but it's a little slow, but it's all right for the type audience. Vallee is doing his usual patter, but it's a little slow, but it's all right for the type audience. Vallee is doing his usual patter, but it's a little slow, but it's all right for the type audience.

Supporting show is generous to the hotel, but it's a little slow, but it's all right for the type audience. Vallee is doing his usual patter, but it's a little slow, but it's all right for the type audience.

Probably pruned since night, then it went on and on. Specialties are strong, tapster, Beverly Kirk, singer, Vic Hyde, Chick Kennedy, femme mimic, who should cut her Hollywood performing habit, and a few others. The show is a reunion of the maestros, with a flock of 'em turning out to honor Vallee.

## PERSIAN ROOM

(HOTEL PLAZA, NEW YORK) The Hartmans, Pansy's Orchestra.

Back from London, Grace and Paul Hartman, with their salacious patter, but it's a little slow, but it's all right for the type audience.

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CARNEYS WOULD QUIT, BUT DON'T DARE STOP

St. Louis, Mo. June 1. So far the 1838 outdoor festival is the poorest since 1932 with both circuses and carnivals...

Bill Haines' 15-car carnival folded and he is to reopen for Fourth of July. Haines paid off in full and has money to reopen.

Doctor's or'd's Fair Shows played 19 days. First 10 was fair biz, but last nine took all the profits and money.

Rubin & Cherry Shows, rebuilt at cost of over \$80,000, four weeks in Chicago and Illinois...

Three in a Row

Buffalo gets more circuses in following season. Opening of the entire season. Following Cole Circus, which showed here May 23, the Mack-Walton and the Ringling out May 30, and the Ringling out is underlined for June 16.

Utah Carney Row

Salt Lake City, May 31. Carney controversy gripped the Salt Lake City and Provo, Utah, chambers of commerce...

TUFF SNOW WHITE

Toronto, May 31. While outraged ladies screamed and top-hatted men blurted out their raucous or suddenly remembered urgent appointments...

60 Strawhats

(Continued from page 48)

"ears," "Stage Door," "The Road to Rome," "Miss Gandy," "My Darling Daughter," with Miss Reed, and "Farnel," by Miss Barrett and Price.

Returning as members of the permanent company are Mary Wickes, Lewis M. Grant, Sammie Long, Bill Hall and Helen Brooks. New additions will be Sayre Crawley, who appears with Miss Gandy, "Farnel" and Juliet and "Pelles and Melland," and who also served with Eva Levey in "The Merry Widow" Theatre; Reese Alast, recently in from a tour with "Brother Sam; Janet Fox and the Weld. Several professional will take weekly matinees on Wednesday.

Mrs. Frizy Walker Stransky is again to be business manager, and Charles Holden, scenic designer. F. Theodore Clark will once more direct the drama school, conducted in conjunction with the Playhouse.

Rockledge Theatre will pr a new comedy by George Sklar, "Away From It All," June 27. Aline MacMahon will design the sets.

Balla Roadside

Baltimore, May 31. Roadsides will get under way June 13 with revival of a k. meller, "Sweeney Todd." Repertoire includes "The Merry Widow" by W. S. Gilbert; "The Frog," from novel by Edgar Wallace, and a brace of comedies with "A Ship on the Mine's Daughter." Group is in its fifth year.

Schenectady, May 31

Fred Stone will come to Schenectady from "Hollywood" to star in "Lovers" at the new Grand Opera Festival week of Aug. This is said to be preliminary to the revival, with the money and outfit to slick because the "nut" is out of any now on in the lot.

East Jeffrey, N. Y., May 31

Woodburn theatre, called the Inn last season, will open July 6. One new play, "Tomorrow's Dream," by Elsie Sirola, will get a tryout during the season. Opening announced, William O. Partridge, director, and Fritz Eisenmann, assistant director, ill again have charge.

High Top for Barber

Lynchburg, Va., May 31. "High Top," by Maxwell Anderson, will be Barber Players' offering here this season. Opening of the appearance here. Troupe has barnstormed around western half of Virginia and into Pennsylvania, but never has come this far east.

Circuses Waive Cleveland

Cleveland, May 31. Because of unemployment conditions in Cleveland, which is being held in check by the depression, city, two circuses have cancelled their dates here. The Quinquin Flapjack and Bailey travelled town with four-theats two weeks ago, but apparently because of unemployment they have cancelled. "Circumstances beyond our control" was only reason given for cancellation of June 12-14 dates. The other, in Ringling's official report, is Joseph E. Cassidy, city commissioner.

Tough on Tenters

May 31. City council has cracked down on circuses, tenters and showmen...

WPA Shortage

(Continued from page 49)

City council passed a resolution checking up for several months. If that included the Adelphi shortage, the total amount is regarded as relatively trifling, considering the number of people involved, and might be explained as not being particularly ill-fapping. Edwards, however, has said that individuals in WPA handling public funds; in the form of these administrators have an obligation of industry and integrity, superior, if anything, to their obligation to private individuals.

They're Off in Omaha

Omaha, Mo., May 31. Fourth annual Ok-Sar-Ben running race met got under way here last Saturday with more than 8,000 customers, racing through the wickets. Meet will operate five days per week this season, being closed Sunday, Monday, and Tuesday, June 4, 5, 6.

CIRCUS REVIEW

ROBBINS BROS.

Salem, Mo., May 31. Owned jointly by Messrs. Jess Adams and Zack Terrell, Robbins Bros., of the "A. Cole" show, is moving on 14 cars with one ahead and looks like to do a good money and outfit of showmanship everywhere with performance rating with the best of the present day. Practically all staff formerly of the Cole circus, as well as many of the extras. Physical equipment is good, show is doing a flashy parade daily and wardrobe is new and attractive. Should give the other rail outfits a run for their money and ought to slick because the "nut" is out of any now on in the lot.

WPA PLAY

(Continued from page 51)

Outdoor Swing

(Continued from page 40)

100% American

Nashua, N. H., May 31. John T. Benson, owner of Benson's Wild West Show, has had his first pages last week with the news that a 31-ponied milk chimpanzee was born to 10-year-old mother, Eve.

Just One Tenter

Hartford, Conn., May 31. Hartford will have only one circus presentation this year instead of two, Ringling Bros., Barnum & Bailey will be the only one to show here, not June 28. Cole Brothers' circus has cancelled a permit for use of the lot June 28.

Circus Routes

Worked-Sets-Photo

Ringling Bros.-Barnum & Bailey

WPA PLAY

Continental Congress. Articles of confederation and new many groups best informed of any type of music addict, past or present. They eat up the music and all literature containing intimate details about their idols. Candid camera is a favorite weapon. They are not through the milk on the huge bandstand every hour, asking to see socks of the cameramen. Most of those who were equipped with high speed lenses. It's an excellent idea to get about at random, any one of 'em could tell what size sock Benny Goodman wears. He's got a pair of socks on at a time Gene Krupa buys is chewing gum (which he chews a mile-a-minute, on and off stage) and he makes them use. They're silly to recognize outstanding but unfulfilled singers while away from the scene, etc., by someone who...

WPA Shortage

(Continued from page 49)

Stated that 12 ticket sellers had been suspended nine from the circus as well as from the Lafayette, formerly connected with legit theaters. Should it be determined that all alleged shirkers be mistakes rather than "petty irregularities," as Edwards puts it, they should be given a second chance. The so-called justice should have been impartial appearance of the circus in the approval of management heads in the theatre group. Ralph Craig, finance director, and Frank Campbell, chief-cashier of the theatre end, will conduct further detailed audits of box office statements.

A. D. ZANZIG DIRECTS

JUNE MUSICAL FETE

Salt Lake City, May 31. A. D. Zanzig of New York City, in a contract with the National Recreational Association, will direct the June Musical Fete at the Music Festival of the Mutual Improvement Association of the Latter-day Saints (Mormon) church June 11 and 12 at the Utah tabernacle, with seats around 10,000.

Festival is one of the most anticipated events of the year in Salt Lake. More than 1,500 singers will participate.

Takes a Record

Montreal, May 31. Here, seven days, May 21-28, at the Forum, seating 11,500, with prices from 10¢ to \$1.00 for children, Hamid-Morton circus grossed \$31,500 and showed to 25,000 on Victoria Day (May 24) alone, with bumper houses on the two Saturdays. No show on Sunday.

Bob Morton, vice-president National Pr Union Co. and Hamid-Morton Co. claims Tuesday's biz was the best in the history of the company and easily the biggest of the four years the circus has been completely in the city. It grossed \$100,000 in 1937, but crossed its break believing last year's biz by \$10,000.

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Reproduced from  
**The New York Times**  
 issue Wednesday, May 25, 1938

# GOOD NEWS!

**T**HERE'S bad news around these days  
 —but there are bright spots, too!

People are out of work—but many,  
 many more have steady jobs.

Some businesses have been hard hit  
 but others are going ahead, selling more  
 goods this year than last.

Among our own clients is notable proof  
 of this

*In each of the businesses listed below,  
 sales are actually ahead of a year ago.*

**Kellogg's All-ran.** "You will be  
 know that sales for the first quarter  
 show a satisfactory increase over last  
 Kellogg, President, Kellogg Co.,  
 Creek, Michigan.

**Quaker State Motor Oil.** "Sales  
 well ahead of those of a year ago."  
 Vice-President, Quaker State Oil  
 Corporation, Oil City, Pennsylvania.

**Knox Gelatine.** "Each month of 1938  
 Knox Gelatine have been running ahead of  
 year. There is every indication that these increases

will continue." James E. Knox, Vice-President  
 and General Manager, Charles B. Knox Gelatine  
 Co., Inc., Johnstown, New York.

**Spud Cigarettes (in Canada).** "First quarter  
 sales of Spud Cigarettes are 21% ahead of a  
 first quarter last year—and this is on top of a  
 40% increase over the year before." A. C. Pizand,  
 Managing Director, Rock City Tobacco Com-  
 pany, Ltd., Quebec, Canada.

**Mueller's Macaroni.** "First-quarter sales of  
 Mueller's macaroni products are 12% ahead of  
 last year. They have been growing almost steadily  
 since February 1937." Henry Mueller, President,  
 C. F. Mueller Co., Jersey City, New Jersey.

**Bosco . . .** "This quarter has seen the  
 greatest sales improvement in the  
 9-year history of **Bosco Milk Ampli-  
 fier**. Sales are **(64%)** ahead of the  
 same period in 1937." Duncan R.  
 MacKenzie, General Manager, **Bosco  
 Company**, New York.

The advertisers whose statements appear above are among  
 the clients of

**KENYON & ECKHARDT Inc.**  
 Advertising  
 247 PARK AVENUE NEW YORK

*on Ross*

*The Rhyming Minstrel for Bosco*

**GOOD News!**

**Other Sales—**

**Producing Ideas**

**Available. . .**

Who—since January 1st has written, spoken and sung  
 the **Bosco Program**—broadcast on the **WOR-Mutual** Network  
 every Monday, Wednesday and Friday at 12 Noon EDST





Published weekly at 154 West 46th Street, New York, N. Y., by Vallet, Inc. Annual subscription, 16 cents copies, 15 cents. Entered as second-class matter December 28, 1925, at the Post Office at New York, N. Y., under the act of March 3, 1917. Copyright, 1935, by VALLET, INC., 154 WEST 46TH STREET, N. Y. C.

Vol. 130 No. 13

NEW YORK, WEDNESDAY, JUNE 8, 1938

56 PAGES

# POSTAL TELEGRAPH SHOWS

## Melody Coming Back?

Phonograph recorders are of the opinion that the jam or helterskelter style of dancipation is rapidly losing popularity and that the trend is back to the class of dance music wherein melody dominates. In support of this viewpoint the recorders cite from their recent best-seller lists. They point out that the only hot tunes that have been getting anywhere have been those that have given major play to the composition's melody. RCA Victor, specifically, reports that of all the Benny Goodman platters only two, "Stompin' on the Savoy" and "Don't Be That Way," have sold in a big way, and that has been because of the melody. It is the recorders' belief that the fad for harmonic hodge-podge has seen its downward curve and that hereafter dance combinations will have to let the fans know what they are playing and keep within recognition distance of the melody as originally conceived.

## NEW JIVE TALK, SWINGSTERS' JARGON

Isolated jive talk—swing musician's lingo—has created some curious Americana on the wax, possibly the forerunner of a vogue that may be as big as the hillybilly thing. However, that's deemed unlikely. But the pseudo-sophisticated "digging in live" is growing apace from its inception in Harlem and 32d street sectors. "Is You a Viper?" was one sample, a frank song, (to the initiate), having to do with alterations resulting from "the tea" (marijuana-smoking out, as "tea" is a jive synonym for muggers, referees, the weed, etc.) Where "viper" once meant a hot swinger, it's now more applicable to those who smoke the hashish known as marijuana. Still a newer manifestation of tin pan jive songwriting is "Flat Slim and Slim" which Slim and Slim brought down from Harlem. O'Neill Spencer and Teddy Dunn, drummer and pianist with the Milt Heath Quartet, were erroneously credited for authorship by the waxing on the Decca, which Heath first made. It's selling among the curious record collectors but no general panic.

## PATRICIA ZIEGFELD MAY HEAD OWN RADIO SHOW

Hollywood, June 7. Patricia Ziegfeld is en route to Chicago to discuss with the executive radio sponsor a musical revue which she will head. Formula will be along lines of Ziegfeld Follies of the Air, which was broadcast a few years ago with its late showman-father at the helm. Program, which would originate here and air through the summer, tentatively calls for a weekly change of composer-conductors. Johnny Green and Phil Chanin are among those who will alternate on the 13-week stretch.

## BALLROOM DANCERS HAVE MET OPERA YEN

Yolov and Yolanda are dickering with the Metropolitan opera for appearance in the opening performance of "Carmen" next season. Fair would do the dance ace and are trying to sell the Met on the publicity values and fact that it would be a first for all around. Dancers pulled a similar stunt in Chicago last year at which time they insisted on having their own orchestra in the wings. Would create their own routine for event.

## KIT CORNELL'S LONG SEASON ON B'WAY

After a sabbatical year, Katharine Cornell is seen appearing in two or three new plays next season. Kit Cornell looks for a long season on Broadway, but each play may be limited to a week or 10 days. If accepted, her minimum playing time would be 30 weeks. Likely that one or two plays will be given for a second period thereafter. Plans for her repertory troupe have been insisted touring for more than four weeks, and that will be for try-out. It had been her intention to devote next season to a world tour eliminated by a London appearance, but following the death of her press agent, Ray Henderson, in a plane accident last year, when returning from a survey trip, she lost all interest in the project. First of the new plays for Cornell will likely be "The Sign of the Cross" by Hebbel. Adaptation is being made by Clarence Dunne. **Major Charlie McCarthy** Hollywood, June 7. Edgar Bergen is being urged by Tolson to resign to take up residence there so you can elect "Charlie McCarthy" man. "Pis' rat he would be just as impressive as Ben." "Al Johnson or Van Noy," says Duvine.

## NAME CHANGERS, BANDS AND MOSES.

Mary Small, Eddy Duchin, Bob Crosby, Clyde McCoy and Others' Theme Songs —Coast-to-Coast Phoned Greetings with Marquee Ballyhooping

## EVEN SILK STOCKINGS

Having taken its cue from show biz, Postal Telegraph is planning a raft of new theatrical and show-mans' features since 1. click of the telephoned song greetings stunts. Federal Communications Commission has been officially notified that a regular coast-to-coast service is planned, and it's no longer just a promotional gag. Showman split includes a song-over-the-wire service with the use of name talent and other professionals on busy holidays to augment the regular hollergirl staff. Advertising agency ideas for exploring niteties, etc., and the creation of its own music department to swell the pop library, are now being collected. Name band leaders-composers are also being employed to write originals for holiday song greetings. A commercial radio program is also in the offing, in addition to already operating spot announcements. Postal's legal department opinions that the telephoned song is a private performance and as such may go unremitted, meaning that its rendition is a plug, hence no pay for the use of the music.

Mary Small, radio songstress, is the first of the music of the hour to be live up to the Postal yodel. (Continued on page 32)

## Chain-Store Nitery Plan to Maintain Class When '39 Mobs Arrive

Forthcoming New York World's Fair is precipitating a gold rush among the mounted nitery ops, who are buying up or optioning defunct sites around town. They see this as a means of clearing to the mob when and if they come, while still being able to retain the classiness of their original plants. The idea is also being practiced on the West Coast, where smart boys feeling they can't peddle the properties for a nice profit, when they are in the line, fail to operate themselves. Sherman Blockley, operator of the West Coast end of the business, figures the national net of his Silk Stock Club will attract mobs when they will be able to easily step to any new nitery plants in which he is

## U. S. Army Lists Its Objections To Par Pic; Time Mag on 'Comrades'

## GREAT SALT LAKE'S GAMBLING SHIP IDEA

Salt Lake City, June 7. Local syndicate combination with several Coast men plan building an elaborate casino ship to be anchored three miles off shore on Great Salt Lake, largest salt water body on the North American continent. Ruling from the attorney-general of Utah is now awaited. For more than 50 years Great Salt Lake has attracted tourists from all over the world, bent on swimming in a lake where it is impossible to sink, due to the extreme density of the water.

## NEW VALENTINO VOGUE LANDS AYRES 20 WKS.

Following the successful revival of "The Sheik" and "Son of the Sheik," Agnes Ayres, Valentino's femme foil, will make a personal appearance tour of 20 weeks. She is now on the Coast. Tour starts in two weeks.

With the early h.o. reports on "The Sheik" and "Son of the Sheik," some of Valentino's other old pictures will be dialed and 'bubled. A group of independent, as Art Pictures Syndicate, headed by Jules Axelrod, has acquired the rights to various Valentino silents for South America and for small situations in the U. S., which will be turned into talkies. Arthur Boran, CBS mimic, is to be the talking Joe Valentino in pictures they control for prescribed territories, including "Blond and Sin" and "Four Horsemen of Apocalypse." Mentime "The Sheik," controlled wholly by Paramount, will be given a sound track but no dialog, and placed on general release as a retrospective for June 15. This action, so which recently tumors were turned down, follows the ability of Paris "Sheik" to cross the straits of the Gaiety, N. Y., on its next week ending last Friday '33. Another old Valentino "Son of the Sheik," controlled independently, brought about \$11,000 for another in the Broadway grand, George M. Johnson. Average weekly boxoffice of both these N. Y. houses is \$3,500. "Son of Sheik" is also. As white Garbo is using a picture company not far

Washington, June 7. Reports of a huff caused among high-ranking Army officers over filming of Paramount Pictures' "Men With Wings" is explained by the War Department as due to a request from Par that cooperation of Army planes and units should be furnished. Co-operation was not forthcoming. Department stated, apparently because the film company did not wish to press the matter, but officials insisted that no effort was made to censor the script as long as Army equipment and personnel were not used in the Spanish War had previously been received from Hollywood, asserting that "Government pressure" to elicit pacific treatment of the dialog was being brought to bear. Some of the Army's objections to the film were as follows: "Scenes 331, 332 and 333. These scenes in which Army cooperation is desired. Apparently the company wishes the Army to supply 18 combat planes with crews to represent insurgent planes in action in Spain. It is against the policy of the War Department to furnish personnel or equipment to represent foreign military forces. Furthermore, neither combat planes with crews, nor equipment with new American planes except in violation of the neutrality act—it would be inappropriate for the United States Army to co-operate in making a picture that would indicate that this law was being openly violated."

Scenes 335 to 342, inclusive. These scenes would indicate that American aviators in Spain are summarily executed when captured. There is no (Continued on page 32)

## B'WAY REALLY SERIOUS OVER 'CLEAN-UP'

Various real estate groups in local associations are gearing up for a physical and character clean-up of New York. The New York Fair Trade Association, the New York State Association, Theatre Authority, League of Women Voters, the United Actors and other bastions, etc., want to pry the main drag for World's Fair crowds by the use of street-vendors, cheap phonographs, shells and gifters, juke joints and cheaping effort. Officers were stated that with main drag ready to open on the regular monthly basis of cleaning and sidewalk washing. New York will be the up-overman unweaveable. (Continued on page 32)

TRADE OFF FOR NEELY'S AIMS; RISK OF DEFEAT AT BRONTO

Meantime Neely, in Wash. Seeing His Pet Measure Sidetracked, Blasts the Film Industry News—Conciliation, Etc., Due

With the Neely bill given little chance of passing in the present session of Congress...

Has or somebody? to correct the bill. Ordinarily, we would have wanted to see some percentage of cancellable pictures that have been block-booked.

Consequently, the campaign to do something about ironing out these problems and correcting so-called 'evil' trade practices is gaining force with each passing week.

Problem today is to plan a means of approach to the problem. Spokesmen of industry leaders are becoming convinced that this is the only alternative to having Federal laws passed...

Thus far, the method by which a program to cure the present, so-called 'evil' trade practices is being tackled. Though many suggestions have been made, a majority of them have been down when actual legislation is contemplated.

Intra-Industry Pledge General belief now held is that as soon as Congress has adjourned...

Of the several matters, industry heads believe that the conciliation machinery would go far in eliminating the bulk of current snafus heard from exhibitors.

It is quite likely that a 10-point program or method of procedure will be drafted by the committee...

Several newspapers throughout the country have taken up cudgels for the industry and have accused the Neely bill as being unworkable for best results.

Attack Film Lobbying Washington, June 7. Sidetracking of the Neely block-book bill drew more criticism from the Neely organization, motion picture lobby and film exhibitors.

News that his scheme to reform legislation of the Neely block-book bill was featured on a hand-out from Neely to congressmen last week...

Possibly the head-cracking Senate Lobby committee, steered by Frank Doster Sherman, representative of Indiana...

Resolution approving Federal procedure for block-bookings was passed in the House last week.

Therefore, we urge the church people to be watchful so that the legislation of films may be progressively elevated.

Lichtman Back West

Al Lichtman left Fri (3) for the Coast by train. He is expected to return to Los Angeles originally, where to leave Monday (6), but the Coast situation demanded his presence on the Metro.

CARNEGIE HALL PREVIEW FOR BERLIN'S PIC

Plans are being laid for a super-review of Irving Berlin's 'Alexander's Ragtime Band' at Carnegie Hall, N. Y., around mid-July. The film will be generally released around the first week of August.

WB 'MIRACLE' WITH BETTE DAVIS AS NUN

Hollywood, June 7. Rex Reinhardt's stage spectacle, 'The Miracle,' will be filmed by Warner Bros. with Bette Davis in the role of the nun, Lady Jane.

Regan 'Insolent,' Republic Charges in Suit Answer

Los Angeles, June 7. Phil Regan was discharged because of insolence and insubordination, according to Republic's answer to the actor's \$100,000 breach of contract suit in federal court.

Roach Lot Hums

Hollywood, June 7. Activity was resumed on the Hal Roach lot just week with 450 workers on the Stan Laurel-Oliver Hardy comedy, 'Meet the Misiss.' Another Roach production will get under way tomorrow (Wednesday) when 'There Goes My Heart,' with Fredric March and Virginia Tuccillo, hits the cameras on Cox land.

Garber Switches to U

Dave Garber, in charge of Star, has switched to Universal. Garber's general manager, brought him over from RKO, where he had been plant superintendent for two years.

Times Co. Marches On

By JACK OSTERMAN everyone in the Broadway district, which is gradually getting to be known as 'Dewey Boulevard,' has been complaining the last few weeks about our 'unusual' weather.

Goodwill around-the-world flight by Howard Hughes in behalf of the Red Cross has been announced by the U. S. Department of Commerce, according to an information received yesterday (Tuesday).

Radio expert will be one of four assistants on his trip. He will keep track of position via three different stations; one at New Four...

SAILINGS

June 15 (New York to London), J. Cheever Cowdin, Maurice Silverstone, J. A. McCorvill (New and), June 11 (New York to London), H. Jedicman (Niuew Amsterdam), June 8 (New York to London), Mr. and Mrs. Frank Humphreys, John Barbirolli (New and), one on a ship at sea. Two navigators and a mechanic will be on plane when it gets to London. Besides Hughes and the radio operator.

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Other News of Interest to Films

Table with 2 columns: News item and page number. Includes items like 'U. S. film's foreign income', 'Radio bids for "The Miracle"', 'Television four times as costly', 'Fox Beauty, Gertrude Lawrence (televiz)', 'Anti-ASCAP proposals', and 'Arthur ... on Davis play'.

N. Y. to L. A.

Jack Palance, Dan Aykroyd, Marjorie Cron, O. J. H. Johnson, Nancy Johnson, Nancy Johnson, Al Lehmann, Johnny Hyde, Joan Blondell, Joseph M. Schenck, Britton Wilson, Harry Hill, Betty

ARRIVALS

Olya Petrova, Gloria M. and Mrs. Whitford, Frank Sully, and Hepzibah Menzies, Diana Victor Algram, Miss Dix, Ruth Johnson, A. J. Edwi, M. Adm'

# AMERICAN FILM % SHARES IN

## UA's 30 for 1938-39 For Co.; Dave Selznick's Renewal?

Hollywood, June 7. (ith more than 30 features, ex- of reissues, United Artists ill announce the heaviest produc- n schedule in 1938-39 for the eastern sale.

There will be no B pictures, all productions being registered in the higher-budget class, with about half of them listed in the \$1,000,000 bracket.

Final developments of the dicker between Selznick-International and UA may be announced at the New York meeting. Selznick has made three and two on the old releasing deal.

Douglas Fairbanks has indicated that he will come back to make a picture around Lola Montez, the early California heartbreaker. Charles Chaplin has been huddling with Rogers for a picture and threatens to make at least one new film for the 1938-39 season.

Walter Wanger has already done "Aigiers" and will start production on "Personal History" about July 1. Alexander Korda, who produces in London, is slated for half a dozen still uninitiated pictures.

Walter Goldwyn's first UA picture for the new season will be "The Lady and the Cowboy," based on "Kiss in the Sun," original by Leo McCarey and Frank R. Adams, William Wyler will direct, with Gary Cooper and Marie Oberon in the top roles.

This year's arrangement at UA provides lower distribution costs and a bonus for active producers in the organization.

Whether David O. Selznick renewed is releasing contract with United Artists is very much in the air.

Asked by George J. Schaefer, in charge of American distribution in UA, to submit his list of pictures for the 1938-39 schedule, Selznick named "The Young in Heart" and "Made for Each Other," two films he owes under current releasing pact.

No mention is made of "Titanic" or "Gone with the Wind," both slated for early autumn starts. These pictures will be made regardless of the outcome of present negotiations between S-I and UA, according to an official announcement from the Selznick studio. Meanwhile, Lillian K. Deighton, head of the S-I research bureau, is digging up data on the Titanic disaster.

Dr. A. H. Giannini, president of UA, will attend the convention in New York June 13 withurray Silverstone. Former will also take part in the Chicago meeting set for June 15-16.

On Wednesday (15), Silverstone said for London to settle his personal matters and bring back his family to the States, and to confer with Alexander Korda, London's resident U. A. partner, and associate.

A new five-year contract is being inked with George J. Schaefer, general manager of distribution. Silverstone also gets a new five-year deal.

A UA board meeting held in N. Y., Tuesday (7), was routine.

## WRITER-AGENCY TIFF RAISES LEGAL PUZZLER

Hollywood, June 7. (ramount has sent Wesley Ruggles to a producer-director contract for another year.

Studio boss tagged Irene Dunne (no picture which Ruggles puts into action in the early fall.

## Hays and Hitler

Philadelphia, June 7. Dictatorship of Will Hays over the film industry was pledged by a Lutheran clergyman at a celebration of the German-Austrian Anschluss Saturday night as perfect example of the advantages of totalitarian control. Rev. Sigmund von Boose told the gathering of 1,500 Nazis that Americans could teach Hitler some lessons in dictatorship from which it might well benefit.

He pointed to the film industry and baseball, ruled over by Judge Kenesaw Mountain Landis, two fields in which dictatorships have already proved beneficial.

## UBARS GATES TO BILL PIERCE

Hollywood, June 7. Universal studio on Monday (6) was barred to William Pierce, former executive assistant to Charles Rogers' exec-in-charge of production. Pierce insisted on continuing production on "No One Man," which he wrote and directed.

He was dropped last week in re-assignment of executives. At the time he was told he was producing two weeks' salary and told his film had been shelved. He insisted Rogers had no right to change production. Pierce insisted on continuing production on "No One Man," which he wrote and directed.

Pierce has placed the matter in the hands of his attorney.

Production at Universal will hit a level in July that President Nate Blumberg hopes to maintain throughout the year. By that time the studio's reorganization and elimination of deadwood will have been completed and a sustained schedule worked out by Blumberg and Cliff Work, new studio chief.

Blumberg is of the opinion that a great saving will be effected by an even distribution of production over the former policy of loading up too many pictures in the first half of the year instead of layoffs in June. In the past two weeks, the stabilization process has been setting in. Studio schedules that the schedule has been washed up.

Tom Reed and Myles Connolly are set to direct "Wesley Ruggles Holiday," the Joe Pasternak production at U. Archie Mayo will direct the picture slated for production next week, with Joel McCrea and Andrea Leeds co-starring.

## Par Renews Ruggles

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## \$35,000 'Kindli

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## Still High Production Costs And Ebbtide B. O. Pace Do Not Augur Good 2d Quarter Earnings

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## IT'S UP TO THE PIC

A plan for the buying and selling of film on percentage, which may completely revolutionize the basis of distribution, is being adopted by the whole industry, has been developed after months of careful study and will be placed to a test during the coming (1938-39) season. First deal under which it will apply, covering the contracting of Paramount product for the Warner Bros. chain, is close to completion following lengthy negotiation.

The author of new method of setting rentals is Clayton Bond, general film buyer of Warner Bros. He has evolved what might turn out to be the coming basis for negotiating all film deals of the future after a series of test study and contraction of its merits. Searching for a nearly to supersede the many and varied forms of percentage selling, Bond started working on what he hopes is the solution, as far back as last July.

The Paramount plan is a deal, which will serve as the pattern for others, and may be the forerunner of a great study and contraction of its merits, is intriguing in many ways, but notably because it distinctly places the responsibility for rentals on the producer.

Bond's plan, simple in form, calls for the determination of the percentage to be set on each picture so sold wholly by the combined gross the picture reaches in the theatres. In other words, if a picture is contracted under the plan for a total of 100 theatres, the gross of those 1 theatres, regardless of what they did individually, forms the basis for the percentage that will apply.

Depending on the combined gross reached, the percentage is stepped up in units of 1% or downward at the rate of 1% from a set gross figure agreed upon if the picture is to get a rental of, say, 30%. For example, if it is agreed that a designated picture gets 30% providing the combined gross of the group of theatres is \$500,000, but it doesn't hit the half million, then it is paid less than this, in units of 1% depending on how much under this figure it goes. If, on the other hand, the picture does hit the \$500,000, then again, in units of 1%, under a sliding scale of figures, it earns that much more.

Group of Theatres A vi i departure embraced by the plan is the spread of the gross business to 10 theatres, regardless of what they did individually, forms the basis for the percentage that will apply.

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For years an executive in general, Van Praag more recently was in an exec post in National Screen Service. Since departing the latter, he has been operating the Parrel theatre at 32nd Park, L. I.

## Atta Girl

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Band Revis	42
Bills	47
Concert	50
Dansapatio	41-43
Exploitati	26
15 Films	44
Film Booki	19
Film Rev	17
House Revi	50
Inside—Legit	48
Inside—Misc	42
Inside—Picture	10
Inside—Tadi	39
International News	15
Legitimati	40-51
Misc	41-43
Misc	41-43
New Act	56
News from the Dailies	54
Nios	11-15
Outday	50
Outday	50
Pictures	2-26
Revis	42
Revis	42
Revis	42
Revis	42

Annual	..... \$1
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Vol.	..... 120
No. 13	.....
INDEX	.....

# In Precedent-Setting Address, Kent at Labor Conv., IATSE, Reemphasizes Film Biz's Accord

Sidney R. Kent, president of 20th Century-Fox, spoke at the IATSE convention in Cleveland Monday (6)—the first time the picture industry addressed labor delegates at their own meeting. Men in the ranks of labor, assembled in convention, heard the 'other side,' thereby establishing a precedent. There were nearly 1,000 delegates at that convention.

Kent told the IA delegates that the film business was always shouting against the workers' union leadership. The whole world is its screen and to avoid disruption of peace, a required stepping stone. The tops of the unions and the trade, rather than with locals.

Around 15 years ago, with this mind, labor and the union industry conceived a committee of conciliation which meets every few months and smooths out labor problems that beset the business.

This system has functioned successfully for 15 years. Kent told the delegates, except for one brief spell, some months ago, because of intrusion of cost in new elements.

"Quit following the rainbow," advised Kent as he compared other methods sprung up since, as against the successful method of conciliation. He said that the picture business and labor within the industry.

Kent the delegates heard why they and their fellow workers have enjoyed the longest uninterrupted service on the part of the picture industry method of conciliation, as compared to other industries. He said that the picture business is better than average, because of this conciliation method, as compared to other industries. He said that the picture business is better than average, because of this conciliation method, as compared to other industries.

At the meeting, besides dignitaries of the state of Ohio and the city of Cleveland, were George E. Brown and William Wright, president of the IATSE, who were specially honored by the delegates. Also, William Freeman, president of the American Federation of Labor.

With Kent at the convention was Eugene Skouras, president of the National Theatres (Fox-West Coast).

### 34th Biennial

Between dramatic blasts at the C.I.O. and commending the grippers for their stand against John L. Lewis' imported philosophies, William Green, A. F. L. res., as the chief speaker, opened the 34th biennial convention of the International Alliance of Theatrical Stage Employees and Motion Picture Operators, which is at Cleveland's Civic Auditorium on Monday (6).

Over 940 delegates, representing 712 locals in the U. S. and Canada, set a new attendance high figure at their meeting, and the C.I.O. and Canal Zone reps were missing, said Harland Holdman, head of the C.I.O. and chairman, in greeting the IA.

No hint of the organization's antisemitic plans during the jurisdiction was dropped in the initial speeches, which took a keynote of strong optimism against national labor problem lines. In taking over the gavel, George E. Brown, International proxy, indicated that theatrical fireworks wouldn't be shot until he made his 14th birthday anniversary on the second day's session this afternoon (Tuesday).

He was the last two years under his helm. Brown briefly said, the stagehands and projectionists have had a message which says that conditions improved phenomenally, besides adding 28 new locals to the list. Further, on the matter, he got the first closed shop for Hollywood studio is worker. "What we want is only one thing—more opportunities for employment and the jurisdictional integrity of the IATSE more than any other," summarized Brown, who will hold office for another two years.

Other spectacular bugle notes came from Green and Sidney R. Kent, (Continued on

## ROACH'S TRAGIC COMEDY

Cost \$420,661 in Serap, Remake Stone Pic. Bids. Chief

Los Angeles, June 7.—Reference between comic and serious filming is \$420,661 in a damage suit in superior court involving the late Milton S. Eisenhower, and Hal Roach Studios. Milestone sued for \$80,000 last January, claiming he was wrongfully dismissed as director of the film, "Road Show," built on a novel of the same name which he wrote in his cross-complaint last week. Hal Roach declared he had ordered a comedy and disapproved of the novel, which was being developed into a serious drama, which cost \$420,661 to serap and remake.

## TO TALK A NEW STUDIO DEAL AFTER CONV.

No date has as yet been set for negotiations on this year's studio deal. The agreement, which has two years to go, but expected that shortly after the end of the Convention of the International Alliance of Theatrical Stage Employees, current in Cleveland, is over, producers and representatives of the unions will start powwows. That will be some time next week under the basic agreement all received increases. A boost for the current year is expected. A. B. is unlooked for.

George E. Brown is planning to come into New York immediately after the IA convention preparatory, it is understood, to negotiate an end to the five-year studio agreement.

## NO DANCING FOR RUBY KEELER IN 2 RKO PIX

Hollywood, June 7.—Ruby Keeler's second assignment under her new RKO assignment is another non-dancing role, a featured spot in "The Cleanup," a gang buster to be produced by the work of Norman McKeeler. Keeler is, currently playing in the same studio's "Mother Carey's Chickens," sans dancing.

## Rep Steals His Fire, Charges in 100G Suit

Los Angeles, June 7.—Philip Paul's New York plagiarism suit against Republic, claiming the studio picture, "Arson Without Tears," was lifted from his story, "They Played It Fire."

Neuro asserted his yarn was submitted to Republic and turned down last December.

## Paulette's Strawbatter

Charles Chaplin may come east during August to help Paulette Goddard work on her first legit role. Actress has been engaged for the lead role in "French Without Tears," at the Cape Playhouse, Dennis, Vt., during the week of August 10.

She is presently working in "The Young in Heart" in which she is co-starring with Gustav Gyron for Seisnick.

## 'Cisro Kid' Encore

Hollywood, June 7.—"Return of the Cisco Kid" is being screened at 20th-Fox by Albert Cohen and Marion Jackson for Warner-Baxter.

## ELLISON ON LOAN

Hollywood, June 7.—RKO is borrowing James Ellison from Harry Sherman, independent producer, for two pictures.

Deal calls for Ellison's services for 20 weeks this year and 20 next.

Work on his first picture, due for release Aug. 15.

Indianapolis, June 7.—For Had, built, local branch manager of Grand National, who suffered a heart attack while en route to Evansville, May 30, is reported to be recovering in the Memorial hospital at Mainsville, Ind.

# No Immediate Successor to John D. Clark; Industry Notable Dies at 47

Twentieth-Fox will not immediately choose a successor to John D. Clark, who died last Wednesday morning (1). Not having anticipated that Clark would be able to return to the studio, it is possible that the 20th-Fox distribution department had been entrusted to (three division managers) who were in control until a new head is named.

The three division managers, all have good backgrounds. They are Bill Kupper, Bill Sussman, and Bill Gehring, 20th-Fox having three divisions instead of the usual two, who rule the domestic market for most companies. A brother of the late Mr. Clark, William Clark, is over-50th for 20th.

Clark, originally into 20th as general sales manager, was subsequently v.p., and a member of the board. He recently received a new contract for five years to start on expiration of the agreement next year, at \$75,000 a year.

That no one would be brought in from the outside to head the 20th-Fox distribution department became virtually certain following a meeting of the board in New York City. S. R. Kent said that when a successor was chosen it was from within the ranks. It has always been Kent's policy to promote from within.

Sussman and Kupper are regarded as the most likely possibilities for the job, but their records. Although he might be urged to come east to take over Clark's desk at 20th, the brother of S. R. Kent, who is firmly entrenched in San Francisco and has outside interests, doesn't want to live in the east.

Until a successor is named, 20th-Fox's company's operations are to have the opportunity of building up to the job.

Clark served as consultant on the distribution end. An acknowledged leader of the business, Wobber took over the head distribution post at Paramount when with that firm, but he preferred to stay on the East, where his home has been, for so many years, and where his family and his brothers live. He and Kent had the closest friendship, just as Wobber and the late Clark were pals. Wobber probably will spend three or four months in the past year in his new post until a successor to Clark is named by Kent.

Clark's name had blossomed the entire film industry. Bristling with vigor, force and courage, Clark was a man who had been speaking his mind at times when embarrassment around him was the result. He didn't play politics, and he never bent under the w.k. bush.

Clark's friends thought he was that way. He was one of the most to give an editorial opinion on the picture industry, a vivid vocabulary of his own being almost as routine as his words. He was known for his relations with film buyers; he drove bargains hard but fairly, among the most effective in the industry. Many exhibitors throughout the country with whom he dealt, Clark was known for his ability to sell. He didn't think would be delivered; in fact, he has been known to indicate certain picture to sell, but he promised under contracts, he was not ready to assure his accounts certain picture. Why try to tie anybody? as his motto. That went not only for accounts on his books but for exhibitors, too.

Great Sense of Humor

Many anecdotes can be told about the preposterous Newark lad who grew up to become a major force in the picture industry. "Skipping in the picture industry when Mr. Clark, visiting her in New York, she was invited to accept an alibi of him, and he, honest, though odd in form, and in the sympathy of his friends, out of Neil Agnew... one of the most interesting... about the Ingelsworth situation. In his big, gorking frequent-trip with a Paramount National, who always used to share drawing rooms, Clark, dressed in a white shirt, the lead look of those who were called "Maurice" and "The" butchered his" and often he,

would toast them out of the window. Several went by the way of railroad tracks. A couple of years ago, Clark sent his former traveling companion a big box. It was filled with watches, enough to last five lifetimes.

A sense of humor was among Clark's equipment. He was also very generous to those who loved and appreciated. When he resigned from Paramount about six years ago, he went out to Sardi's for lunch, had a few drinks in keeping with custom, and returned with several for nearly everyone who worked with him. He might have succeeded S. R. Kent in that company as sales chief but he refused to stomach politics and, on walking out, said he didn't even give a damn if there was no settlement under his contract.

Loyal to his flock wherever he worked, he was known for his loyalty in the breasts of those who worked for him. Not unlike S. R. Kent, Clark's manner in the earlier days of Paramount's rise and at the end of 20th-Fox, he returned loyalty for loyalty. He was not a settler under his contract.

Proud of the fine work he done for 20th-Fox in the space of several years, he was known for his loyalty in the breasts of those who worked for him. Not unlike S. R. Kent, Clark's manner in the earlier days of Paramount's rise and at the end of 20th-Fox, he returned loyalty for loyalty. He was not a settler under his contract.

Justifiably proud of that and would often quote figures, citing the numerous pictures he had made, deals, etc., like a little boy at marbles who knew he was good. There was no one who could do it better. At least it never seemed that way.

### Keel of His Health

For the past two years, Clark knew his health had reached a dangerous point. He had been told to mention it or; rather anyone else with his physical troubles. In fact, he had been told to mention it or; rather anyone else with his physical troubles. In fact, he had been told to mention it or; rather anyone else with his physical troubles.

Clark was born in Newark, N. J., and died there at the Mount Airy, N. C., after Stoughton Military Academy training studied at Newark Technical School. He was a lawyer and after Stoughton Military Academy training studied at Newark Technical School. He was a lawyer and after Stoughton Military Academy training studied at Newark Technical School.

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On shifting to 20th general manager of the studio, Clark was promoted to the top job. He was promoted to the top job. He was promoted to the top job.

### Sequel for 'Alex'

Called to 'Alexander' Rutimeyer is one of the problems. Dorris Green is to use during her vacation in usope. Idea is to use another group of writers to write the sequel, by a few specialty written numbers.

# Luce, Stillman, Van Schmus Being Doped for New RKO Board Members

Henry R. Luce, publisher of Time, Life and Fortune, is among those outside of the management who are now mentioned as possible members of RKO's new board of directors, upon that film company's reorganization plan. Luce was an original member of the board of Paramount, upon that company's reorganization two years ago. He attended one or two board meetings, and after several months retired from the setup.

In the event that Luce should not give, for some reason or other, his gubstintle might be Charles Stillman.

On the Rockefeller side, the name set heard for board membership is that of W. G. Van Schmus, managing director of the Radii type office.

A certain appointee in Peter Rathbone, chief aide to Floyd Odium, president of Atlas Corp., sponsor of RKO's reorganization plan. He also may be named chairman of the finance committee or some similar position to be formed.

Odium is at present in Italy, but his absence from the scene of operations at this time, it is held, will not hold up whatever reorganization proceedings are going on. He is expected to return in about a month.

So far as known, neither he, his associates, nor other creditors have definitely selected their own representatives, nor has it been determined by them how many directors the company shall have—nine or eleven. It's mostly I talk at this time.

That Federal Judge William D. Bondy put off until June 27 all court hearings on RKO's amended plan of reorganization might be an indication that the court expects present hearings before special master George W. Alder. The feasibility of the plan, to be washed up by that date. Hearings before a special master shall have—nine or eleven. It's mostly I talk at this time.

Most of the objections to be of minor importance and the fact that the special master, by past association with the problem, is familiar with the RKO matter, should hasten the conclusion of the present proceedings.

## Mills-Universal Talking O. R. Cohen Colored Physical

Triving Mills and Universal are talking an all-Negro musical comedy. Roy Cohen has been script writer, and Mills, who is a prominent manager of colored talent, is bringing principals together.

Mills handles Cecil Calloway, Duke Ellington and kindred organizations.

New Orleans, June 7. Louise Aveva, septa flicker actress, says that she and her husband, Robert Clark, are producing a series of all-Negro films. She's on a week's personal appearance at the Lincoln theatre here.

Actress said she also intended to take a fling at the legitimate stage this fall in a Theatre Guild production on the advice of Fausch Hurst.

## Charpentier Relents, Okays 'Louise' Film

Paris, June 7.—Charles Charpentier, 25-year-old director, has relented and will allow 'Louise' to be filmed after 19 years of refusal by the author—poet, dramatist and novelist—of the rights. He had to have relented when Roland Dorgelès, playwright friend of Charpentier was recently chosen to do the film adaptation. The change will direct and Yvonne Printemps and Georges Thill will star. Work is scheduled to start in the next few weeks. Negotiations are said to have been started for an American version starring Grace Moore.

# ANTI-TRUST DRIVE REPORTEDLY BEING BROUGHT IN UNCERTAIN

**Borah's Beef**  
Washington, June 7. Concentrated control of the film industry was cited last week in the senate as another reason why Congress should make a sweeping study of the monopoly problem and rewrite the anti-trust statutes. Senator William E. Borah, of Idaho, outstanding big-business hater, commented during a speech on the subject that "in motion pictures, three or four companies dominate the field."

He gave no details, but an explanation why the variation on the usual chant about the "Big Eight."

**'School of Tomorrow,' Last Word in Visual Educ., as '39 Fair Show**  
School of Tomorrow, now being considered at the fair, is the last of the New York World's Fair next year, promises to be one of the most important in being lined up for the exposition. Every modern instructional device suggested in the last four or five years will be incorporated in the exhibit.

One unusual feature will be that a regular classroom will be taken in progress by thousands through a long glass window. Despite the throng looking at the class, newly designed glass will prevent the pupils from seeing any of the spectators.

In this futuristic model classroom each instructor will have numerous gadgets to carry on her work.

One will swing her desk around and place a talking picture machine in position to throw an instructional film production on the far side of the room. Another button can be pressed and a model course in arithmetic will be received in the room by radio. Still other buttons can be regulated by the instructor to turn on a television program designed for pedagogical work.

All latest improvements in ventilation, lighting and a loud speaker system are to be included in this 'School of Tomorrow' exhibit. Dealers will be working out by the educational division of the fair.

# Department of Justice Indictments Forecast—Just Where Suit Would Be Sought Against Major Distributors Is Uncertain

**GATHERING EVIDENCE**  
Washington, June 7. Early start in the threatened drive to break up an alleged film industry conspiracy to thwart independent competition was forecast in Government reports late last week. Department of Justice announcement that anti-trust indictments will be sought against major distributors was said to be imminent.

Absence of Attorney General Homer S. Cummings prevented definition of whether to file virtually the entire industry into court on charges that the big boys play together and deny adequate film supply to independent theatre owners.

Report on the investigation of winning of exhibitor complaints, which has been going on in a score of principal trade centers for the past year, is in the cabinet officer's desk.

New crusading spirit of the Roosevelt Administration eradicates the policy self-assurance which the industry has displayed throughout the period since NRA was launched and officials began to grumble. Federal help in fighting the chain houses. Lack of funds, feeling that the industry which gouge the public for luxuries should receive prior attention, and doubt about possibility of winning convictions in film cases have prevented earlier action, although numerous individuals in high official circles are thoroughly convinced the major producers and distributors are violating the anti-trust statutes. Latest President Roosevelt has insisted the understandings between large units in many lines of trade are preventing economic recovery and party responsibility for the country's business troubles. Aggressive action on a wide front is demanded, while Congress is on the verge of boosting the Justice Department war chest and making provisions more likely.

Where the film industry, ought be dragged before a jury is uncertain. Mass of evidence compiled by the D. J. sleuths in past year reported to be ample for action in almost any jurisdiction—nearly any county. Choice of judges and prospective jurors has been receiving study by the D. J., which in recent actions against other industries—nearly any county—has selected the area where it was felt there are best prospects of conviction.

The D. J. agents have dug deeply into indie chains of conspiracy, including the possible role of street distributors, getting records of the Hays organizations, setting elements in educational and publicity theatre business, and taking affidavits from hundreds of theatre owners.

## ELIS BERGNER PICTS PAR FOR IN ENGLAND

Paramount in London may make one or two films there with Elisabeth Bergner. Complaints come from such a widespread area that the Government presumably can pick whatever court it prefers. A list of judges and prospective jurors has been receiving study by the D. J., which in recent actions against other industries—nearly any county—has selected the area where it was felt there are best prospects of conviction.

Paris, June 7.—Louise Aveva, septa flicker actress, says that she and her husband, Robert Clark, are producing a series of all-Negro films. She's on a week's personal appearance at the Lincoln theatre here.

Actress said she also intended to take a fling at the legitimate stage this fall in a Theatre Guild production on the advice of Fausch Hurst.

## Joy Setting U.S.N. Co-Op

Washington, June 7. Col. James S. Joy, national director for 20th Century-Fox, the nation's capital to chief executive officer of the U.S. Naval Army of Annapolis, Md.

It will be directed by John and with Richard Groves, first star, in the production. The film will be produced by the U.S. Naval Army of Annapolis, Md.

# Jury Fails to Agree in Ga. Indie's Suit; Momand Soon; Coast Quiz

**Billing the Opposuch**  
Hollywood, June 7. Fight between Laurel Theatre Co. and Fox West Coast over product broke out in the open over the weekend when the marquee on Laurel's Studio City house in San Fernando valley carried line under "Test Pilot" reading in spite of Fox post Coast Theatre's.

Laurel has a court action pending against F-WC charging conspiracy.

# Frances Farmer's Suit Ended; With Erickson Motoring to Coast

Final of the \$75,000 breach of contract suit against Frances Farmer stage and screen star, brought by Shepher Traube, theatrical manager (not agent, he claims) as his 10% bit of Mrs. Farmer's estimated earning power up to and including 1941, ended abruptly Monday (6) when both sides rested their case and Supreme Court Justice Samuel I. Rosenman reserved decision, permitting the battlers to file additional briefs on their claims.

Traube testified that he contracted in 1938 to handle both stage and picture business for not more than 10% to be received 10% of everything she made up to the end of the agreement. Plaintiff took credit on the witness stand for having "made" Mrs. Farmer, not only into a first-class star, but also taught her how to be beautiful. All of which the star of the present Broadway hit show "Golden Boy" vigorously denied. She declared Traube was practically useless to her in locating jobs and she was through with the agreement. She said that she finally hooked up with Traube through her own efforts, shortly after the agreement was signed, that she finally hooked up with Traube through her own efforts. Her last appearance in pictures was in Par's "Ebb Tide."

She admitted she sent Traube part of her net earnings while on the Coast, but contended she did not because she "felt sorry for hi'." Her main defense to the suit was that Traube was not in the position to bring such an action because he was not a licensed agent. Traube admitted this fact but contended his contract with the star classified him as her manager, not her agent. He sought to back up his contention by producing considerable correspondence between them which Miss Farmer was on the Coast.

Lie Erickson and Miss Farmer (Mrs. Erickson on Sunday (5) will be in the picture "Golden Boy," started by motor for the Coast, intending to travel partly up Coast and partly down, for a week or two about three weeks.

They report, June 22 at the Paramount office to assume a mediating role in films.

## SHOWMEN TO BOSTON FOR GORDON FUNERAL

Various film men were assembled in Boston on Monday (6) to attend the funeral of Boston's Edward J. Gordon, theatre operator-pioneer of the business. He died in Boston, his home, Friday (3).

Funeral services will be held in Boston prior to his return to his native town in lower New England which later became the Gordon & Black Theatre Co. owned by U. S. National Army of Annapolis, Md.

The firm's stock was sold by the firm's attorney prior to his return to his native town in lower New England which later became the Gordon & Black Theatre Co. owned by U. S. National Army of Annapolis, Md.

## Acher Joins Korda

Hollywood, June 7. Uelce Sam's departure from the Universal film exchange after probing the 20th-Century-Fox Cultural Relations Warmer First unit are investigated.

It is being reported the Broadway exchange has cost violations covering several years.

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# LABORERS' GUILD

## Writers' Rallies Set

Although the National Labor Relations Board in Washington has called for an election within 60 days to select a bargaining representative for film writers, several issues remain to be settled before an actual vote can take place. That is the view held by several al-  
 riers at present in New York.

Principal question remaining unsolved in the NLRB decision is the definition of a freelance writer. Pointed out that a number of name writers frequently work in Hollywood on one-picture contracts. Whether they would be classed as freelancers and barred from the election, or rated as regular employees, if actually working at the time set for the poll, is an open issue, it is claimed.

Another matter likely to cause disputes is the question of what dates the elections will be made effective. Claimed by several of the writers that this question of determining the date of elections leaves considerable leeway for one of the groups gain an advantage. Thought likely that Dr. Towne J. Nylander, regional labor board director, will set an early date for the ballot. Members of the Screen Writers Guild see this as a break for them, as they claim it would hinder any possible attempts by the studios to bring pressure on writers to in-  
 fluence the vote.

Although the SWG pressed the case before the NLRB in demand-  
 ing an election, some of its members have from the first been op-  
 posed to the policy. Their attitude is that this is a bad time to push a showdown, since the Hollywood writers admittedly have no vital grievances at present. Idea is that if the scribes had a sharper issue they would be in much better position to gain support among the rank and file of writer ranks. Only issue at present is between the SWG and the Screen Playwrights, Inc.

SWG members see little likelihood of the studios openly exerting  
 pressure on the writers in the event of a bargaining election. The  
 pressure will undoubtedly be brought. This opinion is based on the  
 present Hollywood jitters over the wave of anti-trust legislation  
 which has been introduced in Congress and proposed in the form  
 of stirring up more trouble, either in the form of anti-trust suits  
 or laws, or Wagner Act complaints, will keep the studios under cov-  
 er, it was figured. It was claimed by SWG members that pressure from  
 the studios was what broke up the former Guild.

According to the New York view, even if the various wrinkles are  
 ironed out in time and the vote issue of bargaining representation is  
 settled by the election, any final solution of the writer-studio  
 problem is far away. After a bargaining representative is selected,  
 negotiations must be held, an agreement reached and a contract  
 signed.

After that the writers have the simple little job of trying to enforce  
 the pact, it is pointed out.

### laywrights Balk

That Screen Playwrights, Inc. may refuse to participate in elec-  
 tion ordered by the NLRB is intimated in a statement by Jim Lee  
 Mahin, SP, presy. "We intend to stand on our contract with the pro-  
 ducers," he said. "Every legal phase of the order will be closely scruti-  
 nized so as not to let the Hollywood writers' election rally in which all  
 screen writers are invited to attend is called by the Guild for June 13  
 at Hollywood Athletic Club. Understood that balloting will be  
 held at a site adjacent to the studio grounds, to avoid possi-  
 bility of charges that coercion or influence was used by studio  
 heads."

Screen - riters Guild hailed the decision as a victory for its group  
 and de-clar "decision restores right of democratic representation to  
 working screen writers of Hollywood." Election rally in which all  
 screen writers are invited to attend is called by the Guild for June 13  
 at Hollywood Athletic Club. Understood that balloting will be  
 held at a site adjacent to the studio grounds, to avoid possi-  
 bility of charges that coercion or influence was used by studio  
 heads."

Two studios are ell- lated in the election set as by Schulberg  
 and Major Pictures are no longer active.

Attorneys for producers today (Tuesday) refused to comment on  
 what action, if any, would be taken. Most plant execs are making a  
 careful digest of the decision before offering any statements.  
 It's freely admitted by leaders in both writer factions and attorneys  
 for the studios, that considerable confusion may result from the  
 Board order. Pointed out that each organization may be designated  
 as bargaining rep. at different studios, with resultant confusion,  
 should writers switch one lot to another. It's also emphasized that  
 one organization might go so far as to demand closed shop at  
 a specific studio which, if approved, would prohibit members of the  
 other organization from working at that particular plant.  
 Board has six men available to supervise elections which makes it  
 likely all 10 will be disposed of within two days. Likely Board will  
 hold all elections for same day, unless objections interposed by in-  
 terested parties as to the wisdom, rather than require only two  
 studios. Studios and both writer organizations will be allowed  
 checkers at polls. In event vote of a writer is challenged, ballot will  
 be sealed and passed on to Dr. Towne Nylander, NLRB regional di-  
 rector, for determination of eligibility. If election is decisive, with-  
 out challenged votes, certification will be made without passing on  
 studio's commerce."

## 'UNINTERESTED' COMMERCE -- C.

### Government Thus Maintains Its Power to Regulate Labor Disputes Between Studios and Crafts - Writers re Just 'Hired Hands' L Any ther Film Laborers

#### HISTORICAL

Washington, June 7. Interstate character of the film in-  
 dustry was set forth this week as the  
 reason why the Federal Government  
 must use its powers to prevent labor  
 disputes and avoid interruption of  
 the screen entertainment supply.

In a lengthy decision, writing film  
 history, the National Labor Relations  
 Board handed the Screen Writers  
 Guild a material although not com-  
 plete victory over producers and  
 paved the way for intensive national  
 regulation of most industry opera-  
 tions. U. S. first decision on inter-  
 labor relations in Hollywood  
 studios are subject to control from  
 New York.

The lengthy chronicle of rowing  
 between studio heads and craft  
 organizations climaxed when the NLRB  
 directed Regional Director Towne J.  
 Nylander to hold a series of elec-  
 tions within 25 days at 18 studios to  
 see whether scribes wanted to deal  
 with their bosses individually or via  
 either the Screen Writers Guild or  
 Screen Playwrights. Later is an  
 offshoot of the Academy of Motion  
 Picture Arts and Sciences which had  
 been denounced as a company union.

Outside of Hollywood, the chief in-  
 terest in the film industry is in  
 the New Deal board made light of the  
 claim that film production is a "local  
 activity" exempt from Federal su-  
 pervision. Other important issues  
 settled by the decision were that  
 writers are "employees," not inde-  
 pendent contractors or creative  
 geniuses, artists, or some other type  
 of talented mechanism; that the size of  
 the check does not alter the em-  
 ployer-employee relationship; that  
 the Motion Picture Producers Associa-  
 tion is not the proper vehicle for  
 labor negotiations; that only the  
 persons on the payroll of a particular  
 studio at a certain time are entitled  
 to a say in determining conditions of  
 employment; and that regardless of  
 their industry, the Board's deci-  
 sions cannot assume the same  
 status as idea-shards.

It is tried hard, But—  
 The importance of the case from a  
 legal viewpoint grew out of the  
 lengths to which the producers went  
 in their effort to assure independence  
 of Washington. The writer em-  
 phasis was placed on the idea that  
 production—taking place entirely in  
 California with imported materials  
 representing only a minute propor-  
 tion of the cost—is not part of in-  
 terstate commerce."

Reviewing in elementary fashion  
 the financial and operating structure  
 of the industry, the Board empha-  
 sized its decision with the remark  
 that films move back and forth across  
 (Continued on page 25)

### Scribes' Poll

Hollywood, June 7. Approximate membership in the  
 two film writing factions of recent  
 date stands at 615 for the Guild and  
 100 for Playwrights. With only  
 those working as of June 4 are al-  
 lowed to vote it's possible better  
 than 500 will vote by around 5-1.

Although they are not mem-  
 bers of either the Screen Writers  
 Guild or Playwrights, Inc., the  
 U. S. Supreme Court has ruled  
 that they are covered by the  
 National Labor Relations Act.

## Some Exchanges and Few Exhibs

### Would Be Affected by Wages-Hours Bill, but Only to a Mild Degree

#### Their Sour Week

Hollywood, June 7. Stormy sailing for the Yacht  
 Club Boys last week. Jimmy  
 Kern and Billy Mann wrecked  
 their auto. Charlie Adler  
 stepped on a stinger at the  
 beach, and George Kelly was  
 stung by the horses at Tan-  
 foran.

Long debated Black-Conkey-Nor-  
 ton wages-hour bill, even if passed  
 by the latest session of Congress  
 now seems likely, has slim chance  
 of affecting anybody in the industry.  
 except a limited few small exhibi-  
 tors. And if the current exemptions  
 for designated types of business re-  
 main in the measure, it appears  
 doubtful if any portion of the film  
 business, aside from a negli-  
 gible number of exchange employes,  
 will come under the legislation.

## U. S. Would Tax Bite Wages Sr. 72G, Van Dyke \$36,450

#### Washington,

Douglas Fairbanks and Metro di-  
 rector W. S. Van Dyke are declaring  
 war on the U. S. Supreme Court and  
 Board of Tax Appeals to keep pos-  
 session of a sizeable chunk of cash.  
 Largest and most painful tax-bite is  
 being demanded for the screen actor,  
 who has paid it once already, and  
 won it back in the form of a re-  
 fund. Tax sleuths are now trying  
 to get a claim for the refund hang  
 on to the money which Uncle Sam  
 Film star last week appealed to  
 the Supreme Court to have the hang  
 on to the money which Uncle Sam  
 says, he owes on his income tax for  
 1927, 1928 and 1929. Wants the high  
 court to rule in his favor. The  
 est judicial to kick over a decision  
 by the Ninth Circuit Court of Ap-  
 peals that he must pay the amount,  
 plus 6% interest from Jan. 1, 1932.

Fairbanks dilemma started with  
 the sale in 1928 of Dugout's inter-  
 est in film bonds having a par  
 value of more than \$4,000,000. Some  
 of the bonds were redeemed in each  
 of the three years involved in the  
 tax struggle.

Former husband of Mary Pickford  
 filed a claim for a refund after pay-  
 ing his income tax for three years,  
 on the ground he had not deducted  
 a proper cost for the bonds re-  
 deemed. Commissioner of Internal  
 Revenue, in January, 1932, gave  
 back the \$72,185, but later decided  
 the refund was erroneous and  
 brought suit to recover.

Pickford and Van Dyke sued out of  
 an attempt by the Government to  
 snaffle \$36,450 in taxes on his income  
 for 1927, 1928 and 1929. Van Dyke  
 was seeking a divorce from Zina Van  
 Dyke. Van Dyke's attitude is that  
 since he was a widower when he was  
 divorced, due to the period, equal  
 division of his income for that year  
 should be permitted under the  
 California community property  
 law.

### TMAT Beefs at F-WC

Los Angeles, June 7. Fox of Coast Theaters is charged  
 with refusing to bargain with the  
 Theatrical unions, Agents and  
 Treasurers union, complaint  
 filed with the National Labor Re-  
 lations Board.  
 Organization, which claims 250  
 members, is bargaining for im-  
 provements of the Warner act, insists  
 the propriety of F-WC managers and as-  
 sociates managers are not its members.  
 rolls.

### \$900 THEATRE STOCKUP

Los Angeles, June 7. The  
 \$900,000 of stock in the  
 industry, valued at 700  
 1/2 million from the  
 stock market in the  
 industry in the  
 industry in the

## LUBITSCH'S 'WOMEN' WITH SHEARER NEXT?

Hollywood, June 7. Ernst Lubitch, who is here  
 make one feature for the  
 ing to England, is being consid-  
 ered as director for 'The Women',  
 will produce. If he  
 there is a possibility  
 Shearer, who has  
 might get the lead in an effort to  
 stage a return in the light comedy  
 films, in which she first made her  
 reputation.

## THEATRE WORKERS' 48-HOUR DEMANDS

Los Angeles, June 7. Building Service Employees  
 Union, Local 32-J, which will have  
 charwomen, etc. in theatres, is de-  
 manding a 48-hour week for the  
 workers but pending further confer-  
 ence with Greater New York  
 no basis of wages which  
 the larger opera-  
 scale to be set  
 most of the big houses  
 building service

## NEWSMEN CAN'T DOUBLE AS ACTORS--SAG TABU

Los Angeles, June 7. News-  
 men are not permitted to  
 double as actors, according to  
 the Screen Actors Guild.  
 The guild's constitution pro-  
 hibits members from  
 acting in any  
 theatrical production  
 while they are  
 members of the  
 guild.

'Comrades' \$24,000 Holds Up Bottom In L. A.; 'Women' Dull \$9,500; Par Dips To \$8,000; Valentino Pix in Two Spots

Los Angeles, June 7. — Bulk of the first runs are on the toboggan again. In the new ones, Lewis' State and Grauman's 'Women' with 'The Fox' with 'Hiss School,' both playing any strength. This pair will probably close to \$24,000, not to be broken in three days of play, for certainty.

Combination of Fox Francis and Pat O'Brien 'Women Are Like That' is drawing brutal biz to the theatre. Hollywood and Downtown, while the Par is for additional three weeks' despite poor biz because of product shortage. 'Holiday'—the Fantasies and Hillstreet is getting a 'strong' picture, but it's nothing here to shout about.

Shrine convention, which opened here (6), brought thousands of visitors so far, but has not produced anything at the box office. Other conventions, including the Ice carnival, roller skating festival, summer week and the 'Wild West' show, and seashore are combining to wreak vengeance on the film houses.

Estimates for This Week: Chinese (Grauman-F-W-C) (2,024; 30-45-55)—'Comrades' (MG) and 'The Three Comrades' (MG) and 'Trade-biz' in several weeks, and should hit satisfactory \$10,500. 'Robbed' (WB) and 'Wild Night' (20th) (WB) should be \$9,500. (Galston) (1,800; 30-40-55)—'Son of Sheik' (Jensen) and 'Look Out for Love' (GB), dual, should be \$9,000 and 'Fighting Reissue, getting under way (11), should be \$8,500.

Dawson (WB) (1,800; 30-45-55)—'Women Are Like That' (WB) and 'Kid Comes Back' (WB) dual. Biz is like that also with pretty bad luck in sight. 'Wild West' (WB) happens. Last week, third stanza of 'Robin Hood' (WB), held for second week.

Four Star (F-W-C-UA) (600; 40-55)—'The Three Comrades' (MG) and 'Will (GB) (20th) (WB) (2nd week). Second stanza of 'Valentino rescue' week, probably \$1,800. 'Kid Comes Back' after hitting a net 40-55-55.

Hollywood (WB) (2,756; 30-45-55)—'Women Are Like That' (WB) and 'Kid Comes Back' (WB) dual. Boulevard patrons just don't want to see it as well as the 'Wild West' for the stanza. Last week 'Robin Hood' (WB) third week, very good \$7,700.

Fantasies (Par) (2,812; 30-45-55)—'Saint in New York' (RKO), dual, first neighborhood film. Grossing in Hollywood, adding few hundred dollars to second week's gross, which was probably well around \$20,000. First week ended with excellent \$11,000.

Paramount (Par) (3,355; 30-40-55)—'You and Me' (Par) and 'Lady in Morgue' (U), dual, fair. Mainline strength and first week only \$10,000. Due to product shortage it's being here three additional weeks. Probably \$12,000.

RKO (2,872; 30-40-55)—'Holiday' (U) (2d week) and 'Saint in New York' (RKO) (2d week). 'Holiday' (U) (2d week) and 'Saint in New York' (RKO) (2d week). 'Holiday' (U) (2d week) and 'Saint in New York' (RKO) (2d week).

'Jack'-Reckless \$14,000, 'Morgue' \$6,500, B'klyn Brooklyn, June 7. — Three holdovers in downtown section: 'Robin Hood' (WB) (2d week), third and last stanza; Fabian Par (WB) (2d week), second week; and RKO Albee offering 'Kentucky Moonshine' second week. 'Wild West' (WB) (2d week) with 'Yellow Jack'.

Estimates for This Week: Albee (3,274; 25-30)—'Kentucky Moonshine' (20th) and 'Saint in New York' (RKO) (2d week). Will draw satisfactory \$11,000. Last week, okay \$14,000. Fox (4,088; 25-30)—'Crime School' (WB) and 'Good Bye, Broadway' (WB) (2d week). Healthy \$15,000. Last week, pair drew average \$18,000.

Met (3,618; 25-30)—'Yellow Jack' (M-G) and 'Reckless Live' (U), dual. 'Yellow Jack' (M-G) and 'Reckless Live' (U), dual. 'Yellow Jack' (M-G) and 'Reckless Live' (U), dual. 'Yellow Jack' (M-G) and 'Reckless Live' (U), dual.

'COMRADES' 13G, 'SAINT' 12G, 'BALBO' Baltimore, June 7. — Three Comrades, against little film opposition, is sending Loew's Par (WB) (2,200; 30-45-55) to \$10,000. 'Saint in New York,' thanks to heavy support from p.a. of Shep Fields and Armstrong-Ross fight pic, placing the 'Robin Hood' in second week. Stanley broke a house prent this week by holding 'Robin Hood' for a fourth session, which is in history of oversized deluser.

Estimates for This Week: Crown (Loew's-UA) (3,000; 15-25-35-65-65-65)—'Saint in New York' (RKO), Shep Fields on stage, plus Armstrong-Ross fight pic. Fairish \$12,000. Last week, 'Viscious Last' (RKO) (2d week) and 'Fellon Band, skidded some to \$10,600.

Keitt's (Schamberger) (2,460; 15-25-35-65-65-65)—'Crime School' (WB) (2d week). 'Holiday' (U) in present fashion to \$5,000 after billboard.

New (Mechanic) (1,518; 15-25-35-65)—'Josette' (20th). Opened Tuesday, \$11,000. 'Holiday' (U) in present fashion to \$5,000 after billboard.

Stantek (WB) (2,200; 15-25-35-65)—'Robin Hood' (WB) (2d week). Breaking house precedent by going into fourth week with fair \$4,500. 'Robin Hood' (WB) (2d week) for two week spot for total of \$28,400.

'Comrades' \$6,500, 'Lady' 3G, Portland, Ore. Portland, Ore., June 7. — Here 'Comrades' at Parkers' UA is getting the heavy output of a four-biz this week, following a four weeks' exploitation up. 'Ki nung' (WB) (2d week) and 'Holiday' (U) (2d week) ran very fine. 'Robin Hood' (WB) (2d week) ran very fine. 'Robin Hood' (WB) (2d week) ran very fine.

First Runs on Broadway

Capitol (Three Comrades) (MG) (2d wk). Grief—Sign of the Cross' (2nd issue) (U). Clione — 'Mr. Moto Takes a Chance' (20th) (11). 'The Great—Viscious Lady' (RKO) (2d wk).

Paramount — (Par) (15). Biato — 'Hold That' (MG) (10). 'The Man in Van' (WB) (15). 'Reas-Josette' (WB) (15). 'When We' (WB) (8).

Week of June 16 Capitol—'Toy Wife' (MG). (Reissued in current Varsity) Criterion — 'Arson Rocket Squad' (Rep.). 'The Mad—Blockade' (UA) (Reissued in current Varsity). Paramount—'Coconut Grove' (Par) (15). (Reissued in Varsity, May 18). 'Reas—' (WB) (15). 'Three Blind Mice' (20th) (17). (Reissued in current Varsity). 'White Banner' (WB) (15). (Reissued in current Varsity).

Treasure Island (M-G) (re five days, only mid-G) (1). 'Mayfair' (Parker-Evergreen) (1). 'Sandra' (20th)—'Good and Home Crust' (UA) (reissue) and 'Cover the' (Par) (15). 'Good and Home Crust' (UA) (reissue) and 'Cover the' (Par) (15). 'Good and Home Crust' (UA) (reissue) and 'Cover the' (Par) (15).

'HOLIDAY' 7 1/2 G, 'LADY' 7 1/2 G, 'WASH.' Washington, June 7. — Two vaude spots battling it out. 'Holiday' (U) (2d week) and 'Lady' (WB) (2d week) are doing pretty well. 'Holiday' (U) (2d week) and 'Lady' (WB) (2d week) are doing pretty well.

Estimates for This week: Capitol (RKO) (2,200; 30-42-100)—'Holiday' (U) (2d week). 'Lady' (WB) (2d week). 'Holiday' (U) (2d week) and 'Lady' (WB) (2d week).

Family (RKO) (1; 15-25)—'Moto Takes a Chance' (20th), 'Nurse from Brooklyn' (U) and 'International Crime' (GN), separate. Average \$2,300. Last week, 'Fugitive' (Mon.), 'Texas Trail' (Par) and 'Accidents' Will Happen' (WB), singly, good enough \$2,200.

Grand (RKO) (1,200; 25-40)—'Count of Monte Cristo' (UA) (re issue). Dandy \$3,100. Last week, 'Kid' (WB) (2d week), 'Kid' (WB) (2d week) and 'Kid' (WB) (2d week).

Keitt's (Lbson) (1,500; 35-42)—'The Kid' (WB) (2d week). 'The Kid' (WB) (2d week) and 'The Kid' (WB) (2d week).

Mpls. Mired; 'Gold Diggers' \$6,000, 'Kidnapped' \$3,500, 'Heaven' Sad \$2,500

'Kiss'-Over 13G. Buff.: 'Kidnapped' Fair \$8,500 Buffalo, June 7. — Business is so-so at box office corners. Here, Buffalo on good attention on top brackets, and that largely because of the Bowes unit, which will probably be good attention here.

Estimates for This week: Buffalo (Kiss) (M-G; 30-35-50)—'Hold That' (WB) (15-20) and 'Bowes unit' (WB) (15-20). Last week, 'To Tote' (20th) unable to hold, and dropped to poor \$5,000.

'Law of Underworld' (RKO) and 'Girls' (U) (15). Showing to strong returns and may get fine \$7,500. Last week, 'Baby' (20th) and 'Island in Sky' (20th), slow \$5,500. 'Great Lakes' (Kiss) (3,000; 30-40)—'Kidnaped' (20th). (Par) (15). (Reissued in current Varsity) (Par) (15). (Reissued in current Varsity) (Par) (15).

'Treasure Island' (M-G) (re five days, only mid-G) (1). 'Mayfair' (Parker-Evergreen) (1). 'Sandra' (20th)—'Good and Home Crust' (UA) (reissue) and 'Cover the' (Par) (15). 'Good and Home Crust' (UA) (reissue) and 'Cover the' (Par) (15).

'SMOKE' \$14,500, 'JUNGLE' 10 1/2 G, 'CINCY' Cincinnati, June 7. — Turnstile tale on 'The Green Stanzas' is okay for this time of year. 'Cincy' (Parnamer) is 'Josette' which is turning in an above-average figure for the Albee. Next best, 'Robin Hood' (WB) (2d week), which is holding up nicely for another week at first seven days.

Estimates for This week: Josette (RKO) (3,300; 35-42)—'Josette' (20th). Swell \$14,500. Last week, 'Holiday' (U) (2d week), profitable, \$12,000.

Capitol (RKO) (2,200; 30-42)—'Robin Hood' (WB) (2d week). Dandy \$5,000. Last week, 'Kid' (WB) (2d week), 'Kid' (WB) (2d week) and 'Kid' (WB) (2d week).

Family (RKO) (1; 15-25)—'Moto Takes a Chance' (20th), 'Nurse from Brooklyn' (U) and 'International Crime' (GN), separate. Average \$2,300. Last week, 'Fugitive' (Mon.), 'Texas Trail' (Par) and 'Accidents' Will Happen' (WB), singly, good enough \$2,200.

Grand (RKO) (1,200; 25-40)—'Count of Monte Cristo' (UA) (re issue). Dandy \$3,100. Last week, 'Kid' (WB) (2d week), 'Kid' (WB) (2d week) and 'Kid' (WB) (2d week).

Keitt's (Lbson) (1,500; 35-42)—'The Kid' (WB) (2d week). 'The Kid' (WB) (2d week) and 'The Kid' (WB) (2d week).

'Robin' \$11,000, Montreal; 'Vivacious'-Alibi' \$6,500 Montreal, June 7. — 'Robin' closing, but business should give better chances to balance of main stems, and Palace will have to get into a unit in running to \$11,000 on 'Robin Hood.' This will be probably the best of the week.

Estimates for This week: Palace (Cap) (2,700; 50)—'Robin Hood' (WB) (2d week). Should not be below excellent \$11,000. Last week, 'Men and Prayer' (20th), little below excellent at \$10,000.

Capitol (Cap) (2,700; 50)—'Robin Hood' (WB) (2d week). Should not be below excellent \$11,000. Last week, 'Men and Prayer' (20th), little below excellent at \$10,000.

Keitt's (Lbson) (1,500; 35-42)—'The Kid' (WB) (2d week). 'The Kid' (WB) (2d week) and 'The Kid' (WB) (2d week).

'Heaven' (WB) (2d week). 'Heaven' (WB) (2d week) and 'Heaven' (WB) (2d week).

'Kidnapped' (WB) (2d week). 'Kidnapped' (WB) (2d week) and 'Kidnapped' (WB) (2d week).

'Mpls.' (WB) (2d week). 'Mpls.' (WB) (2d week) and 'Mpls.' (WB) (2d week).

'Gold Diggers' (WB) (2d week). 'Gold Diggers' (WB) (2d week) and 'Gold Diggers' (WB) (2d week).

'Heaven' (WB) (2d week). 'Heaven' (WB) (2d week) and 'Heaven' (WB) (2d week).

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3 Comrades \$175,000 in Chicago, Saily Rand Aids Underworld 13G, Samt-Pearce 25G, X-Dorsey 8G

Chicago, June 7. General loop strength has snapped considerably by the shutting of the Oriental world...

Key City Grosses
Estimated Total Gross
This Week \$1,325,000
Last Week \$1,240,000

It had been expected that the darlings of the Oriental world would see their regular patronage into the Chicago...

(M-C) and Hold That Trip (n. s. 8; \$6,400).
Paramount (Fox) (2,200; 25-40)-Rascals' (20th) and Night Into Nowhere (Col). Good \$2,000 in no-

estimates for this week \$1,325,000. Last week \$1,240,000.
Hunted Men (Par) and Rose-Armstrong hit pictures. Not much...

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RITZES \$7,000, DENVER; 'COMRADES' OK \$9,300
Denver, June 7. Showmen are getting a break from the weather. Rain for the first...

estimates for this week \$1,325,000. Last week \$1,240,000.
Hunted Men (Par) and Rose-Armstrong hit pictures. Not much...

Aladdin (Fox) (1,400; 25-40)-Robin Hood (WB) (2d run). Strong...

estimates for this week \$1,325,000. Last week \$1,240,000.
Hunted Men (Par) and Rose-Armstrong hit pictures. Not much...

and 'Boy of the Streets' (Mono).
Quint' (U), all right, \$1,100.
'Joy-Loose' (Cooper) (10-25-45)-'Your Lady' (WB) (1st run). Last week \$1,100.

'Tis Summer on B'way, but You-Me With Sammy Kaye Fine \$44,000; Viv & Kate \$72,000 Holds, Comrades 37G

Broadway Grosses
Estimated Total
This Week \$250,700
Last Week \$222,800

Fewer persons are apparently playing for the afternoon New York theatres, this resulting in a good play for the attractions that are the favorites but in a smaller than normal business for the others.

will finish in big summertime money. \$172,000, however, has been taken over. Last week second for 'Yellow...

estimates for this week \$250,700. Last week \$222,800.
'Robin Hood' (WB) (2d run). Strong...

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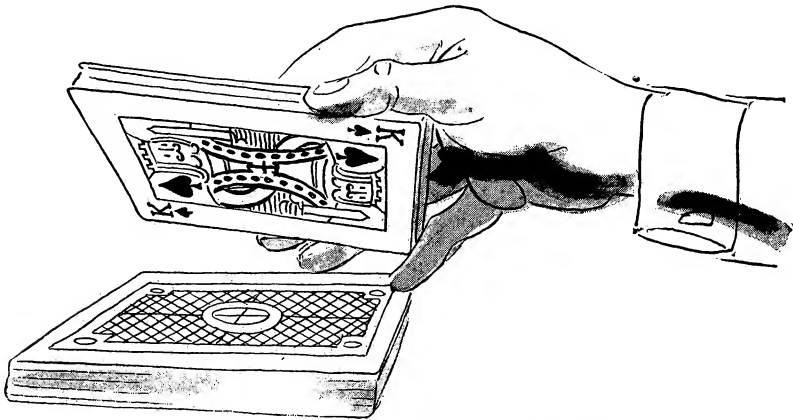
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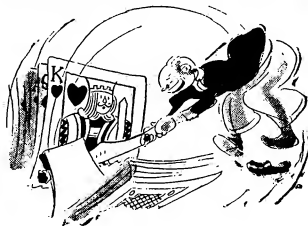
# TRUST EVERYONE BUT CUT THE CARDS!



When Joe Salesman drops in with that prop new-season smile and tells you the product is going to be **COLOSSAL**, (no matter what company he represents) BELIEVE HIM, TRUST HIM



*But cut the cards*



(Continued)

For example, ask him:

- What pictures are they planning at the studios?
- What great properties do they own?
- What stars have they got that mean box-office?
- What *contracted-for* promotion will they offer?
- What are they doing to earn the goodwill of exhibitors?



# AND WHEN YOU'VE DONE IT, YOU'LL KNOW THE ANSWER: SIGN WITH M-G-M!

**A Minimum of 44  
and a Maximum of 52  
pictures in 1938-1939!**



It's from **THE EXHIBITOR**  
(Jay Emanuel Publications)  
and it's typical of what  
the whole trade is thinking!

#### Metro Prajse

During the past few seasons, Metro has gained a lot of good will from exhibitors. Not so long ago, the company indicated it was not filling its higher brackets just for the purpose of getting more revenue. Exhibitors liked this. Now, the exhibitors should greet the Metro sales policy in the same fashion.

Frankly, Metro is just pursuing that line of reasoning which says that a satisfied account is the best account. We'll wager that the company will close its possibilities during the new season faster than ever before.

## STARS (Alphabetically)

LIONEL BARRYMORE, FREDDIE BARTHOLOMEW, WALLACE BEERY, JOAN CRAWFORD, ROBERT DONAT, NELSON EDDY, CLARK GABLE, GRETA GARBO, FERNAND GRAVET, MYRNA LOY, JEANETTE MacDONALD, MARX BROTHERS, ROBERT MONTGOMERY, ELEANOR POWELL, WILLIAM POWELL, LUISE RAINER, ROSALIND RUSSELL, NORMA SHEARER, MARGARET SULLAVAN, ROBERT TAYLOR, SPENCER TRACY

## FEATURED PLAYERS (Alphabetically)

ELIZABETH ALLAN, JOHN BEAL, JANET BEECHER, ROBERT BENCHLEY, RAY BOLGER, FANNY BRICE, VIRGINIA BRUCE, BILLIE BURKE, LYNNE CARVER, JEAN CHATBURN, ALAN CURTIS, MELVYN DOUGLAS, BUDDY EBSEN, CARL ESMOND, REGINALD GARDINER, JUDY GARLAND, GREER GARSON, CHARLEY GRAPEWIN, VIRGINIA GREY, ALLYN JOSLYN, FAY HOLDEN, HENRY HULL, RUTH HUSSEY, BETTY JAYNES, RITA JOHNSON, ALLAN JONES, GUY KIBBEE, MILIZA KORJUS, HEDY LAMARR, JACQUELINE LAURENT, DELLA LIND, ELEANOR LYNN, ILONA MASSEY, DOUGLAS McPHAIL, UNA MERKEL, FRANK MORGAN, CLAUDIA MORGAN, STANLEY MORNER, GEORGE MURPHY, DENNIS O'KEEFE, MAUREEN O'SULLIVAN, REGINALD OWEN, BARNETT PARKER, CECILIA PARKER, NAT PENDLETON, WALTER PIDGEON, EUGENE REYNOLDS,

(Continued)

(Featured Players continued)

FLORENCE RICE, MICKEY ROONEY, LIONEL ROYCE, GILBERT RUSSELL, ANN RUTHERFORD, GALE SONDERGAARD, JAMES STEWART, LEWIS STONE, ROSE STRADNER, FRANCHOT TONE, HELEN TROY, LANA TURNER, JOHNNY WEISSMULLER, VIRGINIA WEIDLER, PHYLLIS WELCH, CORA WITHERSPOON, MONTY WOOLLEY, ROBERT YOUNG, GEORGE ZUCCO.

## DIRECTORS (Alphabetically)

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## WRITERS (Alphabetically)

Major G. O. T. Bagley, Graham Baker, Melville Baker, Mrs. Jean Bello, Robert Benchley, Martin Berkely, Irving S. Brecher, Hugo Butler, Allan Campbell, Anne Morrison Chapin, George H. Coxe, Mitzi Cummings, Ruth Cummings, Isabel Dawn & Boyce De Gaw, Jay Dratler, Frederick Faust, Harvey Fergusson, Herbert Fields, F. Scott Fitzgerald, Bradbury Foote, John Taintor Foote, Bruno Frank, Everett Freeman, Jules Furthman, Harvey Gates, Leon Gordon, Frances Goodrich, Albert Hackett, Comm. H. S. Haislip, Jane Hall, Dashiell Hammett, Leonard Hammond, Lawrence Hazard, Ben Hecht, David Hertz, Monckton Hoffs, Samuel Hofferstein, Robert Hopkins, Cyril Hume, Ian Hunter, Agnes Christine Johnston, Grover Jones, Niki Justin, Hans Kraly, Noel Langley, Vincent Lawrence, Thomas Lennon, Lew Lipton, Anita Loos, William Ludwig, John Lee Mahin, Richard Maibaum, Albert Mannheimer, Frances Marion, Charles McArthur, Jack McGowan, J. K. McGuinness, Wm. A. McGuire, John Meehan, Henry Myers, Ogden Nash, Lorraine Noble, Willis J. O'Brien, George Oppenheimer, Marco Page, Dorothy Parker, Marion Parsonnet, Rolf Passer, Leonard Praskins, Phil Rapp, Walter Reisch, Howard E. Rogers, Harry Ruskin, Elaine Ryan, Florence Ryerson, Waldo Salt, Dore Scharj, E. Richard Schayer, R. C. Sherriff, Jack Singer, Laurence Stallings, Gene Towne, Ladislaus Vадnai, Ernst Vajda, Salka Viertel, Mauri Watki, Claudine West, Walter Wise, Edgar A. Woolf, Waldemar Young.

## A FEW TITLES:

(The following are subject to change. Just a few of hundreds of available vehicles)

"Marie Antoinette" Norma Shearer, Tyrone Power, and a cast of thousands; "Northwest Passage" (in Technicolor) Robert Taylor, Spencer Tracy, Wallace Beery; "Idiot's Delight" Norma Shearer, Clark Gable; "Sea of Grass" Spencer Tracy, Myrna Loy; "Return of the Thin Man" William Powell, Myrna Loy; "The Citadel" Robert Donat, Rosalind Russell; "The Women" Norma Shearer; "Hands Across the Border" Robert Taylor; "I Love You Again" William Powell, Myrna Loy; "Stand Up and Fight" Wallace Beery; "Boys' Town" Spencer Tracy, Mickey Rooney; "Sweethearts" Jeanette MacDonald, Nelson Eddy; "A Day at the Circus" The Marx Brothers; "Goodbye Mr. Chips" Robert Donat; "The Great Canadian" Clark Gable; "Broadway Melody of 1939" Eleanor Powell, Fanny Brice, Frank Morgan, Judy Garland, Buddy Ebsen, Ray Bolger; "One Young American" Wallace Beery, Freddie Bartholomew; "The Wizard of Oz" (in Technicolor) Judy Garland, Ray Bolger; "Fidelity" Joan Crawford; "Balalaika" Nelson Eddy, Ilona Massey, Ray Bolger; "The Great Waltz" Luise Rainer, Miliza Korjus, Fernand Gravet; "Dramatic School" Luise Rainer; Dale Carnegie's "How to Win Friends"; "Madame Curie" by Eve Curie; "The American Flaggs" by Kathleen Norris; "Maiden Voyage" by Ernest Vajda; Vaughan Wilkins' "And So—Victoria"; Ferenc Molnar's "Delilah"; "Excursion" by Victor Wolfson; John Galsworthy's "The Forsyte Saga"; "Anything Can Happen" by Thornton Martin; "He Who Gets Slapped" by Leonid Andreyev; "If I Were You" by Guy Bolton and P. G. Wodehouse; "Kim" by Rudyard Kipling; "The Missing Miniature" by Eric Kastner; "National Velvet" by Enid Bagnold; "The Red Mill" by Victor Herbert; "Rose of Algeria" by Victor Herbert; "Sari" adapted from the Viennese Comic Opera; "The Shining Hour" by Keith Winter; "Soldiers Three" by Rudyard Kipling; "Spring Tide" by J. B. Priestley; "Pride and Prejudice" by Helen Jerome from the novel by Jane Austen; "The Silent Knight" by Jeno Heltai; "Ninotschka" by Melchior Lengyel; "Not Too Narrow, Not Too Deep" by Richard B. Sale; "Roosty" by Martin Berkley; "The Nutmeg Tree" by Margery Sharp; "Quo Vadis" by Henry Sienkiewicz; "Spur of Pride" by Percival Christopher Wren; "20,000 Leagues Under the Sea" by Jules Verne; "Razzle Dazzle" by Francis Wallace; "The Unvanquished" by William Faulkner; "They Seek a Country" by Francis Brett Young—and many others.

The Industry's Next Great Hit!



## PLUS ANOTHER GREAT PROGRAM OF SHORTS

It is suggested that you ask your M-G-M Branch for more detailed booklet for M-G-M's new season 1938-39!

(Continued)

# 5 THINGS TO REMEMBER

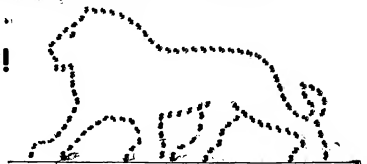
in 1938-39



## For instance:

In addition to its vast newspaper and magazine campaigns, M-G-M is the only company that *guarantees* you a bill-board campaign. M-G-M in 1200 cities has thousands of 24-sheet locations reserved for its great attractions. Those stands are hand-picked and *under contract* to M-G-M from Spring to Winter. It doesn't cost you a nickel but oh boy how it builds grosses. And only M-G-M does it! Other exclusive M-G-M cooperative activities: Largest *permanent* exploitation staff; a new Ballyhoo Tour to follow M-G-M's famed Travelling Studio; Semi-Annual Product Reels free; 6 million circulation "Screen Forecast" Magazine and many other forms of ticket-selling, direct-to-theatre cooperation. **And so . . . .**

**SIGN ON THE DOTTED LION!**







## "YOU AND ME"

Exhibitors everywhere are congratulating Paramount on its summer program—**THE SMASH SUMMER SEVEN**—headed by **"YOU AND ME"**, starring **SYLVIA SIDNEY** and **GEORGE RAFT**, with Barton MacLane, Harry Carey and Roscoe Karns. Produced and directed by Fritz ("Fury") Lang, and followed by **"TROPIC HOLIDAY"**, **"PROFESSOR BEWARE"**, **"GIVE ME A SAILOR"**, **"THE TEXANS"**, **"SPAWN OF THE NORTH"**, **"A FAREWELL TO ARMS"**.

**"YOU AND ME"**, in its first two engagements, is doing remarkable business, having broken all opening day records for the year at the Paramount Theatre, Newark, and doing the best business in the last ten weeks at the Paramount Theatre, New York.



YOU AND ME (WITH MUSIC)

Armani release of Fritz Lang production... starring George Raft, Virginia Bruce, and others...

will like him that way. His Sidney's performance is competent in his earnestness to shed a truly great and shatter the real amoral spark...

BLOCKADE (WITH MUSIC)

United Artists release of Walter Wagner production... starring Henry Jones, George Raft, and others...

Fritz Lang's production of 'You and Me' for Paramount is a curious cinematic adventure. Its consistent with the production...

'You and Me' would have been a fair winter-wedder... Basically, it's boy-meets-girl pattern with a crook melo general...

Opening montages dramatically digress in Kurt Weill music with a low-key lyricism... Get something for Nothing and that you've got to pay for it...

Then it pans into Morris' department which Harry Carey runs on a rehabilitation... Morris runs on a rehabilitation of some of the old-time gangster excesses...

There's a touch of the humanitarianism which Casey is made to overlook... This sequel alone is the film's prime undoing...

Miniature Reviews

'You an' I' (Pa.). Inevitably contained in an interestingly titled Fritz Lang production... 'This Marriage Business'... 'The Toy Wife' (M-G). Louise Rainer in an old-fashioned melo...

lim's 'The Toy Wife'... 'Speed to Burn' (Rth). Expensive of crooked horse racing but best in his comedy sequences...

the rendezvous of the spies. By a ruse a food shop escapes the subtleties and is broken safely to port 'mid much rejoicing... 'Three Blind Mice' (Rth Song)...

300 Century-City release of Raymond Knudsen production... 'The Toy Wife'... 'This Marriage Business'...

Quite pleasing comedy about a trio of Kansas cities who bore and come to a Kansas chicken farm and come to Kansas about a rich man's wife...

Barbara district and the camera shots of travel bureau circular. All of the picture's scenes are as intriguing as a round bureau circular...

ing, and David Niven weds Pauline once featured. So it ends happily... 'The Toy Wife'... 'This Marriage Business'...

RECKLESS LIVING (ITH MUSIC)

Patented by Metro-Goldwyn-Mayer... 'Reckless Living'... 'The Toy Wife'... 'This Marriage Business'...

'This Marriage Business'

RKO picture of Duvall production... 'This Marriage Business'... 'The Toy Wife'... 'This Marriage Business'...

THREE BLIND MICE (RTH SONG)

Some day, perhaps, RKO will get a new commensurate picture... 'Three Blind Mice'... 'The Toy Wife'... 'This Marriage Business'...

Wives Under Suspicion

Patented under Suspicion... 'Wives Under Suspicion'... 'The Toy Wife'... 'This Marriage Business'...

THE TOY WIFE

Missy picture of Metro-Goldwyn-Mayer... 'The Toy Wife'... 'This Marriage Business'...

With two Academy awards for best performance (The Great Ziegfeld) 'The Good Earth' in her credit... 'The Toy Wife'... 'This Marriage Business'...

'This Marriage Business'

RKO picture of Duvall production... 'This Marriage Business'... 'The Toy Wife'... 'This Marriage Business'...

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# THE LOUDEST EXPLOSION OF PRAISE IN YEARS...!

*Walter Winchell:*

"Brave! One of the more important is Walter Wanger's 'Blockade'."

*Sidney Skolsky:*

"Walter Wanger deserves great praise in 'Blockade'... a trail blazer to tell a situation on the screen."

*Daily Variety:*

"Dramatically and pictorially, it is an effective, arresting production, filled with beauty."

*Elsa Schallert, NBC Blue Network Commentator:*

"Had Walter Wanger waited to make 'Blockade', its tremendous power would have been lost, because it tells the story being fought today, not yesterday. Splendid!"

*Mayme Ober Peake, Boston Globe:*

"The public reaction to the preview was the finest theatre demonstration I have ever seen!"

*Wm. H. Mooring, London Film Weekly:*

"'Blockade' is a picture for people who have minds and can bear to think."

*Jessie Henderson, Balt. Sun, Phila. Inq.:*

"A powerful, exciting picture which should be seen by all people."

*Alice Tildesley, Phila. Public Ledger Syn.:*

"An impressive, stirring picture. Walter Wanger should be commended for making it and I would urge every person lucky enough to live in America to see it."

*Wm. King, New York Sun; Music critic:*

"For once I wanted to be a movie critic that I might express my gratitude for seeing it and my congratulations to Walter Wanger for a moving, finely produced enhanced tremendously by Werner Janssen's brilliant dramatic score."

*Dr. Boris Markov, Director, Univ. of So. Cal. College of the Cinema:*

"William Dieterle's previous pictures have been nothing as compared to this. For the first time a great director raises his powerful and influential voice and the result is one of definite importance to the theatre."

*Louella Parsons, Hearst Newspapers:*

"Walter Wanger was deluged with telegrams, after the preview of 'Blockade' on Friday night, commending him for his courage. Not all of the messages came from the film industry either. Fans who were able to get into the theatre were just as outspoken in praise of this fine picture."

*Edwin Schallert, Los Angeles Tri*

"History of today is brought to the screen by Walter Wanger in 'Blockade'—most powerful drama of the year... deserves respect for its courage and its drama and it has very much to say."

*Whitney Williams, Hollywood Citizen-News*

"Here is a production destined to high places in the annals of truly outstanding screen epics... a drama of power and magnitude... Both Miss Carroll and Mr. Fonda are at their best."

*Jimmy Starr, Los Angeles Herald-Express:*

"Director William Dieterle has accomplished an important celluloid document, one that audiences, I am certain, will long remember."

WALTER WANGER'S

# BLOCKADE

*Madeleine* *Henry*  
**CARROLL • FONDA**

with **LEO CARRILLO • JOHN HALLIDAY**

with **INALD DENNY • VLADI IR SOKOLOFF • ROBERT WARWICK**

Music by Werner Janssen. From the screen play by John Howard Lawson  
Directed by **WILLIAM DIETERLE** Released thru UNITED ARTISTS

starts  
THURSDAY, JUNE 16  
**RADIO CITY  
MUSIC HALL**

One of the films  
planned for  
**NATIONAL  
SHOWMANSHIP  
WEEK**

JUNE 17-24

listen in tonight to important coast-to-coast "BLOCKADE" broadcast entire ed Network of National  
roadcasting Company, day, June 8th, 7:30 Pacific Time—11:30 Eastern Daylight Ti





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FILM BOOKING CHART

(For information of theatre and film exchange bookers, VARIETY presents a complete chart of feature releases of all the American distri companies for the current quarterly period. Date of the reviews as given in VARIETY and the running time of prints are included.)

REVIEWS

BY VARIETY, INC. ALL RIGHTS RESERVED

Table with columns: WEEK OF RELEASE, TITLE, Wm. A. McGuire, MGM, Musical, J. MacDonald-N. Eddy, R. Z. Leonard, 3/18/38, GIRL OF GOLDEN WEST, BUILDUP DRUMMOND'S PERIL, KING OF NEW YORK, REBECCA OF SUNNYBROOK, THE GAITY GIRLS, ADVENTURES OF ARNOLD POLO, NIGHT CLUB HOSTESS, STATE POLICE, HE COULDN'T SAY NO, 3/25/38, LONE WOLF IN PARIS, HE LOVED AN ACTRESS, JUDGE HARDY'S CHILDREN, ARSON GANGBUSTERS, 4/1/38, WHEN G-MEN STEP IN, FLOATING CITY, LAND OF FIGHTING MEN, TIP-OFF GIRL, CONDEMNED WOMEN, OUTLAWS OF SOMA, ISLAND IN THE SKY, GOODBIE, MIDWAY, 4/8/38, FEMALE FUGITIVE, THE MARRIAGE BUSINESS, CAPITAL PUNISHMENT, FAHRENHEIT, RECKLESS LIVING, WOMEN ARE LIKE THAT, FLIGHT INTO NOWHERE, SAILING ALONG, ZAMBOANGA, TEST PILOT, HER JUNGLE LOVE, JOY OF LIVING, UNDER WESTERN STARS, IN OLD CHINA, DIVORCE OF LADY X, NEWS FROM BROOKLYN, FOLLY IN PARIS, 4/22/38, THERE'S ALWAYS A WOMAN, HUNTING FOR HOME, HEART OF ARIZONA, GO CHASE YOURSELF, THE FEUD WAGON, BATTLE OF BROADWAY, LADY IN THE MOUNTAINS, ACCIDENTS WILL HAPPEN, 4/29/38, CALL OF THE ROCKIES, THE VIOLET WAGON, WHIRLWIND HORSEMAN, TWO-GUN JUSTICE, COBBLE SHOE, ROMANCE ON THE RUN, FOUR MEN AND A MAD DOG, RETURN OF SCARLET PIMPERNEL, BELOVED, 5/6/38, THE MAIN EVENT, DOCTOR RHYTHM, LAW OF THE UNDEAD, JONES FAMILY IN PARIS, SINNERS IN PARADISE, BEYOND BLANKS IN FANTASIA, 5/13/38, LAW OF THE PLAINS, THE SHOW GOS UP, HOLD UP! HOLD UP!, GUNSMOKE TRAIL, PHANTOM RANGER, STOLEN HEAVEN, GUN FIGHT, VIVACIOUS LADY, GANGS OF NEW YORK, KENTUCKY HOUSING, AIR DEVILS, ADVENTURES OF ROBIN HOOD, 5/20/38, SIX SHOOTIN' SHERIFF, SWISS MISS, NUMBERED WOMEN, COCOANUT GROVE, BLIND ALICE, BASCALS, THE DEVILS FARTY, MYSTERY HOUSE, 5/27/38, YELLOW JACK, HUNTED MEN, DESERT PATROL, KIDNAPER, CRIME SCHOOL, 6/3/38, THREE ON A WEEKEND, A FAREWELL TO ARMS (I), SIGHT OF THE UNDEAD, SAINT IN NEW YORK, JOSETTE, WIVES UNDER A MIGNON, LITTLE MISS THROUGHBRED, 6/10/38, HELD FOR RANSOM, THE JOY OF RIDING, YOU AND ME, KING KONG (II), RIDERS OF BLACK HILLS, LADIES IN DISRESS, WHITE NIGHTS, GOLDGIRLS IN PARIS, 6/17/38, HOLD ON, CRIME OVER LONDON, LOVED JEFF, PRISON FARM, BLONDE CHIEF, THREE BLIND MICE, BLOCKADE, WHEN WERE YOU BORN, YOUNG FUGITIVE, OUTLAW EXPRESS, 6/24/38, HIGHWAY PATROL, KING WOMAN'S AMOR, ROMANCE OF LINDBERGH, BAR 53 JUSTICE, BORDER G-MAN, MR. MOYD TAKES CHANCE, WHITE BANGERS, 7/1/38, EVERGREEN (II), SPOWORN ANGEL, TROPIC HOLIDAY, HAVING WONDERFUL TIME, ALWAYS GOODBYE, SOUTH RIVER, DANGER ON THE AIR

# Ah-h-h Josette

—you make ze exhibitors so happee!

There's something to smile about when they play this new 20th Century-Fox picture! And that's what they're doing in Philadelphia, Detroit, Cincinnati, Albany, Oklahoma City! In Philadelphia, for instance, even the "In Old Chicago" opening was topped! Moral: Play 20th hits...and get rich!



DON AMECHE • SIMONE ROBERT YOUNG

## "JOSETTE"

JOAN DAVIS • BERT PAUL HURST • LAHR WILLIAM COLLIER, Sr. TALA BIRELL

Directed by Allan Dwan  
 Associate Producer Gene Markey. Screen play by James Edward Grant. Based on a play by Paul Frank and Georg Fraser. From a story by Ladislav Vada. Dances staged by Nick Castle and Geneva Sawyer  
 Darryl F. Zanuck in Charge of Production

*Gay as Mardi Gras! with Gordon and Revel's newest songs!*



**20th CENTURY FOX**  
 THE KEYSTONE OF YOUR FUTURE

# Sales Excs Converge on Fargo, N. D., To Fight Divorcement Statute

Although it is promised the North Dakota chain-divorcement case will be carried to the U. S. Supreme court, it is lost by Fargo representatives of all major producer-distributors, except RKO and Universal. In Fargo, Fred W. Wainwright is the battle. There is no explanation why RKO, which has a chain of round 100 theatres, does not stand on ground to aid, if necessary, nor why U. is absent.

Paramount's own distribution boss, Neil Aspin, and its theatre operating chief, J. Frank Freeman, are in Fargo. Other majors are represented by distribution heads, with Bill Rodgers (MGM), Grant Stewart (RKO), Fredy Smith (UA) and Bill Gebhing (20th-Fox division manager) all in Fargo and likely to be in court on passage of the divorcement bill would mean to distributors.

"The defense was still putting in its case yesterday (Tues.), but may end up today, its rebuttal then to follow. It is estimated at Paris headquarters in New York that the defense will require about another week of argument."

Meantime no one knows the outcome, although opposition to the divorcement bill without success has been only Paramount in North Dakota exercises confidence it can be declared ineffectual.

### Firm Basis For

Centering their attack on the divorcement of the North Dakota distribution law around the divorcement bill which exists for its enactment, because they enjoy monopoly in the exhibition of motion pictures in the state, and, further, that it destroys property rights without due process of law, the judges in the case have denied the motion of the defense, the state of North Dakota, for dismissal of the case. The U. S. Supreme court, who have validated the measure which is presently being enforced by theatres by producers and distributors and would have resulted in the vacation of a temporary injunction order preventing its enforcement, thus compelling the inroads and American Amus. States, and other exhibitors of their legal rights.

A formidable array of legal talent has big guns trained against the law's validity, determined to end once and for all the national Allied States threat of dissolution in other states. It found itself combated not only by the North Dakota state attorney general, Alvin Strubel, but also by a battery of other prominent lawyers employed by Northw Allied to assist him in upholding the law.

Highlights of the trial thus far have been the appearance of the witness stand of John J. Friedl, general manager of the Minnesota Amus. Co. and W. S. Steyer, president of Northwest Allied, which was instrumental in having the law enacted. The former, who says his company has any monopoly in the North Dakota exhibition field or market, made advance statements to independent exhibitors and he pointed out his companies have not been excluded from the market. Independent exhibitors do not have an advantage over independently owned showhouses in obtaining independent business.

No. J. Indles Called on to testify to expectations of the bill as expected to be enacted "without calling any attention to the fact that the witnesses are testifying to their contentions. It also was in fact that the defense, not through the aid of Fred Wainwright, but through exhibitors to voice their alleged grievances against the Paramount case. However, the independent exhibitors and former theatre owners in cities outside the state, such as Minneapolis, St. Paul and Omaha, will testify for the state. They have suffered or will suffer from the divorcement of producer-owned chains of theatres and operations. The bill, it is pointed out that Minnesota in one instance

### FEW APRIL DEALS

Show Very Little Amis, Trading

Washington, June 7. — Dealings by film company insiders were rare again in April, according to latest Securities and Exchange Commission report, which showed no sizable transactions.

Only significant change in group of 500 Warner Bros. common by Herman Starr, who was left without control, following the sale of the stock to Robert R. Young, who handed over 100 shares of Parthe common, retaining 100 shares. There was another increase in Loew's, Inc., holdings of Loew's Boston Theatres, partly acquiring 504 shares of subsidiary's common and swelling stake to 77,100.

### CENTER MAY GO VAUDE, VARIETY OR OPERA

Kurt Roebitschek has no deal set to take over the Center stage in Radio City for vaudeville presentation. States, it is the Rockefeller interests for some time, but idea has been a long-winded one.

Included among the defense counsel are J. P. Devaney, former Minnesota state supreme court chief justice, and Schuyler Woodruff, both from Minneapolis; Abram F. Myers, national Allied States chief counsel; and Charles E. Bickford, personal attorney of Gov. Langer of North Dakota. Among those appearing for the state are J. Edgar Thatcher and C. A. Bickford, New York; J. W. Finley, St. Paul; and George W. Wainwright, Fargo.

The sitting judges are J. B. Sanborn of the Federal circuit court of appeals and taking time before deciding on the Federal district court. The last word will be had by the U. S. Supreme court, which has already indicated they have indicated they will appeal to the nation's highest tribunal, if necessary, to determine whether producers can own and operate theatres, directly or indirectly, and whether a permanent injunction should be issued to restrain enforcement of this law.

In his opening statement in the case, the plaintiff's attorney alleged the non-existence of facts in the legislative record to justify such "draconian" legislation; that the prohibition involving destruction of property rights cannot be justified as an enactment of the state's police power; that no monopoly exists or is threatened in the distribution and exhibition of films; that the bill arbitrarily destroys property rights; that it is legislation designed to benefit a class, not the public generally; that kept competition in the production of motion pictures assures the public the best possible films and that the State of North Dakota cities is thus actual competition between plaintiff and defendant.

Points emphasized by Murphy for the defense in its opening statement was that the court must construe whether there exists any conceivable basis for the enactment of this statute; that it develops the plaintiffs not only to establish, but preclude the absence of any basis for the law; that the court must consider the practice of buying and operating theatres tends to destroy property rights; that the bill is not looking requires the theatre owner to take virtually a producer's entire property rights as provided for the exhibitor; that the legislature conceived it was within its power to inquire and legislate in North Dakota, and that the present inaction is a "preventative medicine" designed to prevent entrance of a law into an existing evil of monopoly.

# \$500,000 Label Suit Culminates Philly Indies' Internal Strife

### DIXIE DUNBAR IN A DICKER WITH U PICS

Philadelphia — Explosion that may blow the Philly indie exhib organization here to bits was set off in the courtroom last week by filing of a \$500,000 label suit against Lewer Pizor, Inc. pres. by a member of the Philadelphia Exhibitors' Association. The suit was filed against the indie chain of 14 houses, charged with failure to pay dues to the U. P. of Exhibitors. United Motion Picture Exhibitors of Eastern Pennsylvania, New Jersey and Delaware, damaged his business reputation.

Milgram's complaint arose out of an open letter sent by Pizor to local trade sheet, in which he charged that Milgram was not a member in good standing of UMPTO and therefore Pizor was under no obligation to show him the courtesy regularly extended members. Pizor's letter follow: published in the trade sheet. It was a rag taking him to task for building a house in direct competition to another member. Trade paper is a party to the suit.

Milgram expelled from UMPTO for non-payment of dues, Pizor alleged in his letter. This was refuted in the court by a member who claims that he was a paid-up member and has cancelled checks for \$220 in dues paid to George P. Aarons, secretary.

Milgram also claims that Pizor and Aarons have repeated requests for a treasurer's statement showing the financial status of the organization. He has been refused. Managers, he maintains he has a right to see such a statement. He charged that there has been a fraud in the organization since it was formed by combining two other groups almost two years ago.

Last week's label suit was the final blow in a feud that has been a feverish fight here for months and in which virtually every exhib has taken sides. The result from passage of a site for a new house by Pizor and Charles Segall, chairman of UMPTO's board and Allyn Reynolds, president, will be in complete with two owned by Milgram's group, the Walton and Allyn Reynolds, has been ever since Pizor and Segall purchased the lot they have been trying to force by pulling it from them at an exorbitant figure.

Milgram, in retaliation, has already started erection of another house near the Apollo, owned by Segall. Manner in which UMPTO members have aligned themselves with one side or the other in the battle constitutes threat to the entire organization. Several other exhibs, it was learned, are preparing a revolt against what they term "dictatorial policies" of Pizor and Segall.

### THEATRE MEN THWART OMAHA'S CENSORSHIP

Omaha, June 7. — Theatre men thwarta state censorship today when Mayor Dan Breen's attempt to grant wide regulatory powers to five-member city welfare board was blocked by the city council. The proposed ordinance sent back for revision, I. D. Dunn, attorney for theatre men, said. He said that 250 owners, managers and employees charged ordinance would obstruct the business of the city. Made Brown, president Omaha Central Labor union, also rapped the ordinance.

### Go Get 'Em, Red

Philadelphia, June 7. — "Red army" a serial based on the life of the late John Reed, the author of "United Front" (Monday) with Ford Beebe and Alan James co-writer.

### Buxbaum's Politics

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### James Bros.' Roles Set

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### Appeal Adverse 10G Suit vs. Ex-Angel

Johnny Walker, former picture and legit comedian, will appeal the decision handed down last week by N. Y. supreme court Justice Samuel S. Roebman who tossed out Walker's suit to recover \$10,000 from Allyn Reynolds of the tobacco clan, for misappropriation of his picture rights in a non-produced play, "This Year's Class," Justice Roebman dismissed the action on the ground that Walker's evidence was insufficient.

Walker's complaint against Reynolds alleged that he had provided part of the funds, \$10,000, for the production of the play, and that Reynolds had used the expense of the production, provided his wife, Helen Fortesque Walker, with the lead. Walker testified he consented although he had selected Dorothy Burgess for the part. Reynolds advanced him \$10,000, he testified, and Mrs. Reynolds began rehearsal but, few days later, failed to show up. Instead, he averred, Reynolds informed in the whole deal was off as his wife had left him. However, a few days later, Reynolds again agreed to go through with the deal when, according to Walker, he said, "My wife has returned to me."

Reynolds continued on the basis that Walker had not been the judge of Mrs. Reynolds' histrionic ability. After a few more tributes, Walker testified Reynolds again jumped the traces and what was to be another Broadway hit went by the boards for lack of capital. Walker decided he was entitled to a flat \$10,000, besides the \$3,000 Reynolds had advanced for rehearsal. Justice Roebman thought otherwise, after hearing the defendant's story.

### Tardy Pix Away

Hollywood, June 7. — Delayed a week, "The Sisters" an "A" picture, is delayed rolling yesterday (Monday) at Warners. Production start on "Angels in Blue" starring James Cagney and Pat O'Brien, originally scheduled for June 6, has been set back to June 7.

### NOVARO'S COMEBACK

Hollywood, June 7. — Republic's "As You" starring Ramon Novarro, went before the camera yesterday (Monday), John Auer directing and producing.

It Marks Novarro's first lens appearance since 1 1/2 years.

also declared that no issue of facts is contained in the complaint and that it is the court's function to direct the correctness of the legislature's reasons for enacting the law. He contended the case before the court involves itself around the questions of whether any reasonable state of facts can be construed to justify the law and whether there is a relation to the law in that aim. Unless the plaintiffs can show facts which preclude any rational justification for the legislative enactment it should be upheld, he declared.

Friedl in his testimony named "Mind" as the only town in which his company has no competition. He said none of his competitors' interests in the two theatre operating companies and through stock ownership. He said that the company's interest is in the two theatre operating companies and through stock ownership.

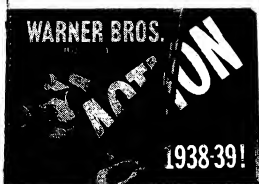
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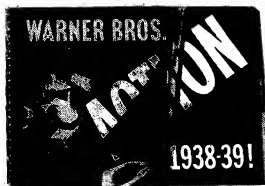
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# 3523 NEW-SEASON



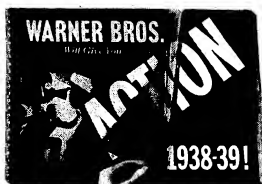
# CONTRACTS

# IN 3 WEEKS



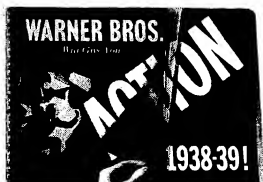
# FOR WARNER BROS.

# THE



# ACTION

# COMPANY





# Oriental Chi, Shutdown Not Working Out as Doped; No B. O. Aid

Chicago, June 7.—Balaban & Katz is disappointed that the closing of the Oriental hasn't helped the rest of the loop in any way. In fact, instead of aiding the other houses by diverting that trade elsewhere, the closing of the big vaudeville firm has simply resulted in an excitement so strong that the Ori is in the first week that the Oriental was dark the loop attracted more people than it has in years. It all threatens reporting a slip-off in trade.

Those who have found that with the Oriental dark, there is one less reason for the general public to come into the loop in the first place. In the other houses nearly all playing repeat and holdover pictures there are only the holdovers and Chicago for new attractions, so that if the public doesn't want to go to either there is no reason to come downtown in the first place.

Chicago, B. O. K. flagship had disappointing even though B. O. had lined up a strong bill of 'Holiday' and 'Tommy Dorsey' band on stage. Biz was far under expectations, especially since the circuit heads had originally figured that, with the Oriental closed, \$200,000-\$250,000 would be the house ordinarily played to walk over into the Chicago. But it didn't work out that way. In fact, rather, the Chicago slumped under even normal big for the house. Last night's receipts totaled \$4,500 in cash weekly to keep the Oriental shuttered, and from biz results last week, the real cost is considerably higher. Due to general lethargy of interest in the loop.

# PAR'S GIVEAWAY MAG IN SALES TRY AT 10c

Actually going into the publishing business as a sideline through which to exploit its own product, Paramount has had 'Par's Giveaway' patterned after picture magazines, on sale in its theatres at 10c a copy.

A few months ago, as an experiment, Par got out its first issue of 50,000 distributors, and it gave away. Theatre patrons supported the home office sell it in the lobbies. As a result, a second issue is on sale in Par's theatres. But not all patrons are obligated to try to peddle the new type of publicity material but so far they are \$5,000 copies for a sale try have been ordered. Others will be given away.

# Taurog, Tracy to Omaha For 'Boys Town' Local

Hollywood, June 7.—Norman Taurog, director of Metro's forthcoming 'Boys Town', has gone to Omaha with Spencer Tracy and a crew to shoot backgrounds in the unique village ruled by youngsters.

Father Edward Flanagan, supervisor of the juvenile municipality, is technical advisor on the filming.

# Cine 25 Yrs. in Pix

Hollywood, June 7.—Cast and crew of Leo Slezzer's 'Riding the Ice', Bobby Brenner stars, threw a party for Saturday night (4) at location at China, Cal. to celebrate in honor of Eddie Cline's 25th year in pictures.

Company is a firm in at into a weekly

# 'Sisters' Gets Going

Hollywood, June 7.—With Errol Flynn back on the job after his Caribbean vacation, officers will start production this week on 'The Sisters', with Betty Davis in the femme lead.

Ruth Bondi is set to play Miss Davis' mother.

# PRINCIPALS MOVE

Hollywood, June 7.—Principal productions moved last week into the plant formerly occupied by B. P. Schulberg Productions.

New quarters provide cutting an projection rooms and more space. Quarters will continue to be shut on the RKO lot.

# Cooper Loses WB Product

Warner joined the ranks of the subsequent run contractors to leave the J. H. Cooper string here when seconds were sold Bob Livingston to Capitol. This is the second company departure from under the Cooper wing, Republic and UA having earlier to the U. B. Noble interests here. Rep covers first and second run and UA is second run. Livingston previously got Universal and Paramount seconds.

Film companies have been looking for an out from their product backlog and unplayed pics or some!

# SEX PIX TRIX OFTEN LODGE CENSORS' TRIX

Philadelphia, June 7.—Trix unit of Panny Censor Board recently on sex pic resulting in a heavy fine and a recall of product by distributors before it arrives for official view. As a result of this, sex pictures have been passed Panny board that have been banned in other states, but invariably they are out so much there is practically nothing left but a lurid title.

Title switching, incidentally, is a favorite trick of the hot pic distributors. That will almost invariably be changed from state to state, and very often from theatre to theatre. Object is to fool the censors and potential customers who may have seen clips from the film mixed in with other sexers.

Distributors of films usually try to have them deemed official in their own state after, as soon as possible. Boards in various states excepted notes, and it can be slipped in fast, very possible that a board will pass it, while it almost certainly will give it the nib if it learns another state has already taken like step.

# N. Y. City Press Ass'n To Service Newsreels

Newsreel companies are perfecting arrangements with the City News Ass'n whereby they will get more complete coverage in the Greater New York area. If present plans are carried into effect, newsreel headquarters of the five reels would receive virtually the same service on live stories as the City News city desks would get. Complete information to rush cameramen any spot where story breaks.

News service is made possible because of change in power of the City News. In the past, it served only member papers of the City News, but now it will sell news, this is giving the newsreel companies a break on the expense of Columbia City coverage given by the City News.

# WB Preems 'Banners' In Author's Bail

World premiere of Warner's 'Banners' will be held June 18 in Columbus City. Under the supervision of Lloyd C. Douglas, author of the novel on which the picture is based, a number of Columbus City has proclaimed a civic holiday and requested its 10 inhabitants to take part in the celebration.

# Fleischer's Feature

Reconsidering his decision not to do a full-length feature, Max Fleischer yesterday (Tuesday) began work at his New York studio on 'The Travels', to be made entirely in Technicolor.

The animation will be done at Fleischer's main studio; and will be ready for opening in September.

Contract was just assumed to duplicate the feature cartoon, Part II.

# Heating Up the B. O.

Minneapolis, June 7.—Local exhibitors actually are hoping for hot weather in the belief that it will help the struggling business. 'Terrible temperatures usually drive many people into air-cooled buildings. Up to present weather has been unusually cool.

# Mich, Detroit, With Vaudeilm Off, Looks To Get Pix Breaks

Detroit, June 7.—Switch of the vaudeville juggernaut (Par) to duals, scheduled for this Friday (10), will slash Detroit's single-film houses and vaudeville to a lone one—the indie Fox. Until recently town harbored two vaudeville and four single-pix spots.

Michigan, reported some time ago as figuring on dropping vaude in face of dismal grosses past several months, could see its vaudeville for at least two weeks following end of stage shows next week. Plans to stay flexible until after August 1st.

With demise of Michigan's stage shows, vaudeville figures to carry on its vaude through the summer, thereby giving it extra appeal and also in view of toptouch band attractions. Already looked for.

Michigan's switch to dual policy is made possible by shutting of United Artists circuit week ago and by switch of the Madison first-runners to a dual policy of revival 'flippers. It is expected that this will drop admission prices from the current 65c to 50c on a par with Madison.

# Salmon's 10 N. Y. Skouras Houses Include Beacon

Fortifying his position in Greater New York, and notably on the upper west side, which has been penetrated through takeover of the Broadway and Grand St. Stations, Brox, has closed a lease on the Beacon, biggest operation between on a box office basis in the city since 18th street. Skouras acquired the Beacon following recent closing of same by the Springs. Circost people defaulted on the rent.

Monty Salmon, former Circost manager in charge of the Beacon, has taken charge of the upper west side. Skouras group of houses, including the Beacon, where he will make headquarters.

# Brown Back at Work

Hollywood, June 7.—Joe E. Brown, injured early last month in a football sequence, has adequate return to work in 'The Long Production, 'The Gladiators', at Universal.

Camaraderie will do indoor non-athletic scenes until his wounds have completely healed. Rough stuff will be filmed last.

# Starring Lucille Ball

Hollywood, June 7.—Lucille Ball has been upped from a box office player to comedy star by Jack Oakie in 'The Affairs of Annet' at RKO.

Andro Berman is picture, now in production.

# Skouras Party East

Charles P. Skouras, operating head of the Beacon Theatre, is cast for business conferences in New York.

With him are Charles A. Buckley, chief of the legal staff; Tom Page, film statistician; and Attorney Alfred Wright.

# SISTER ACT

Hollywood, June 7.—Una Merkel of the theatres, is cast in Metro's 'Hoolivue', her third picture withleanor Powell.

First appearance was in 'Sister Act' study of 1937 and later in 'Born to Dance', both Metro.

U School Vacation

Hollywood, June 7.—With the closing of the Universal double bill for the summer, Lyonel Argolis, chief of that department, draws a summer vacation. Argolis' assistants, including Fred Vaughn, has been assigned to other studio jobs.

# Latest Exhib Game in Philly Is To Devise Legally OK Games

# Baron's Pitt Post for M-G

Pittsburgh, June 7.—Charles Baron, of New York's association with UA, has just been named exploitation representative for Metcu in this district. He succeeds Jack Wash, recently transferred to Albany.

Baron will work out of Pittsburgh, where he occupies headquarters for tri-state section which have maintained since elevation of John J. Maloney to district manager.

Philadelphia. Latest game being introduced in the games to get around the Henley laws which recently outlawed bingo and banks.

ready applied for a patent on a new type of game, a type of beanoon secret stuff, though, and no one knows about what he has above a whisper until patents are issued. So far no papers from Washington have arrived.

# SHOW BIZ BREAK IN DET.; STAYS ON E.S.T.

Detroit, June 7.—Allayn, my fears of local theatres and niterie; Detroit common council last week decided town's closure of city's movie theaters for at least another year.

Daylight saw proposal, however by film and drink spots on theory extra daylight would favor crimp dismal grosses, was favored by most radio stations, who are harassed annually by time switch in network and with resulting loss of local biz.

Council tabled proposal indefinitely, deciding its already too late this year to go further, that Detroit's ready is 'snitching 28 minutes on the air by being eastern time, since it's really on borderline between eastern and central time zones.

# Philly Zone's Reasons For No Price-Slashing

Philadelphia, June 7.—Despite the current buzz in the nabes that there will be no general slashing here. Subject has been up for discussion, but not acted on by council. Reason: Principal holder-back clause in product contracts of most majors prohibiting price cuts under 20c in quantity of losing run. any houses are allowed very close to the stated minimum.

Another deterrent is feeling of most exhibs that it is a simple matter to raise the fees, but something else again to boost them with the warrants. Causes much dissatisfaction among patrons.

Third reason for hesitancy in slashing scale is experience that it helps only for a short time. When customers get used to it there is no greater attendance than before and they are taking a nickel or a dime on each patron.

# Nagel's Four for Mono

Hollywood, June 7.—Scott R. Nolan has signed Anne Nagel to do four pictures for Monogram under his program. The first will be 'The Girl From Nowhere', screenplay by Scott Darling from a story by Arthur F. Woodward. Production on 'Baron's Fox', the R. B. Derr picture for Monogram, gets underway Tuesday at 'Talisman' studio after a week's delay. Start was late because Jackie Munn, set for the lead, was working in 'Mother Carey's Chickens' at RKO.

# MPDDA Meets Today

Regular quarterly meeting of directors of the Motion Picture Producers & Distributors Association will be held today (Wed.) in New York. This is the second such since last year.

It may head of the association, has remained in the east until now. His return is planned for about June 10 on his regular summer trip. His stay on Chicago for 11 days, until he returns to New York.

Members meeting in Chicago. Eastern Illinois returned on that date.

# ARTY THEATRE'S STUNT OF THE 'BEST' REISSUES

An international film festival, with pictures from 16 different countries, will be staged by the City of Philadelphia, N. Y., July 1. To make sure the picture pack will include those which won Academy awards. N. Y. City's American selection to be picked by American critics; the Best American picture.

Top foreign pictures, selected by an international jury, will be shown until August and only the best of each program of cartoon comedies and Charles Chaplin comedies will be an entire festival. They are 'Duck Soup', 'The Capitans Courageous', 'Show Boat', 'Rugles of Red Gas', 'circus', 'The Infortunates', 'The Grand Hotel', 'State Fair', six French-made features and five each from Russia and England are listed.

# Swarthmore College Can't Have Own Cinema

Philadelphia, June 7.—Judge Albert MacBride, of Delaware County Common Pleas Court, upheld the Saturday of the borough council of Swarthmore to prevent a program of cartoon comedies and Charles Chaplin comedies will be an entire festival.

They are 'Duck Soup', 'The Capitans Courageous', 'Show Boat', 'Rugles of Red Gas', 'circus', 'The Infortunates', 'The Grand Hotel', 'State Fair', six French-made features and five each from Russia and England are listed.

# Rites Putting It On

Philadelphia, June 7.—Carrying their own orchestra, the Ritz will show off on a personal appearance of the mid-west and east, as well as in this city. 'Straight, Plain and Slim' at 20th-F.

# Sherman Hits Trail

Hollywood, June 7.—'Sherman', the picture starring Lewis and Clark, is being made by Columbia Pictures.

'Sherman', the picture starring Lewis and Clark, is being made by Columbia Pictures.

# He lives again!

# RUDOLPH VALENTINO

WITH  
VILMA BANKY

## "THE SON OF THE SHEIK"

WITH MODERNISTIC MUSIC AND DRAMATIC SOUND EFFECTS

**A** SUPER-MAGNET draw at the box office for old and young VALENTINO . . . in "The Son of the Sheik" . . . ith modernized music and dramatic sound effects . . . every booking played reports big business . . . every booking scheduled wants to get the quick money VALENTINO brings to sagging box office receipts . . . big cities . . . small cities . . . all send the same reports . . . sellouts.

No wheeling publicity efforts required . . . just announce VALENTINO . . . in "The Son of the Sheik" . . . with modernized music and dramatic sound effects . . . then watch admission tickets glide through the box office window in an unending stream . . . a money picture that is surefire . . . a highlight for summer business . . . box office grosses . . . that will set a pace for the rest of the year . . . wire or phone . . . don't wait to write . . . and get first dates for your house.



A GEORGE FITZMAURICE PRODUCTION

**VARIETY** says . . .  
Chicago.  
Business in the loop currently is being led by two widely spaced types of entertainment. One is the ultra-modern swing stuff of Tommy Dorsey and the others on the stage of the Chicago "Six" the other is "The Son of the Sheik" in the small Chicago.  
Actually the success in Chicago is due to the fact that the picture is being shown in every which is drawing in every type of trade, more and more young men as well as the femmes.

*They won't let it go!*

**CHICAGO**  
Reviewers say:  
In the acting of Valentino there is an undated quality that does as well today as it did ten years ago. Valentino's charm is probably the same as that which drew the crowds to Mark Anthony.

**NEW YORK**  
Reviewers say:  
There does not seem as if a substitute for Valentino has appeared in Hollywood as yet.

**PHILADELPHIA**  
Reviewers say:  
His dark, handsome face, his personality, the magnificent, the feminine devotion all over the country in the metropolitan centers and down in the smallest hamlets able to doze in a movie house.

**WASHINGTON**  
Reviewers say:  
"The Son of the Sheik" is a story which interests the public in a degree which is not often met in the movies.

**HELD OVER!**

**HELD OVER!**

**HELD OVER!**

**HELD OVER!**

**HELD OVER!**

### NOW . . . NOW . . . NOW . . . BREAKING BOX OFFICE RECORDS IN FIFTY KEY CITIES

If there ever was a picture that could guarantee box office records, this is it. Today, while you read this, in 50 cities, Rudolph Valentino, the greatest star the world has ever known, is proving that his popularity lives for-

The "Son of the Sheik," ith beautiful music and sound effects, is the thrilling story of a love so great it will still be glowing when the sands of the desert grow cold.

Wire . . . Phone . . . Don't Wait to Write  
**ARTCINEMA ASSOCIATES, INC.** [ Phone MEDALLION 3-4850 ]  
729 SEVENTH AVE., NEW YORK CITY



EXPLOITATION

By Eges W. Sargant

WB Chorine's Bally... Bihelred Leopold, from the Warner lot, and Lee Blumberg...

Chosen by vote among the line girls in this season's 'Dignere' release...

Said With Flowers... Continental, New York, pinned gardenias to its announcements...

Cohen's maturity... Ben M. Cohen, who made the jump from the College, New Haven...

ville, Calif., while 'Swing Your Lady' was given a similar pushout at the Fox-DeSoy...

Furbished Up... Dick Moss, of the Carmel theatre, Hollywood, is giving a new twist to the 'Loyalty' story...

Worked it on a Saturday matinee by announcing that all the girls would wear the same dress...

Kept Up... Norfolk, Va., Keys gave 40 for the 'Norva' theatre for the showing of 'Joetta'...

Anti-Nazi Censorship... Hollywood, June 7. That the production code administration...

Theatres-Exchanges... Joe E. Garrison, manager of the Universal exchange, married to Helen Zack Robins...

State Senator John P. Shea, who has been elected to the Democratic candidate to succeed himself...

States Manning, Joplin, Mo., is architect drawing plans for new 600 room hotel...

Quired Hill from San Deutch, local real estate agent...

David Rames advanced first booker at Latin American...

New skipper of the Polart theatre, Potomac, Texas, is E. Beadle...

Enterprise, local indie film exchange, will move into new quarters...

Rocheater, N. Y., Theatre building was threatened in New York...

Warner Bros. officials immediately called on the city...

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Army Objections

(Continued from page 1)

On the contrary, instances are known where captured American aviators were in the event, the American Army should not lend itself to propagation of the story...

Section 385 to 142, inclusive. These scenes tend to reflect on American manufacturers of military aircraft...

to co-operate in making a picture of this nature in a false light might be resented.

Anti-Nazi Censorship

Hollywood, June 7.

That the production code administration and the producers' association (Hays office) has volunteered from time to time to advise...

critical review of 'Three Comrades' (M-G) censored scenes which had been written into the script by F. Scott...

It is declared by Time that Fitz-Gerald was not satisfied at the cutting room...

Most accurate report of what actually took place is that the first...

Deny Hays Influence... In subsequent revisions of the script, which is said to have been...

Similar studio censorial decisions cropped up over Walter Warner's just-released 'Blockade' (UA).

The screen, as a vivid messenger, has four recognized methods of value to propagandic use...

As a screen spectacle the Ross-Armstrong film is high...

Some highly improbable events take place in this comedy-drama about race-trackers...

It is all familiar patter and routine up to the point where a stolen car is used for entry in the big handrace.

Somehow it is up to the police and the racing commission to solve the wagers.

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Wives Under Suspicion

(Continued from page 1)

ties in this vehicle. He has varied the interest without losing sight of the fact that the chief interest center is the stable situation of the selected wife of a prosecutor...

Mercedless da. is obsessed with the idea of a story whether true or false. He reasons that every player should be electrocuted no matter the circumstances surrounding the killing.

He makes certain of his prosecutions by jury-obtaining confessions on an electrical recording. That is until the similarity of events in his own life of those of professor he is trying for first-degree murder...

Besides James Whale's superb direction, Lillian Verba, as a humored maid, and the superbly casted Milburn Stone round out the capability of the picture.

Ross-Armstrong Fight... Super-Scopy Productions, Jack Eberly direction, released through RKO.

A sensational feature in any championship film can bring business to the box office but there is none...

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Film Reviews

looked better in celluloid than he did to those close enough to see the stilt right eye, distorted face, blebbing mouth...

Rights to major rights appear to be consistent with picking the level. Promoters have demanded and received a bigger profit than warranted...

Two Gun Justice... Minimum production cost, \$100,000. Stars: Tom McCoy, Betty Cameron.

General outline of narrative procedure has McCoy called from a field in direct ray to the carelessness of the film.

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# CASH PRIZES

## Don't Forget Personality

Not bad of the moment centers around games. Any and all kinds of games but many of them quite literal. Two happy factors are, from the standpoint of the industry's probable best interests at this troublesome stage, thus combining a vast number of amateur contestants with the program, at the moment have a genuine educational tinge in consequence of the fact; (b) a practical kind of entertainment for the moderate budget advertiser is made available.

But the game shows, while popular, do not threaten the truly great popularities of radio. Nor is it likely that they shall. They form a nice middle grade music class type of radio entertainment. They cannot oust the peaks. That is the time-verified knack of the personalities.

Game programs, too, vary in popularity and not exclusively on a basis of the cash prizes offered. Personality of the master, or mistress of ceremonies is of v.1 importance. Something for nothing does have a strong heart-tug value but it doesn't obviate the need for the elements of style, class, glviness and emotional appeal. Folks still like to folk.

## OHIO RESENTS FLIP KRAFT CRACK

Hollywood, June 7. Ohioans, not up on show bit, take a decision against the famous entertainer to put their foot down on any unqualified reference to the economic plight of Ohio in international programs. When Ken Carpenter, in announcing the credits at the close of King Crosby's singing on the "Little Caesar" program, called "Cuddle Up a Little Closer" is from "Three Twins and Beautiful Ohio" in an international program. His carrying it too far, decreased a dozen Clevelanders, and they wrote to NBC in Hollywood. One broke out that relief funds in Cleveland were long ago exhausted and that many thousands were being fed in bread lines. NBC quickly apologized to each protestant but assured them there was intent to make light of a serious situation, that the phrase was borrowed from show bit. One was that NBC played the number that badly but it's backfiring. NBC will put the network monitors in a closer vi. stance.

## 'MIRACLE' AIR PROGRAM TO PUBLICIZE PICTURE

Hollywood, June 7. Long list of picture names will participate in a nationwide salute over the Columbia network to actor Renhardt's Workshop, occupying the old KNX studio in Hollywood. An hour dramatization of "The Miracle of the Bell" is being produced by a team headed by Renhardt. The broadcast is advanced exploitation for "Miracle," which the studio produces with Bette Davis leading the cast. Those participating in the broadcast will be Edward G. Robinson, Billie Russell, Luise Rainer, William Dieterle, Joe E. Brown, Olivia de Havilland, Douglas Fairbanks, Jr., Walter Huston, Constance Collier, Pedro Cordova, Anne Jamison, Igor Gorin and St. Brendan's boys choir.

## Buddy Clark Song-Story Program Is Dropped

Dramatic-singing idea which Lucky Strike has been underwriting on WOR, New York, and WGN, Chicago, by way of Mutual since April 4 goes into mothballs at the end of this month. Program, starring Buddy Clark singing, had been picked by James Rogers before he quit as account exec on WOR for Lord & Thomas to join Benton & Bowles. Lucky is still scouting round for a third four network show. Among the emergency network success submitted was B. Baker.

## THAT'S THE WAY THE GAMES' SUCCESS

Advertising Agencies - Give Present Fad For Novelties Will Run Through Next Season

Advertising agencies of the opinion that the audience participation stanza, now so common, wherein cash prizes are offered, if not represented on the networks in still greater number next season. They figure that it will take at least another year for the answering and guessing fad to run its course. What makes this type of idea show particularly attractive to sponsors is both its low cost and the fact that they can give away money without taking a chance on coming within the lottery provisions of the law.

Another reason they cite for their predictions for a long run of the quiz type of program and games in general is that anything that smacks of sugar-coated education is okay with the American mind and timely.

Providing they're properly geared, these shows can go on appealing up and down the family circle. As for the cash giveaway angle, the advertisers are on the safe side of the law, since successful participation depends on a word to be guessed.

For the advertiser's eyes, it is to be recalled, lottery tickets, if to be recalled, advertisers who are loved with all sorts and variations of lotteries. All or nearly all, were killed at the conference. A few got on the air locally, only to be hurriedly yanked on a word to be wise.

Games also allow the kids and the grandparents to play together in the dining parlor, skipping age level, neatly.

Station WQXR, N. Y., will limit itself on its weekly "Musical Memory" contest tonight (Wednesday) with a collection of music luminaries subscribing for regular audience. Irving Berlin, Milton Miller, of New York City; Sun; Mill Cross, NBC music commentator; Rosario Bourdon, conductor; and Leonard Scheibing will attempt to answer musical puzzles.

Irving Deakin directs program which airs from 9 till 9:30 p.m. Tuesday.

KVI is using a quiz type of program as a hook for the short explanatory trailer is run; the screen just before the start of the show.

Everybody called to the mike gets a box of bakery products. Program, the first to be paid to each person that answers three questions accurately and \$250 going to contestants whose answers are used on the screen just before the start of the show.

Ilk Storking Giveaway San Francisco, June 7. Dancers on the floor at the ballroom in the Hotel St. Francis participated in a new show, "Ilk Storking Giveaway," which was sponsored by (I) on the banner of Joseph McGinn Company, Inc., sponsor's apparent. The program, which featured a weekly cash grand prize, was a brief commercial blurb; is a feature of the

## Contractor or Employee Status For Program Biggies Still Hazy

S.E.P. Influence

After giving one of the networks a long run-around, a name writer for the Saturday Evening Post was cornered by telephone on his Long Island estate and asked if he would like to adapt a well known novel for the radio. He was \$2,500 on a script - it's handsome - and the network can send representative writers to see him on his Long Island estate.

## TELEVISION 4 TIMES COST OF RADIO

London, May 31. A vision costs roughly four times that of its equivalent radio program, according to a statement by Sir Noel Ashbridge, B.B.C. chief engineer. Further indication of costliness of new medium was that to televise a broadcast of the British Broadcasting Corp. back \$500 more than does a plain broadcast commu ry of the event.

One drain on finances is burden of equipping television transmitting station. Studio equipment at Alexandra Palace, for instance, costs more than that of B.B.C. Birmingham transmitter, though latter is considered the best equipped regional radio station, while A.P. installation by comparison is an \$1-up.

Then also the television station demands \$1 engineers, as against only 13 on the roster of the Manchester radio station caterer for normal broadcasts.

Cable, laid at cost of \$5,000 a mile, has been extended as far north as Manchester, from where it will be laid up to Newcastle-on-Tyne in extreme north of England, with Post office intending to continue over the border into Scotland, taking in Glasgow and Edinburgh before close of 1938.

Equipment of transmitters at each of these key cities would give coverage to about 90% of U. K.

Quarter-hour program, aired at 8:15 p. m. Pair of Joseph Magnin silk stockings is given to each contestant with the winner getting an order for three additional pair at the end of the broadcast.

Emil Brisacher & Staff is the Magnin account no. Previous program was on "Bliss" (News and Faces), with Ira Blue, played by the Sidney Garinaki agency.

San Antonio, June 7. Dr. L. Q., radio quizzer from the steps of the Blaisdell, interested in program every Monday night, except KFTA, is pulling as high as 100 letters weekly. Average is 70,000 questions, which \$2 is paid for three used.

Saint is sponsored by 7 Up Corp. Syracuse, June 7. Music's new Announcement plays number recording, then picks up radio "Lotto" and address, possibly invited contestant to ask name of selection. If correct, the \$100 prize is in hand. Program, through 10 o'clock, time.

Individuals who control radio directing, promoting or starring functions, or a combination of such activities, will naturally like to choose voluntarily between a status of employee or contractor. This seems to be the drift, as regards social security taxes, still an unworked mystery of the broadcast advertising world.

As an employee--the advertiser--the question arises of possible curtailment of independence. Present tendency of some program-builders to seek production jurisdiction fees, or nearly free, of the right of interference seems to throw the social security tax on the promoter. But if this responsibility passes to the advertiser, with its presumably good effect on relationship, contractors seem to be potentially threatened--or at least conditioned--by the eventual clarification and disposition of the issues. Bureau of Internal Revenue in the end decides everything.

Factors in the determination of contractor or employee status may vary very well affect the present status of the contractor. An established program or an established star is seen as based on personal and elements of professional ability having no relationship to whether the advertiser at the moment. A star enjoying such an independent status will probably not so readily sacrifice some measure of trade status or creative prerogative. If assignment of relationships is a matter in order to duck social security tax payments. On the other hand, the advertiser will probably want to re-classification of individuals now with the rights an independence implicit therein.

## Levy Sez Benton-Bowles Circulate Carter to NBC Rumor to Influence CBS

Philadelphia, June 7. Dr. Leon Levy, personal manager of Boie Carter and CBS st. holder, branded current reports that Carter would leave CBS for NBC as a gag doll, rarely played by Benton & Bowles agency.

He declared there is no chance in the world of the commentator shifting nets, as contract with present sponsor, American Enterprise, will be over CBS. Levy said to get when the pact was drawn, subject of current report that some aid is that a better time for Carter on CBS. Benton & Bowles wants a period later in the evening.

## Rubioff Convalscesing After 4th Emergency Op

Detroit, June 7. Fourth emergency operation in the past month was performed on Dave Rubioff last week, but violinist's condition is reported as good.

Rubioff, convalescing in Battle Creek (Mich.), Sanatorium from an abscessed tooth, has been submitted by three other operators since then to avoid infection; the first one last week. Rubioff is following development of infection in the pelvic. Another blood transfusion was given to Rubioff to correct the shock.

## Deport Announcer

Anchra Africa, singer, deported by U.S. Customs and Dept. of Immigration, D-I had worked Detroit's WJLB radio. He is claimed by Arthur Hill, 16-month lease. He has been under way.

# Kellogg Buys WBBM Baseband Away From General Mills for 1939 and 1940

Continuing its drive to usurp General Mills radio time and strength wherever possible, Kellogg last week signed contracts for the take-over of baseball play-by-play on WFBR for 1939 and 1940. General Mills has been the WBBM baseball sponsor for several years, though for past two years has been splitting sponsorship with Mobiloil.

Price Kellogg will pay for WBBM baseband is set at \$150,000 for each of the two years. Represents a considerable upping of price above the \$75,000 per year which WBBM has been the W. W. Ayer agency handled the Kellogg-WBBM deal.

While nothing is yet set as to it is expected that General Mills will move over to WGN for its baseball next year. Old Gold had had WGN baseband for the past two years. In the event WGN and General Mills get together on baseball it is possible Old Gold will move over to WJXD.

## WCKY GETS 4 NBC PROGRAMS

Continued, June 7. Four NBC comedians that are transfers from WSAI, obtained last week by Lloyd G. Venard, WCKY sales director, "Smilla Dallas," sponsored by Phillips Chemical Co., started Monday (6) for daily airings at 8:15 p.m., following the same banner's "Backstage Musical," also carried by the L. B. Wilson station. Transfer programs are "The Service comes on Fridays at 7 p.m., starts June 17.

Jerry Belcher's "Interesting Neighbors" that for five weeks ran on Sundays at 8:30 p.m., begins July 3. Carnation Contested program, on Mondays at 9 p.m., starts July 4.

A new local account on WCKY to start on Wednesday at 10:30 p.m. to midnight, starts June 11 for the Vienna Brewing Co. It's to be a "new club" program. The advertiser described dance music and comedy. Handled by Miller agency, Cincinnati.

Another new commercial that started Monday (6) on WCKY is for Appliances, Inc., Fairbanks-Morse refrigerator distributors, with a Coldeing Hank and His Radio Ranch comedy, three weekly at 11:15 a.m. and four a picture with a dramatic wave and rebroadcast by WHIO, Dayton, and WBNS, Columbus.

## Lutheran Convention Buys Commercial Time

Triennial meeting of Lutheran preachers and prominent laymen at many auditorium, St. Louis, will have a half hour on WBBM sponsored time over 24 Mutual stations, plus the affiliated Don Lee and Oklahoma records. Lutheran Laymen's League is sponsoring. Same organization during the winter sponsors radio broadcast on Mutual.

## No-Tone Tonic Warning

Washington, June 7. Federal Trade Commission issued warning today to consumers who are addicts concerning Stock's "No-Tone Tonic." Also ordered Fred A. Stock, of Quincy, Ill., to answer charges within 30 days that his radio-advertised pepper-upper is "misleading and deceptive."

Doesn't help users to get full nourishment from their grub and isn't meant to help to persons who are underweight, weak and suffering from sniffles and fatigue. Commish issued questionnaires whether Stock's preparation contained therapeutically significant ingredients and generated testimonial claims to good advertising as it is as cure for such ills.

## Add: Radio Games

Loring Smith, former vaudevillian, has a new show on WJZN, N. Y. entitled "Give Me a Sentence." It's a contribution to the present game show. George Healy, bridge expert, and Charles Jordan are the writers. Heard Monday nights.

## BEATING THE RECEPTION

**Local Biz. Axes Offset Stump-WFBR's Had Snappy May**

Balti. June 7. Big ballbwoh being readied by WFBR, Balt., wrapped around current May biz, rated biggest month in history of station. A member of the NBC red network, station has felt one of general falling off of national spot biz but has concentrated on building up strong local coverage. "Community News and Views," neighborhood setup featuring sub-cities merchants and community underlings, a big factor in steady and continued sponsorship set to run through summer.

Purcell Gould, WFBR's director of sales, developed idea which ties in station's portable advertising trailers and studio, equipped with short wave packs for spot doings and neighborhood participation.

WFBR with exclusive on Pimlico turf classics re-took running of Futurity in fall and Prekness next spring to American Oil Co. via Joseph Katz agency. Will feed goods to Atlantic Seaboard outlets of NBC Red network. Four hour "Post-Party" monopolizing afternoon of Prekness Day, included in deal.

## SPONSOR GESTURES

### BERNIE ON EXIT

Campbell-Ewald for the sponsor last week introduced a new twist to program exit announcements. In a wire addressed to the press at large the agency stated that the U. S. Tire Dealers Mutual Corp. has been pleased with its Ben Bernie show on CBS Wednesday nights and 'regrets reaching the end of its budgeted four weeks. Agency also points out that the series 'when planned' had been for a radio season of 28 weeks.

Fadetate date is July 6. Others on the show are Lew Lehr, Buddy Clark and Agnes Moorehead.

## Paying Attention Exams

### May Sub for Winchell

Lennen & Mitchell agency is considering an audience-participation show to replace Walter Winchell who has columnist take-over four weeks during July. Show tentatively tagged "Winchell Column Quiz," it presided over by Ben Graier, blurbist for Winchell on the Jergens commercial.

On the proposed program Graier will interrogate studio audience on matters they might know the answers to if they have closely followed the columnist's newspaper and radio gossip-turflings.

Don, Durkee Was Wyck, competitor of William Fox of "Secret Ambition," over XSFO, San Francisco. Tom Breneman has resumed emcee role after several months of absence.

## Drug Manufacturers Shy Off Radio

### Blurbs on Chain Store Marathon

Philadelphia, June 7. WPEN's 18-hour-a-week show placed by J. M. Korn agency for National Drug Stores has a "little bit of blurb" on the chain store. Program etched on 9 p.m. to midnight, Mondays through Saturdays.

Idea was to get manufacturers of products handled by the Nevim chain to chip in for mention of their goods each week on the air. Figured that enough sub-sponsors could be found to justify the medication. Idea failed to mesh, however, with drug manufacturers.

## Critic's Wife Wins

Phoebe Clark, radio actress and wife of Claude La Belle, drama critic of the San Francisco News, has been named winner of the contest recently to select a San Francisco air thespian for an appearance on the Kate Smith broadcast from New York, June 23. Miss Clark, who has appeared on a number of local stations, Vicki Voia, of NBC staff, and Jane McGreevey of KSPB, tied for an equal number of votes from bay district radio editors.

Photocopies and biographies of the three were sent east and Miss Clark was picked for the round-trip to New York. (Boston picking for this chore started a big tea-cup tempest a fortnight ago.)

## KNX Miffed At Audience Shows, Two Sales Lost

Hollywood, June 7.

Miffed because of scrapping among writers and originators of audience participation shows KNX is passing up all such programs and last week kicked off "Your Witness" after 54 weeks. Deal was all set for Young & Rubicam to buy the show as a summer filler for Fred Allen when Norman Prescott demanded equal coin with Ashmead Scott-on-the-buzz and demurred agency, fearing a lawsuit, called off all bets. Station had a sirilar experience with "Soles" of its showmen.

No signs have been posted at KNX but those in the trade know better than to submit an audience participation show to Charles Vanda, program director.

## WCAU's Frisco Rep

Philadelphia, June 7. WCAU has named Edward S. Townsend Co. of San Francisco to handle sales there. Chicago territory is handled for outlet by Transamerica. New York end is worked directly by WCAU office in CBS building.

## Goach to Coast

Martin Goach of Columbia's production dept. may go to Hollywood this week to arrange for the writing and production from that point of "The Charm School" which CBS controls.

Alice Duer Miller novel has been given stage play, a-musical, and twice filmed.

## NEW SPIELERS AT CBS

Two new announcers have been added to CBS production staff in N. Y. for the summer months. George Putnam has come in from Don L. Warrick's was one with a Shakespearian Repertory Co. run by Patia Power, Tyrone Power's manager.

Other announcer is Henry M. Neely who will handle "Everybody's Music" Sunday pm. program for the second year.

## OFFER FREDRIC MARCH

With a Derby, and a Cigar and An English Accent.

Transcription, with Fredric March doing the central character in a Scotland Yard idea is being auditioned among the agencies. Among those that have given the job a hearing are Benton & Bowles and Young & Rubicam.

Tommy Labrella (Oswald) on his own after teaming for years with Ken Murray.

## Chain Income from Time Sales

	NBC		
	1937	1936	1935
January	\$3,763,516	\$3,541,999	\$2,681,815
February	4,098,053	3,295,782	2,714,390
March	3,806,833	3,614,221	3,025,306
April	2,130,665	2,277,635	2,741,928
May	3,442,280	3,218,819	2,561,720
			2,665,211
	\$17,851,195	\$16,944,720	\$13,737,936

## CBS

	1938	1937	1936	1935
January	\$2,878,845	\$2,378,280	\$1,901,023	\$1,708,899
February	2,890,535	2,764,511	1,908,146	1,654,661
March	2,034,317	2,559,716	2,173,282	1,820,533
April	1,424,180	1,565,478	1,906,939	1,615,889
May	2,142,265	2,560,558	1,746,517	1,287,405
	\$13,611,060		\$9,683,007	\$8,159,207

## MUTUAL

	1937
	\$213,748
	233,286
	247,431
	200,134
	154,633
	\$1,147,527

## ANDREW SISTERS OFF

Wrightley Now Turning to Daytime Script Show Instead

Chicago, June 7. Wrightley is dropping its nightly 30-minute show with Andrew Sisters and Jack Fulton as of June 17.

It is figuring on replacing with a daytime strip show for strictly femme patronage, with an evening half-hour program to be added later for general audiences.

## WICC, Bridgeport, Happy; Baseball Ban Lifted

Bridgeport, Conn., June 7. WICC celebrated the lifting of the American League's ban on the local airing of the Boston Red Sox home games with a special program. Later event was aired just before the initial play-by-play broadcast program with Mayor Jasper MacLevy, State Senator Walter Barrett and sundry dignitaries in attendance.

Inclusion of WICC in the network airing of the Red Sox home games had been ordered last April at the insistence of Col. Jake Ruppert, owner of the New York Yankees. Ruppert's opposition was founded on the fact that the station is located within a 30-mile radius of the Yankee home territory.

League yielded following protests from local listeners.

Ruppert's opposition was against broadcasting the Boston Bee's games is still out.

## N. Y. Radio Golf Event

Radio row golf championship around New York will be decided at the annual tournament which will be held Friday (10) at Riverdale Country Club.

Teams representing CBS, NBC, WOR, Mutual, WMCA and WHN will participate in the tournament, organized by the Country club, the last two years. If the web grabs a third leg it may have the urn permanently.

## Helen Hayes on Lux

Helen Hayes will do a radio turn on the Lux broadcast July 27 while she is on tour with "Victoria Regina." Vehicle is being studied. Other guests, including Irene Dunne, George Grant and "Sally Goes Wild" for Lux, June 13. Louella Parsons' lineup for three dramatic shows on Hollywood Boulevard before the summer recess include, in order named, "White Banquet," "Mother Gracia's Christmas" and "Always Good Bye." Hotel feeds for eight weeks, returning Sept. 2.

FarM Girl Wichita, Kans., June 7. Lola Hutchison, 16, Augusta, Kansas, farm girl gets an NBC radio service contract. She will appear with Rex Maupin from Chicago. Floyd O. Tompkins, voice teacher at the University of Ichin, hearing and sent a record of girl's voice to NBC studio in Chicago. As a result she was called to Chicago and appeared as guest artist on National Farm and Home Hour April 28.

## MAY TAKE OF WEBS UNEVEN

Columbia's income from time sales took another dent in May, while both NBC and Mutual stayed substantially above the plus line. NBC last month cleared \$3,442,280, which was 7.1% better than what it had been for the previous May. Columbia billings came to \$2,442,283, or 4.6% less than the figure which prevailed for May, 1937. Mutual's increase over last May amounted to 25.6%.

NBC not only went over its previous year's tally but for the first time in three years was able to show a better May than April. In May, 37, NBC took in \$2,148,919. Like month of 1937 brought \$2,561,720 and for May, '35, it was \$2,683,211.

CBS's gross last May was \$2,560. In May of '36 it was \$1,749,317 and for the previous year, \$1,247,455.

## PERFECT EVENING

Don Davis (WHB, Kansas City).  
 "Headlines (Mutual).  
 7:15—Fulton Lewis, Wash respondent.  
 7:30—Guy Lombardo.  
 8—Gene Raymond.  
 8:30—"Angels in Blue."  
 9—"Bing Crosby."  
 10—Jack Fulton.  
 10:15—Lawrence.  
 10:45—Red Nichols.  
 Betty Gard (rs. Wiggs of Cottage Patch).  
 7:45—Fulton Lewis, Franklyn McCormick.  
 7:15—Firestone Recital with Max Baer.  
 7:45—Raymond Gram Scott.  
 8—"Charles Butterworth."  
 9:30—Mercedith Wilton must  
 Ray Harvey (rs. Ethel).  
 8:30—George Mc Cohan.  
 9—Comedy Revue:  
 Milton Berle.  
 9:15—Edith Head.  
 Jimmy Durant.  
 Bob Hope.  
 10—Charles Johnson.  
 10:30—Ted Lewis.  
 11—10% commission on above.  
 11:30—Date with blonde.  
 Capt. W. G. Moore (writer).  
 7-Step Fields music.  
 8—"The Big Time."  
 7:30—"Angels in Blue."  
 8—"Charlie McCarthy."  
 9—General Motors Symphony.  
 10—Lux Radio Theatre.  
 W. H. Veeber (Jack Armstrong Co.).  
 7:15—Edith Head.  
 8—Burns and Allen.  
 8:30—March of Time.  
 9—Gene Raymond.  
 9:30—Mark Warnock music.  
 9:30—Lowell Thomas.

# Radio Daffodils

# GIVEAWAYS HOPE DAILIES STAY MUTE; RADIO LOGS WOULD BE EDITED

## Capitizes

Oakland, June 7.—Two-column, full length promotional ad, calling attention to the Oakland Post-Enquirer's services to radio listeners, appeared last week, the day after the radio log was published and dropped their radio columns. "Another marvelous program as I missed it," the ad began. "How many times you have made this very complaint—and yet it takes a few minutes daily with the Broadcaster in the Post-Enquirer to post yourself on just what's going on in radio." The news of the day, dancing, music, or what not, the Post-Enquirer covers completely in the Post-Enquirer.

San Francisco Chronicle has been carrying a front-page revised index of Chronicle features including the following: "The radio log always will be conveniently located on the vital statistics, page 14, of the second section."

## Apparently Radio Stalling on Servicing Free Distribution Papers in Hope Regular Press Will Stop Pointing at Radi as Big Bad Wolf of Recession

June 7.—Giveaway sheets are reported delayed at the prospect of the national advertising publishers' association's denial of all radio news. They see this as a chance for the giveaways to pick up an editorial service of invaluable assistance in giving free distribution sheets proof of readership.

Radio stations and networks are apparently not going to service giveaway publications, however, unless clearly convinced that the regular press is permanently banning all radio news. Rather than abandon the dailies by helping the cheap-price neighborhood and merchandising sheets, radio is apparently willing to stall along for a time.

Several promoters already are working the idea of a book review sheet for Detroit and Michigan, in the belief that recent curtailments in the Detroit News and Herald's Times will lead eventually to complete abolition of either. Such stumbling block appears to be stations' hesitancy to give complete program listings to such a publication, since at this time there is no hope of winning the dailies back. Privately, radio boys are bit skeptical of the value of such a sheet and still retain hopes that radio in general can square itself with newsgathering and advertising in dailies, etc.

Notwithstanding, action, however, appears to be more of a book review sheet, already advertised advertising news (mostly advertising) weeklies, and a few free press agencies have appeared in 20 states.

So far, the radio log is no one in the department can tell what is going on. The log was used as is or given a foreign twist, which may not look so good as the radio log's head-

at least a modified form of other news formerly carried.

Chicago June 7.—Chattanooga Free Press has dropped all radio publicity, and benefits will carry only local stations' logs.

In making the move Roy McMillan, editor of the paper, has written a "regret" letter to networks and indie p.a.'s who fed the sheet with gratis press.

Chi. Trib Drops Col.—Chicago Daily Tribune last week dropped the Larry Wolters news and sports columns and will set only program listing for its week-day radio item, Sunday issue will contain pictures and gossip.

This makes the third paper in Chicago to drop radio columns within the past few weeks. The Tribune and the American having already taken that step. Leaves only the Chicago Herald-Examiner, and the evening Times with their scribblers. Ulmer-Turner, columnist on the Herald-Examiner, says:

While the papers make no state-

## N. Y. AUDITION FOR WLW SHOW

Ill slung one of its highly rated sustainers to New York for a one-shot airing before a local audience of agency men in order to attract commercial sponsorship. Show is "Musical Steeplechase," which has been in the Crosby super-waster and Mutual net for six weeks.

On June 18, program will be aired from WDR playground in West Chester, Ohio, where it is conducted, show will come on from Cincinnati to lead a WOR hour-long program. Familiarity with him, WLW production staff will also trip to the Big Burg to handle the rehearsal and program tests.

## Asheville to CBS

WNNC, A. S., which last week handed in its cancellation to NBC so that it could be sold to NBC, proposes to file immediately for a boost to 5,000. Station is on 770 kc. and now operates at 1,600 watts. They will leave NBC without local coverage in that area. There is no other outlet in that area. There is, although petitions pending with NBC it was part of the southeastern experimental service.

# If Summer Comes, the Stiletto Blooms

## That Annual Hot Weather Mad Between Networks Now in Full Flower

NBC and Columbia are back at their pator game of needling each other on what outsmarted whom in launching certain sustain series. NBC is doing whatever it can to prevent NBC from honoring in on the U. S. Golf Association's national tournament. CBS had an exclusive Club Denver, June 9-11, while NBC has gone so far as to ask the Mutual Network to link fingers with it in freezing Columbia out of the Massachusetts Memorial handicap which NBC is running off at Suffolk Downs, June 25. Seabiscuit, War Admiral, Stagehand and Anored are among the entries. CBS had an exclusive on the Seabiscuit or Admiral match which didn't come off and NBC figures to win it by keeping Columbia out of Suffolk Downs. NBC expects to get in on the event through John Shepard, 31, one of its New England station allies.

As for the national golf CBS is determined to stop NBC from re-

## Next Best

Hollywood, June 7.—Not to be denied newspaper columns for their blubs because of the department's hit on a new tack, but it all adds up to the same. Planners have descended on foreign language sheets on the Coast and so far the material has appeared in 20 states.

What is the idea is that no one in the department can tell what is going on. The log was used as is or given a foreign twist, which may not look so good as the radio log's head-

ment as to the reason for the radi drop-out. It is known that there is general resentment among most papers on the Coast. Planners have with national big dropping off sharply.

Another angle in the loss-out of the radio columns is the fact that sheets have been cramped for white space.

Charlotte, N. C., June 7.—Charlotte's radio log—have arrived at a new synonym for radio, that aids in observing the rule that forbids mention of radio in the news columns.

Recently persons connected with stations have been referred to the air conditioning business.

San Francisco, June 7.—In exchange for eight daytime and two night programs each week over KFFC, the news weekly giveaway magazine, "Pan Fare," is given away free to subscribers every fifth week, and 20 per cent of the "Best Bet's" Deal was arranged by Richard Guggenheims, publisher of "Pan Fare," and Pat Kelly, of KFFC. Publication is distributed by 700 independent news carriers every day, with a small sum for it, and has a guaranteed circulation of 62,000.

Richard Guggenheims, news columns in local newspapers, Guggenheims has topped the space allotted to radio.

Syracuse, June 7.—Hearst's Syracuse Journal is using this device. It has a 15 minute, "Big Keneff's, Jr. paper" golf man, six six times, "My Edible" night—over WJCA, N. Y. Program was the "Ave Maria Hour."

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Baltimore—Girl called up WBAL, which uses wedding march for musical sig on local jewelry commercial, to lengthen theme in order to fit her marriage. Set for co-terminus question by studio exec. 1 Union permission necessary.

Seattle—A young man flushed the cheeks of KVI sellers this week when he asked for each of one hour daily for one week and when given the price was ready to sign. He said he wanted to produce world peace program. He was given the back of the hand. He was given the back of the hand and bought \$10,500 worth of musical instruments and two high priced cars. He shined out no cash and investigation found he was son of a WPA worker who wanted to help solve the depression.

Charlotte, N. C.—Ocean Forest Hotel, at yrile Beach, 200 miles from Charlotte, contractor for a series of WBET called "Winning With Music." Sponsor insisted on shoving waves between the musical numbers. So WBET program department recorded sur noises to be interpolated in program.

Springfield, Mass.—WSPR has ruled killer-dillers and Jam off morning shows originated by station. Ill-billies have exclusive right of way.

Philadelphia—New road constructed by WFIL to connect highway—with its transmitter on bank of the Schuylkill, was christened "Tilly Lane" in honor of Herbert F. Tilly, chairman of WFIL Board of Directors. Taps across the strip of macadam was laid by Joan Davies Rosenbaum, 3-year-old daughter of Sam Rosenbaum, station's prez.

Cincinnati—Bill are, WKRC sportscaster, last week while announcing a special program of the roundup of old Frank High School graduates in Cincinnati Country Club. Bill was wearing a white shirt with knives. Blade hurling was performed by Chief White Eagle. To top off the stunt, WAVE also permitted the Indian to nip objects from his person with a 20-foot whip, the while broadcasting that sensation.

## CONGRESSMAN WOULD MOBILIZE AIR OPINION

Washington, June 7.—Country-wide coalition of radio fans in a drive to end the depression and to keep Congress in session until major laws passed Monday (5) by Rep. Finly H. Gray, veteran Indiana Democrat, who already has introduced 120 amendments to carry his series of 12 weekly programs.

Designed to reach a large part of the S. radio population, talks will urge immediate co-operation to reflect public opinion so as to influence members of Congress. Probably will result in another avalanche of mail for harassed legislators, S. hearing their bills may be expected early adjournment.

Novel plan involves use of transcriptions explaining Gray's idea of 'steps that can be taken now to remedy the country's social and financial plight. Last year, 60-year-old legislator, whose shoulder-length gray hair and old-fashioned garb have attracted the attention of tourists to the Capitol for many years, also is soliciting additional stations by mail and requesting individuals to petition broadcasters in their home towns to carry the programs. New stations are being added to the list daily, Gray declared.

## WARD BAKING TRYING

Des Moines Register Syndicated "Jane Arden" Starts June 26 on WJZL

After a long lull, Ward Baking returns to broadcasting with a script program which starts on WJZL, N. Y., on June 20. Eye-a-weeker, 9-10 a.m. will be a radio adaptation of the "Daisy Arden" which is syndicated in 153 newspapers by the Des Moines Register & Tribune.

Auditions were held for a cast on NBC on Monday (6). Yarn is about a woman reporter, last network show for the baking agency, which is handled by the Sherman, K. Billings was the "Daisy Arden" which rode CBS season before last. That program also dramatized a newspaper character.

## WHAM Gets Red Shows

Rochester, N. Y., June 7.—WHAM, long NBC blue outlet, will add red programs. Starts with Chase & Sanborn and Maxwell hours.

General month ago, Stromberg-Carlson Co. owners of WHAM, tried to buy WSAY and make it Red net outlet. Turned down to considerable loss-secures strictly.

## WHKC's Mutual Feeds

WHKC will feed a minimum of 27 programs a month to the Mutual net under new arrangements. The advertising network will maintain facilities for instantaneous reversal of lines to local outlet.

Under new program from NKC is daily half-hour session, 10 to 10:30 a.m., EST, by Buckey Foy, singing and dancing outfit, Columbia, Detroit, will be Ruffey, Tommy Nott, and Henry Davenport.

Under new program from Mutual is "Melody Lane," with a girls trio, organ and male soloists, and three-time weekly, a week from Detroit House. With close of hotel season next week, romets will come on Tuxedo Supper club.

Automobile tussle occurred in N.Y. last week.

# RADIO LOBBY COMES TO WASHINGTON Federal Communications Commissioner Appears Before Congressional Committee but Awaits 'Proper Forum' to Prove Charges

Washington, June 7. Bitter personal feeling within the Federal Communications Commission may have conspired with the clamor for Congressional proof of broadcasting last week, with aspirations that some of the private policemen respond to re-pulling and outside pressure.

Two seasons of tasting warmed-over hash, the House Rules Committee Thursday (2) was served a spicy fare when FCC Commissioner George Henry Payne, put on the defensive by Democratic lawmakers. Payne is suspicious about the impartiality of some colleagues and renewed complaints against industry officials. Name calling behind closed doors scheduled for Wednesday (today) when legislators continues trying to decide whether a sweeping inquiry is either necessary or justifiable.

Payne's defense over past year by numerous Payne speeches and embarrasing muddle FCC came shortly after Chairman Frank R. McIninch indirectly but pointedly suggested that industry charged Congress to ward into the charges of monopoly, corruption, and favoritism since the FCC had never launched an inquiry into such matters as contracts, network incomes and network activities. Intensive regulation, McIninch asserted he would not be as presumptuous as the FCC expects to cover the whole field before its present studies are finished.

**National Publicity**

Payne, testimony, which gained national attention and was regarded as possible forerunner for a national political scandal, pointedly showed the depth of disagreement inside the Commission. Payne took a line to prompt Congress to grill the regulators as well as the operators. It remained a matter of choice whether few observers believing what it would produce that result.

By declaring his own conflicts with that, McIninch, Payne openly invited a Congressional quip on the grounds that the FCC is a major factor and resource to do a satisfactory job of isolating the industry "whom it accuses" and formulating remedies.

Flare-up came after the most aggressive McIninch crusades in the Rules group that "in my opinion, the Federal Communications Commission has been susceptible to this outside pressure from droves of industry wire-yankers. Rep. Eugene Cox of Georgia, a wholehearted Democrat, had been urging an inquiry, promptly being poured Payne for specifications and particulars, which were not forthcoming. Aided by Rep. Martin Dies, another Democrat, from Texas, Payne's resolution pending for a film industry probe.

Payne's charges against "your associates," Cox inquired. "Yes, Mr. Payne replied tartly.

"Do you mean you think some of them are susceptible to influence?"

"No."

"What do you name any?" "At the proper time, I will take an oath and give testimony during an investigation."

"Hot though bitter exchange wound up with Cox asking: "Payne, was the only honest inquisitor on the FCC and the Cox inquirer saying 'honestly'?"

Payne added he had no desire to conceal any facts, although he felt the Rules committee was not in the business for making specific accusations.

**Won't Name Lobby**

Most provocative testimony so far recorded another year ago at a moment later when Dies and Rep. Lawrence J. Davis, Colorado Democrat, demanded more information about the alleged industry lobby. Payne repeated prior testimony and refused to go to the corridors, "I did Chairman John J. O'Connor of the Rules group added that he was aware of the lobby in the Capitol, but the Commissioner stoutly declined to supply it.

Existence of the li-

crowd was illustrated by Payne's reference to an unidentified Congressman who claimed industry representative warned him to change his attitude on certain legislation desired to get further speaking opportunities. Cox drew an admission that Payne never thought this matter the attention of the FCC or tried to do anything about it.

A moment later, after Rep. Howard Smith, Virginia Democrat, asked Payne how he knew the lobby existed, "the Commissioner, told Cox he was uncertain whether 'corruption or great tendencies prompted' the industry representatives to cultivate him at a time when he had a vital desire to make. Explaining "I took me up on the mountain to show the possibilities," but did not see him.

Remainder of Payne's testimony was devoted to complaining about the money-grabbing motives of broadcasters, the low quality program, and the influence the lobbyists wield. Last fall's inquiry into unethical conduct charges, recalled, with Payne asserting he was prevented from sitting in judgment on the industry lobby's pressure.

**Any Sale Object**

"Money has been the sole oil, I of our broadcasters," Payne asserted. "They seem to be trying to earn as much of it as possible with the least effort." He added that the industry, I hold no brief against profit-making in broadcasting, but the intense desire for profit and a sense of being guarded... The broadcasters, in their mad scramble for spots, are rapidly grabbing what they can get. In my use, which are practically their only asset, are the property of the public."

Declaring that radio physically cannot be given to the public, Payne charged the industry is depending more upon pull and influence than on merit, and that the industry franchises. Lawyers who handle cases before the FCC have become arrogant and are in the habit of commanding rather than asking or pleading.

"In regarding up rapid broadcasting has developed many weaknesses and gross abuses," Payne said, and free enterprise is being rapidly disappearing with networks gaining a practical monopoly over the industry program. Networks, he stated, with general trend toward a dead level of ineffectiveness in order to please the greatest number of people."

**McIninch's Treatment**

While Payne was tossed around by the Democrats, the reception given McIninch was not entirely friendly. Chairman O'Connor, with some help from Rep. Joseph W. Martin of Massachusetts, made Payne's testimony, fired hostile questions at the chairman and displayed conviction that the industry is getting away with it.

As McIninch alluded that the FCC already is making the necessary steps to get the industry under control, why steps have not been taken to curb chain broadcasting and prevent persons debating controversial subjects in situations of their own choice and the scope and goal of the Commission's own inquiries.

"I am satisfied that both present and proposed Commission on assigning any personnel exclusively to the chore of preparing data. It seemed to me that, in unhonorable conditions is adequate information and legislation, chairman."

**Decked Up to Date**

Great progress since he took the helm was cited by McIninch as evidence of a situation of affairs being used to be. Volume of pending business has been reduced through production of the last few days, conditions in which large sums were tied

up have been settled, and the docket has been brought up to date.

Commish attitude on transfers was long station swaps (the crucial thing), he criticized to know—but did not simplify the industry structure. Instead of "building up this monster," Chairman denied chain influence has expanded, remarking the courts would condemn arbitrary action on transfer plans.

Legislation will be recommended by the Commish in all likelihood when the studies now in progress have been completed. McIninch said, prompting O'Connor to point out that the purpose of a Congressional study would be to find out why the amendments to the 1934 act are wise and urgent. "Some changes to insure fair treatment for licensees and spectators and possibly program controls were suggested by the chairman. Social aspects will receive thorough consideration.

With Congress driving for adjournment by Saturday, McIninch said. "Some of the House inquiry will be ordered this week. Slowness of the Rules Committee, making a decision on the matter, materially reduces a chance that a resolution will get to the vote, even if it is allowed to go on the calendar. In the event the Rules group recommends action, the Accounts Committee, which holds the bill, will be asked to take action.

## Federal Radio Project on 3 National Webs

Federal Theatre Radio vision has been the new program for airings over the three national networks. Will be first time the government will sponsor a series of radio plays on the three webs simultaneously.

CBS takes dramatizations of a series of plays that have been on the Kruf, which start July 4, 10:30-11 p. m. each Monday thereafter.

The series already carrying McMenentwright's Lobbies" on Thursday nights, will also take a "Thousand Days in series" beginning next September. This show will put on 90-minute dramatizations of plays on Sunday nights. Plays have been already asked to cutoff air privileges to their works. Actors who have been appointed to headline on the programs with Fed Theatre Radioities in support include George M. Cohan, Burgess Meredith (who wrote to essay "Cyrano de Bergerac"), Lillian Gish, Miriam Caraway, Orson Welles.

**Secret Service Series**

Third program already planned is "Secret Service," dramatizations made from the files of the U. S. Secret Service. NBC is set for this series in industry getting underway.

Twelve Uncle Sam's outfit and the network since. NBC losted Professional Artist's series, it was said that the show was not worth the expense. "Parade" was the first program to be dropped last year and NBC exercised the prerogative of slipping on and payin its own balance when it thought the committee of the government project didn't pan the standard show. NBC kept using the show in a series until the whole idea was dropped.

**Glen Lee Joins CBS**

Glen Lee took CBS June 7. Has abandoned his band, under the aegis of Columbia and will be with the band of the KSL (local CBS outlet), Utah, which was played at the Hotel Utah, burg's swankiest summer dance, last year. It also bator a girls club.

**John Carille's**

John Carille has written a book titled "How to Succeed in the Radio Business." It will be published by Prentice-Hall in October. It will cover the production of the Radio City Sound System's production staff.

## McIninch Recants Rate Position

Washington, June 7. Government fixing of radio tariffs became less likely last week as F. C. C. Chairman Frank R. McIninch publicly recanted prior views that rate cards should be subject to Federal scrutiny.

McIninch's position was reversed last week when he said that rate changes ought to be approved by the F. C. C., contact with the radio business has given him knowledge that radio is different from public utility. McIninch confessed to the House Rules committee, "It is not feasible to think of having a governmental body pass on the fair of fees charged for radio privileges."

McIninch's recanting is a direct result to the consumer, broadcasters do not have any financial contact with the general public, Chairman acknowledged. Listener is not really benefited by the surety of the rate. "The public interest is the chief concern of the FCC tried to supervise transactions between third parties. Advertising isn't an out-of-pocket cost to purchasers of their products."

## Inside Stuff—Radio

Certain Television reception sets currently on the market stem from a firm launched in the basement of John Golden's theatre (N. Y.) in 1936. "Telecasting yesterday of 'Susan and God,' first full length play tossed on the air by the network, the FCC's chief stockholder and leading spirit of the manufacturing firm, is Golden's chief electrician. He went out with the show handling lights when it first opened in Princeton, N. J. The firm is based in Manhattan at Mecca Temple, N. Y., where he heads up the American Television Corp., chartered in Albany this week. Capital stock is \$1,000,000. The firm presently owns 80% of the stock of the C. S. I. Development Corp. and the Communicating Systems, Inc., subsidiaries of A.T.C. Charles Stenfield is v.p. and its attorney. A. H. Foggon is secretary in charge of other groups under the financial burden. Other persons are interested. Salmizan states that Max Landman, property man at the Booth Theatre, will become one of the directors of the firm. "The show is issued to commercial stations through Radio City, Wall Street fr., but some doubt if government (SEC, also FCC) will allow 'experimental' stations soon.

**WMCA, N. Y., has lined up an 'employees' baseball team which I so formidable on paper the station hasn't been able to book any opposition at Philadelphia, Pa. The team is owned by Walter S. Berman, president and chief scare-away-are Waitt Hoyt, Ken Stron, Jack Fishell, Wilbur Stearke and Cy Perkins.**

Salmizan yesterday with WMCA team because he spotted some hot-stove league ball gossip last winter on a commercial; twirler who played big-league ball since 1919 got his release from Brooklyn Dodgers last month. Ken Strong left N.Y.U. to play with International League teams; gossiped football over station last inter: Fishell played with Syracuse and Stark with semi-pro mines around New York. Cy Perkins caught on when he was accepted to commercial. His new 'Zimcor' of the liner and ABC's homey comic serial on station.

**George Jessel** is currently presenting the spectacle of being the star of a commercial network program—yet personally losing money on the production. It's a new wrinkle in radio.

Program rides Mutual web on Sunday evenings with co-operative sponsorship of which there are no new ones. It is the paucity of commercials which is causing the coin loss, which nicks Jessel around \$300 weekly.

**Ben Reno** produces the program, to which Jessel is under contract for four more weeks before he can get under the financial burden. When the comic was originally set for the show last autumn, a sizable line-up of co-op sponsors was set. Since, these have gradually dropped; just as the show is exceeding 30 commercial outlets.

**WNYC, New York City's municipally-owned station** which pays no performer's salaries, still manages to dot its schedules with some names. Joe Di' aggio went on the station Friday (3) to whet public interest in a baseball game between the cops and the wren. On the Sunday afternoon symphonic series, Dan Walker, Broadway columnist for N. Y. News, did a cuffs stint Sunday (5).

Commentators on the series within recent weeks have included Mayor LaGuardia, Hendrick Wilton Van Velsor, and William Martinelli, Met Opera, tenor, also did a free performance recently.

**Gianni L. Vallée**, brother of Rudy Vallée, got walking papers last week from Radio Stars, a fan publication, for the asserted reason that Editor Lester C. Gray had thought he was too tough on radio programs in his criticism of symphonic series. "I have a few things to say," said Vallée. "My opinions are set forth in the current issue; brother Bill's reply will not be. Would-a-idea-outside joiner of brother is to the point that radio already has about the most suffering from it that it can stand. It wouldn't be bad Broader thinks 'cuteness, dullness and general phoniness should be routed and hissed off the airstage.'"

**Hudson Otis Co.** is cold for a fall return, Sponsored 'Hobby' Lohwy over Mutual and CBS this past season, dropping program two months ago. Hudson Otis, who has been bought by Young & Rubicam to replace Jack Benny (Uello) during comedian's summer loss.

## Miller Is Paid N.A.B. Prez

## WPEN BACK TO LINGUALS

Millie Miller, former mayor of Louisville, home town of the newscaster, has been elected to represent the N.A.B. president of the National Association of Broadcasters.

Directors ratified.

**That's Where the Sugar Is—Reveries**

Philadelphia, June 7.

Program's going to be different now at WPEN. Arthur Simon, who took over the reins last Wednesday. Aim of Dwight Rorer, Washington attorney, who was last manager of the outlet, was to eliminate heavy linguistic sked. He went over to the other side and is now teaching his listeners English.

Simon declared 'he'll take all the English-English he can grab and throw it at it, starting to learn the heaviest-sugar. In addition, though, he aims to help class come out of the bunch of live educational air symph shows.

**O. Coghlan**, program agent of W.C. Schenectady, advertising executive, who has been on the air for many years.



# An Outsider's Viewpoint

Probably a good sample of the critical viewpoint peculiarly with an eye on the future, is the following VARIETY received last week:

"If radio advertising is to be conducted on a slicker versus sucker basis, the suckers are going to be entitled, all the better, they can get a nation-wide system of college stations with no tricky advertisers to protect.

"Listeners can then choose between educator's logic and advertiser's lure and some of our suckers might even become slickers and be given jobs as turists by commercial stations."

Ballard Walton,  
Lakewood, Ohio.

# RADIO SHOWMANSHIP

(Attention-Getters, Tie-Ups, Ideas)

## Outstanding Stunts

### CIVIL SERVICE GAME WFA, NEW YORK

**Civil Service Angle.**—New York City. Mushrooming of game and quiz shows has invaded Federal Theatre Board Division. WFA, which has made deal with Civil Service game board for first time, has won which had to be filled out by applicants for government jobs. Planned program of studio guests to answer questions and then report what achieved. Boys brought had of passing grade for positions as government clerks, firemen, etc. There are hundreds of thousands always interested.

Government group now trying to get a New York station or a spot to carry the game which is labeled "Could You Be?"

### Doctors Speakers Panel

Tulsa. As promotion for KTUL's medical broadcasts aired weekly on Wednesday, a speakers' bureau has been formed of doctors to give advice on the program under the censorship of the publicity and public relations committee.

### Program — Far Free

New York City. WDCIA, N. Y., in cooperation with Board of Education, is running series of announcements of this year's metropolitan high school grad spot for boys for some 'junior' announcers. Last week 15 ads were corralled together for program to be aired, through which wedding of applicants would be achieved. Boys brought their own one-minute spots on any subject they chose. Station censured one boy off the program who showed up with a plan to 'discourage after-dinner speeches.'

### Cracking Rural exiles

Edmond, Okla. CJCA has worked a stunt to crack advertising country weeklies for spots. Offered spots for making best album of radio stories and sundry items for the industry. Institutions were referred to pages of their rural publications. Sheets were bombarded by school kids, and simultaneously, CJCA's A. Walter Dales popped up with free mat service and column. Result to date is that 18 weeklies are now on station list. Papers were pulled because of their efforts to grab circulation.

### Jury Duty Slant

Green Haven. Listeners acting as jury in 'The People Versus' new courtroom series written by Sid Glavin and performed by WBLI players in Acc Furness Co. three weeks ago. Station sends out letters for jurors who subpoenaed on several for jury duty last week.

### Ills' Kid's Day

St. Louis. An additional bally of the General Mills Kid's Day at the Park, Saturday (4) when boys and girls sons to 16 years of age, will be France Lutz, KMOX sports gabber, was the presence of Lutz' two young sons of the milk. M. Lutz, Jr. and Roger, T. each were permitted to broadcast for an instant of the Game Between the Cardinals and the Boston Bees.

Bicycles and other prizes were awarded the kiddies in an general contest sponsored by an advertiser.

### Mother's Health Club

St. Louis. Members of the Mother's Health Club, a project directed by Walter Eberhardt, physical health instructor at Saint Louis University, whose daily health exercises are broadcast over WLS, were guests at their weekly and were served ice cream and cake, watched Eberhardt broadcast one of his programs, view for attend-

ance prizes and then enjoyed a swim in the university's pool. Stunt, designed to build up following for Eberhardt's sponsor, the Quality Dairy Company, filled the station's 1200 seat auditorium even though the starting hour was 9:15 a. m. The included a mixer, a meat master and juicer, a steam broiler, a bread toaster, coffee maker, etc.

### raia Stops for Program?

Philadelphia. Members of KYW Camera Club won't miss its broadcast next Sunday (12) although they'll be on the first of the commercialized dramatic clicks on either of the networks. Campaign followed it several years ago with the 'Grand Hotel' series. The latter faded from NBC March 28, 1938.

# '1ST NIGHTER' TO CBS SEPT. 2

After being on NBC for eight consecutive years, "The First Nigher" Campaign followed it several years ago with the "Grand Hotel" series. The latter faded from NBC March 28, 1938.

# PAUL JONES CIG, NEW AIR ACCOUNT

Paul Jones cigars, the brand manufactured by the Philip Morris Co., is slated to spot broadcast-

tion BWP agency, handling the account, will start off with a small test in some town to be selected.

# Get Along Swell

In keeping with harmonious relationship existing between the Canadian Broadcasting Corp. and the American chains, Harriet Ball, CBC director of publicity for the Great Lakes region, has just returned from a week's stay New York during which press departments of NBC and Mutual co-operated fully.

# Snatch Negro Groups

Christie, M. C. Group of Southern Radio Corp. likes southern negro harmony for its programs over WBT (RCA sets), but has a hard time keeping a unit.

Golden Gate Jubilee Singers left the program to go on a network assignment and a quartet was picked up from Johnson C. Smith university, negro school here. Now this program has been taken to Philadelphia, and the Cabiniers, another negro aggregation, is filling in.

# 551 Chicago Classes Tune In Damosch

# Survey of Educational Popularities Made—Kent's 'Magic Boots' Runner-Up

Chicago, June 7. Leading educational program for Chicago schools are the Radio Council's Student Chorus on WLS. Current series program on WLS, WFTD, featuring show, "The Industry on WLS, the Science Club on WBBM, Human Relations Forum on WBBM, Hamilton Family geography on WBBM, and the WBBM Folk Stories.

# BENEFITS TO THOSE WHO IS GOVT. TRIFON RENTAL REALS

# Campbell Soup Vacations

Campbell Soup's 'Hollywood Hotel' goes on a nine-week vacation from its Friday evening spot on Columbia.

# Sex in the Clouds

'Angels in Blue' is a new radio serial glorifying the flying hostesses. Latter number 312 in the U. S. A. and called up 92 marriages last year, which is supposed to make 'em plenty romantic.

Capt. W. G. Moore, who authors 'Howie Wing' serial, sponsored by Kellogg's for the boy scout trade, is the writer of the new saga of sex appeal in the clouds.

# Dorsey Fined \$1,100 On Standby Rule Involving Brown-Williamson Show

Chicago, June 7. Tommy Dorsey has adjusted his lands with James C. Pettillo, head of the Chicago music ion, by the payment of around \$1,100 into the local's relief coffers for standby men. Dorsey's failure to provide for the excess ray standby payments while the broadcast of Brown-Williamson tobacco program for Chicago the week before last was met by Pettillo with imposition of a \$5,000 fine.

After Pettillo had leveled the penalty against Michael, one of the Dorsey managers, hurried to Chicago, and in a series of conversations with Pettillo convinced the latter that there had been no intent to violate regulations regarding standbys and that it had been caused by a lack of right information regarding local requirements. Dorsey was given the consideration of the Chicago theatre at the time, with the commercial broadcasts originating from the stage of the B & K spot.

# Writers' Guild Meeting

Radio Writers Guild tomorrow night (Thursday) will hold its final membership meeting of the season. Principal business of the session will be the final consideration of the matter of local security for radio writers.

# He Remote

Philadelphia, June 7. WIP airs from Hulan's Ocean Pier. Wildwood, N. J. Distance is about 100 miles. Now and Saturday nights, just starts four times weekly on July 4.

# Squire-Lang on KHJ

Los Angeles, June 7. Loris Hirsch and Harry Lang are teaming up with Billie Beecher in a comedy script show being aired over the Don Lee Coast network from KHJ. Lang has been doing comedy spot on Joe Penner's show.

# Genert Case Gets Sponsor

Detroit, June 7. Genert Case, the Old Revue, sponsored by the Detroit Public Schools. K. here, for the past several years, as a funded new commercial.

# Westinghouse Leases of NBC Provoke Attitude That Letting George Do It Isn't in Public Interest

Washington, June 7. Cloud was thrown on every existing program, service and management contract last week by Federal Communications Commission order for hearing to see whether the agreement between NBC and Westinghouse is a violation of the 1934 Communications Act.

Inquiry, based on thorough analysis of the pact by the FCC legal staff, was voted Wednesday (1) in response to demands for clarification about whether actual control over operations has been shifted without Federal consent and whether correct program inside the Bureau. A special four-man committee pondering network problems and monopoly will report the study at undetermined date.

While punitive action is not believed likely, the Commission action holds a threat to the established practice throughout the industry of leasing operations to station managers to assume full responsibility for arranging programs and handling accounts. Review of scores of existing pacts—even though they have previously received Commission approval—is expected. In the event the suspicion about disharmony between the NBC-Westinghouse pact and Section 110 of the 1934 statute is upheld, outlook is the Commission will call on all pacts to management. Special officers to be revised treaties which would be subject to ratification and possibly require operation of the station to the individual or firm which is held the responsible controller over station operations.

# Long History

Three-month study preceded the hearing order. Precipitation by quiz and game shows was caused last winter by a House appropriations subcommittee which wanted to know whether the industry was Westinghouse leases. During the interval since Craven testified there are no longer any Westinghouse reports on the effect and nature of the contracts.

# For a considerable period, the government broadcast licenses must be held by the person who is in actual charge of operations. So prompt action can be taken against any violator of FCC regulations.

Although it is not likely the parties will be penalized at this time in the event the Commission does the pact contrary to the law, the decision to scrutinize the NBC-Westinghouse ties carries a serious threat to the future of advertiser owners who lease their properties who so in large measure on a game show basis.

# Lanse McCarthy to WPEN

Philadelphia, June 7. Lanse McCarthy, sports editor of the Philly Daily News, who has done daily sports on WPAS for years, shifted to WPEN.

# Martha and Hal Split

Martha and Hal, who broadcast together on WLS, have recently filed a commercial on WOR, New York, have split. Hal is now on WBBM.

Martha (Net) now represents a part of the Council.

FRANCIS REGIN; ETHRIDGE HOPKINS; F. C. IDES; ARTHUR BRUCE; CONDEMNED F. C. IDES

PROGRAM QUESTIONNAIRE

Please answer (hours and minutes) the Journal during work beginning March 8, 1938, on this form.

S. Howard Evans Attorneys 'Culture Standards' Clause—Parade of Witnesses

Widely split over vital technical questions, the American Broadcasting Company today... Long-awaited hearing on rules and principal aftermath of a three-week original field day back in October, 1937, finds all groups—regardless of their differences of opinion on such propositions as appropriate power limitations, good engineering standards and economic...'

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'many is the perfect example of a country that has a fixed pattern of culture, and it is the most eloquent testimony to the contentment of a country cannot have a rigid pattern without military enforcement. Capitalism is incompatible with democracy.'

'Competition is the most potent force in our program... improve quality of their programs, Ethridge contended, pointing to recent progress and warning against the 'impossibility of bringing about miracles by decree. Better programming is a matter of volition.'

'Radio is, after all, the mirror of the talent, the genius and the thought of the American people,' he amplified. 'Its level can be no higher than the general level of culture and the appreciation of cultural things in the country... It is utterly futile to expect of radio that it...'

'Idea that only local residents are to be affected by the... drew almost as strong fire. Burden of proof to justify a ban on outsiders...'

'Lecals Not Qualified' includes when non-residents would be better fitted to run a station...'

EMPLOYEE QUESTIONNAIRE

CLASS OF EMPLOYEE, Monthly Wages, Technical, Publicity, Writers, etc.

'Deletion of the clause which would prevent commercial broadcasting... Ethridge who said such a stringent ban is unnecessary to prevent abuses...'

'If the Comish refuses to strike... Ethridge contended that 22 broadcasters have such licenses...'

'Kidding Answer' Industry operates on theory that... Ethridge commented. 'If it didn't, there would be trouble in the country...'

'A strong hinterland attack on both... started the inquiry off. John A. Clayton, representing the State of...'

COMMERCIAL, Live Talent, Originality, Local Interest to Farmers, etc. (Grid for program questionnaire)

'an opportunity to elaborate on his strict testimony... Ethridge contended that 22 broadcasters have such licenses...'

'spectrum Underlying these propositions is the fundamental matter of putting the entire system into the hands of two networks, he averred. Isolated communities in the mountain area require...'

'On the matter of absentee ownership... Ethridge refused to concede that experience may have shown local people always have stood ready to provide service...'

'cultural requirement received strong endorsement from S. Howard Evans, secretary of the National Committee on Education by Radio, who urged the Comish to give broader consideration to economics of program standards...'

'"Pathological" About licenses, thridge admitted his own station (WHAS, Louisville)... Ethridge contended that 22 broadcasters have such licenses...'

'Horizontal reduction in power—rather than increases in wattage—were advocated by American Civil Liberties Union...'

'Complaint about unnecessary details... man of NAB...'

'Complaint about unnecessary details... man of NAB...'

SHARP DEPICTION OF VISUAL DETAILS

RADIO INCOME PARTICULARS (AS DEMANDED BY F. C. C.)

MORE PROGRAM EXCHANGING

Seventh Industry's et Income—Clear Channel's High Value Dramatized by Disclosures

Time sales by respondent to advertisers; clients and agencies. Commercial time programs. Commercial announcements. Other time sales (except grants).

Advance report on summer schedule changes of the Ontario and Great Lakes region of the Canadian Broadcasting Corp's...

WASHINGTON, June 7. (AP)—A wide disparity between the distribution of revenues from time sales in the broadcasting business was emphasized Monday (6) in the first report compiled by the Federal Communications Commission on the economic phases of the industry.

Other time sales: a. Sale of time to advertisers and clients by other networks and stations, respondent's gross portion. b. Sale of sustaining programs to other networks and stations.

'Unconventional Journeys,' an adventure travel talk series, with different globe-trotter being interviewed by James L. Leith each Friday evening...

WAGES

Net amount retained by respondent from time sales.

Hold over for the summer months is 'The Happy Gang,' corny comedy variety stuff...

Washington, June 7. (AP)—A wide disparity between the distribution of revenues from time sales in the broadcasting business was emphasized Monday (6) in the first report compiled by the Federal Communications Commission on the economic phases of the industry.

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Net amount retained by respondent from time sales.

Hold over for the summer months is 'The Happy Gang,' corny comedy variety stuff...

\$1,164,802; rent and salaries, \$132,898.

Major item of expense naturally poured out over \$11,500,000 to \$9,945,867 for talent and \$1,025,274 for salaries of the program staff...

While the government received a substantial slice of the industry receipts, the telephone trusts, with the help of clearing agencies...

Total outlay for salaries was not shown, since some of the labor cost was distributed to other stations.

On the profit side of the consolidated accounts, the Commission found that the average radio station...

The net income from broadcast services was as follows: networks, \$1,846,000; clear-channel, \$9,067,729; regional, \$7,572,955; and local, \$719,310.

and webs, \$35,812,337; clear-channels, \$2,756,658; regionals, \$4,107,960; and locals, \$9,746,100.

Expenses charged against these figures were: webs, \$30,485,788; clear-channels, \$10,782,929; regionals, \$34,533,065; and locals, \$9,065,781.

Sale of talent was a substantial source of revenue for all branches of the industry, bringing in \$11,254,748; or enough to pay the combined taxes and line charges...

Surprising disclosure was the smallness of net revenue from the help of sustaining programs. Chins' look a mere \$69,384 for their unproductive report, revealed by assistant chief counsel George Porter.

On 1937 operation, only two categories of stations reported net deficits, identifying to general health of the industry giving the industry and daytime regions, which went \$84,129 into the red...

Numerous other figures were put in evidence, but not discussed, with the Commission giving the industry and daytime regions, which went \$84,129 into the red...

Norman Perrowe is N. Y. radio with his program, which over WAIC.

Shelley's full year net income highly action of the industry.

F. C. C. Hearings

(Continued from page 32)

tee, suggesting revisions and clarifications.

First indication of plan for superpower was request of NBC on behalf of KPO, San Francisco, for ostensible purpose providing rural service to larger segment of western half of the country.

Intent of the FCC to force station to name the actual advertiser, rather than simply mentioning report, revealed by assistant chief counsel George Porter.

In brief presentation of first evidence for developing increased western working station, member of NBC engineering staff, recommended 680 kc channel be opened up for superpower operation so KPO can go to 500 kc.

In the western section, client will rate Utah and California and two in Texas. By going to 500 kc, KPO would serve 12,000,000 of 1937 population.

Maggot to McCann-Erickson. Maggot Jones the chairman of McCann-Erickson...

Maggot Jones the chairman of McCann-Erickson...

Maggot Jones the chairman of McCann-Erickson...

Maggot Jones the chairman of McCann-Erickson...

Maggot Jones the chairman of McCann-Erickson...

Maggot Jones the chairman of McCann-Erickson...

# Death Sentences for 3 Stations; Persistently Forgot to Remember F.C.C. Rules and Regulations?

Washington, June 7.—Crackdown campaign for illegal operation has cost three stations their right to exist with the Federal Communications Commission rigidly applying its own rules and the 1934 law is condemning proposed ownership merger of two South Dakota transmitters and disqualifying both partners of a New York plant in the process of liquidation. First delinquents ordered in some time.

Execution of KGDY, Huron, and KWTV, Watertown, was decreed by split decisions emphasizing the disregard for the government, but effective date of the order was postponed until July 4 so the dispartisan parties may ask reconsideration and then seek repleve from the courts. Case will be fought before the judiciary in the event the Commission remains adamant in its death sentence.

Third station sent to the wall, WMBQ, Brooklyn, will be deleted with the consent of its owners, who finally decided to sever reconnoiter after period of squabbling over policies and practices. But neither of the warring partners was told to erect a transmitter to fill the place of the abandoned venture.

Warning was served on the entire industry in the no-clemency order against the South Dakota plants. Only one commissioner, Judge Eugene O. Sykes was willing to overlook the transgressions, although Col. Thad H. Brown felt that the offense of KWTV were not sufficiently flagrant to justify lethal gas.

Disregarded Rules  
South Dakota cases assumed much greater significance than the economic importance of either transmitter would justify, because they afforded an opportunity to issue an ultimatum that FCC rules are not to be disregarded when compliance would be inconvenient. Commish let the entire industry know it will not tolerate persistent nose-thumbing and also jacked up its examiners by refusing to follow the recommendations of the evidence-takers who held the licenses should be told to sin no more.

Guiltily verdicts on charges of engineering offenses were returned against both the Huron and the Watertown transmitters, while the Com. also sustained complaint that owners of the plants jingled by arranging to prevent control without getting official permit. Watertown station also was found to have

## NBC's Phone Bill

NBC's bill for telephone lines went up to \$221,000 in May. Cost of hookup facilities for the WPAFL link came to \$122,000, while the American Telephone & Telegraph Co.'s bill for the Blue (WJZ) figured \$99,000.

It is estimated that NBC's 12-months telephone bill for the current broadcast season ending Aug. 31 will reach \$3,000,000, or about \$150,000 more than it was for the parallel period of the preceding season.

been free and easy with the rules about logs, with five of the members declaring the evidence demonstrated unfitness of the management to hold an operating franchise.

Flagrant violation of the provisions of Section 310—requiring FCC consent to transfer of control—was charged against owners of both plants. More than two years, management of station WPAFL, South Dakota, corporate owner of KGDY, was listed to persons controlling KWTV, without any by-law of the station. The transaction had been completed in the absence of authorization, the FCC announced the joint owners for permission to merge ownership.

In the Brooklyn situation, the denial of a renewal license was automatic of station WMBQ, which the Metropolitan Broadcasting Corp. did not wish to keep going after the two partners parted. But the record of operation of WMBQ—held to have aired lotteries and failed to exercise adequate control over foreign language programs—gave the Commission ammunition with which to deny plea of Lillian E. Kiefer and Paul J. Gelfinger, former joint-owners, for the fight to put up a transmitter using its abandoned frequency.

## Washington Buzz

Washington, June 7.—Efforts of George Henry Payne to bring about Congressional in-ly into broadcasting and government regulation of the industry appeared this week to have backfired. In-ly into the Democratic, who previously honest-voiced to the House Rules Committee last week—solidified the Democrats, who previously in majority, and alienated at least two votes which previously would have been in favor of a probe. Although Payne is an ardent Roosevelt applier, he is tagged as a Republican, so that his finger-pointing at the Demos looked like an attempt to make political capital at the expense of the Democratic Administration.

Summer lay-off in local radio circles looks improbable. According to schedule which FCC Chairman Frank R. McIninch recited to the House committee, the legal contingent and probably numerous out-of-town industry figures will spend most of the hot weather in the hard-to-bear National Capital heat, dishing up facts and figures. With the help of super-power hearings expected to consume most of this month, McIninch tentatively plans to open the monopoly-charter hearings the outset of July, estimating four to six weeks will be required to obtain all the evidence.

Despite clamoring over total ownership, FCC Examiner George Hill sees nothing wrong in allowing a broadcaster with several plants to expand his holdings. George B. Horner, who controls several transmitters in West Virginia and Ohio, received favorable recommendation on his application to take over yet another outlet, WBLX, Lima, O. He against time, however, since the proposed new regulations stipulate that the owner of a local transmitter must be a resident of the area where the plant is situated.

## HUMMERTS SAIL; SCOPP TO FOLLOW

Frank and Anne Hummert, of the Black-Sample-Hummert agency, sail today (Wednesday) to open the firm's London office. It also would several programs for air over the Luxembourg station to its English listeners.

Maurice Scopp, also in the B-S-H office, follows them, June 13. He is gone about three weeks.

# WJBK No Longer 'Voice of Labor'

## Deal Off as Dues Down—Station Censored Speeches as Slanderous—One Attacked Henry Ford

### Shut Girds for Culture

Cincinnati, June 7.—When the Cincinnati Summer Opera Association was in danger last week of being a couple of thousand dollars shy in its guaranty-fund-raising campaign, William A. Schmidt, Jr., manager of WKRC, lined up a special half-hour show on his station Saturday (4) night aimed to bring in the desired balance. Amount was raised before the time of the broadcast, which went on as a thank-you stanza with Mayor James G. Stewart and Oscar F. Hill, head of the opera association, tossing the pot.

'Twist of the offer by WKRC, which is a CBS station, is that broadcasts of the summer opera are carried by the opposish WLW and NBC.

### CBC Series Winds Up

Washington, June 7.—Fifth and final of a series of five Pan American good will broadcasts staged by Columbia Broadcasting Company wound up Sunday (3) with addresses by two prominent South Americans.

Shorthand to S.A., as finale of an 'Economic Cooperation in the Americas' series, programs introduced Gen. Jose Felix Estigarribia, Minister from Paraguay to the U. S., and Dr. Jacinto Fombona-Pachano, charge d'affaires of the Venezuelan legation at Washington. Subject of both talks was importance of participating between North and South America in matters of import and export trade.

Boston & Wombwell circus and menagerie (over 12 years) to be adapted by Jack House from material supplied by 89 year old E. H. Boston. To be aired from NBC Scottish station June 16.

Detroit, June 7.—United Auto Workers' union did not renew its year's contract with WJBK, under which indie station was known as the 'Voice of Labor.' UAW of Grand Rapids, Mich. as result of 1 1/2 auto plants. Radio deal cost over \$60,000 last year in addition to \$73,804 spent on Ford organization drive (of which daily WJBK programs were a part).

Part of the decision to drop their contract possibly due to censorship difficulties with WJBK management in recent weeks. Only last week James F. Hopkins, g. m. of WJBK, banned one of the union's daily broadcasts; a scheduled hot speech by Zgmund Dobzynski, assistant director of the UAW Ford Organization Committee.

Replying to a UAW spokesman's attack that 'things have come to the stage when even radio stations dare not permit the truth about Henry Ford and the Ford Motor Co. to be broadcast,' Hopkins declared that the speech was banned because 'it was in violation of the laws of the country regarding slander, libel and defamation of character.'

'Speech was a vicious attack on Henry Ford personally and the Ford company,' declared Hopkins, 'and it was banned on advice of our attorney. If it were not for that, in making WJBK co-defendant with Dobzynski and the UAW in a libel suit, I can easily imagine who would be holding the bag.'

Irene Harding on WFIL, Philadelphia, June 7. Irene Harding, former NBC organizer, to do weekly series for WFIL each Sunday.

She was heard on the net in duos with her piano-playing sister, Mattie Harding, wife of Don Ithycoumb, WFIL g.m.

Dallas Bower presenting 'Caesar' in modern dress on televisiv program June 28.



## KEEPING GOOD COMPANY!

to station, like a person, is judged by the company it keeps. And WBT has been keeping mighty good company.\*

It's really quite simple! It's an old Southern custom in Charlotte to advertise over WBT, because WBT hasn't a single competitor (within 100 miles) in serving a population larger than the city of Detroit—in a state that has more radio receiving sets than any other Southern state!

### \*Firm Friendships!

Products have used six hour a week for over tw

over a week for over tw

over a week for over tw

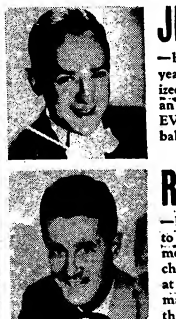
over a week for over tw

over a week for over tw

Charlotte, N. C. **WBT**

50,000 WATTS

10 SALES



—because, in the three short years his band has been organized, it has established itself as the #1 box-office attraction in EVERY field—radio, theatres, ballrooms, pictures, records.

## RAY MCKINLEY

—because he's looking forward to an unbroken string of engagements for Jimmy Dorsey's orchestra, featuring Ray McKinley, at the drums—engagements climaxed by two weeks in July at the New York Paramount.



## BOB EBERLE

—because he can look back on three successive years of successes for Jimmy Dorsey's orchestra, featuring Bob Eberle on vocals—and climaxed by a record-breaking engagement just completed at Hotel New Yorker.

## ROCKWELL-O'KEEFE INC.

# Advertising Agencies

Who are the talent buyers of all principal advertising agencies?

The script buyers?

The time buyers?

Volume II of the VARIETY RADIO DIRECTORY, to be issued soon, contains this pertinent agency information together with details on billings, offices and addresses of executives, radio accounts, etc.

Nowhere else is this data available in such complete, handy form.

It is suggested that an immediate order of the DIRECTORY will insure an immediate delivery after the date of publication. The price, as in the past year, is \$5 the copy, postage prepaid (but duty not prepaid in foreign nations).

**VARIETY RADIO DIRECTORY**  
154 West 48th Street, New York

Please send *copies of VARIETY RADIO*  
postage prepaid: \$5.10 per copy in New York  
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re-

# Follow-Up Comment

Steady Twins were tireless, silly and audience-chasing Sunday night (5) when they square-rooted the old radio idea that everything has to be said three times. They dragged and pulled and squeezed a not-very-funny idea until the program looked sure to abruptly reduce the nation's electricity bill by the simple expedient of driving the nation into a sudden interest in taking a walk.

To make the thing more uninteresting the windy routine spoofed an idea that the program was trying to put across seriously. Chase & Sarnoff asked the public to show its appreciation of Charlie McCarthy by buying more coffee in June. And then the Stroud Twins, members of the dummy, made the whole notion of "appreciation" subject of comedy. Claude Stroud complained he wasn't appreciated and from then on by-play, interjections, repetitions and stalling-around occupied itself with making the theme of "appreciation" indigestible.

Principal occasion for gratitude on the program was the end of the Stroud routine. For it so happened that the Bergen staff, while not too late, was below average and W. C. Fields did not have one of his knock-out sessions, either with Don Ameche in a wispy plot exchange, or with the dummy when they were pitted late in the proceedings.

All in all it was a mediocre sample of showmanship, the league-leading coffee marathon put on. Typical of a certain sloppiness was the presence of two male singers, Nelson Eddy and John Carter. Two male singers on one show is okay with many program-builders, but it'll never seem right to a lot of folks. If it matters.

Filber McGee on his NBC-red show for John Wax last week (3) lapped a timely well for humor when he satirized the current craze for quiz and game programs. There

wasn't one sort of the better-known wad shows of the classification which didn't have the paddle of parody applied to it.

Made for good fun, and the digging was deeper when satire was augmented by manner listeners and interjections are solicited. Made suggestions during one of the bits that a conductor of a quiz would save a relative into winning.

Backing up McGee (James Jordan) were his regular "stock company" Hugh Stubbaker, Harold Perry and Bill Thompson.

Clark Jones' program's regular tune, piped "Let Me Whisper," Billy Mills' well liked chuck in the tall hour with "T-Pi-Tin" and "Best Things in Life Are Free."

Commercial's weren't too loopy. Aunt Daisy, of New Zealand radio, proved in an appearance on "Vox Pop" that breediness, friendliness and boosterism are not qualities peculiar to American broadcasters. She extended all three as she virtually took the mike away from Interviewer Parks Johnson. Spiel delivered on New Zealand, where nobody is very poor or very rich and everybody is happy was in the best U. S. Chamber of Commerce-Major Bowes style.

Aunt Daisy, who was 25-minute program for New Zealand women after the Chicagoers have gone to school in the morning, tossed bouquets at the young and New York London her next stop on a world tour.

Women's era. Hearst-DuPont store commercial on WHN, N. Y., 11 a. m., lauded its seventh airing on the series. There, (2) an international program and invited various prominent foreign females to discourse on their opinions of the U. S., its customs, etc., and finally blurted away several to give their nobody on the question, "Should foreign women imitate American women?" Answers

were for the most part briefly and nicely given, until Baroness von Pointe, Polish representative, was introduced. She clearly and unhesitatingly condemned American women on several counts, and seemed to fluster even the m. c. who, with her views. Decried inclusion of both single and married women, and other liberties enjoyed by them. And cited an example of marriage, which was manifestly ill-bred, that all American women are taken, etc. Had a nice radio voice, clear diction, and avoids tonal inflections of many women speakers.

Ross Morgan's Saturday night center for Phillip Morris over CBS was going well, each for some of its tunes. Witness "You Made Me What I Am Today," Morgan made the tune what it is today, an amusing relic tricked up in modern arrangements. Consistently nice program.

Patti Field of the State Department is a good mouthpiece for the red-tape rigamarole of government. Speaking over the radio on Sunday mornings she makes the foolish flub-dub actually sound like a game that's fun once the rules are mastered. Nice voice and manner, and the idea of having a woman translate international affairs into the simple jargon of terms of the tea table, is off the trolley paths of government spokesmen are untenable. Not so this one.

Phil Baker and Jack Benny both had "cheer" gags Sunday. This routine has possibly been done more this season and by more comics than in order. A moratorium is perhaps in order.

Canada furnishes Mutual with "Musical Mirrors" which is materialized by Harry Price's orchestra and a trio bearing the title "Twin Girls and a Boy." Like much of the Canadian exports to American ears, the idiom is orthodox and straightforward, but well-rehearsed and well-projected mixture of old and current pops.

## Sponsor Decides

Jan Paul King seven years of announcing for Palmolive-Columbia has appeared on the radio since the late '20s. He has been with Lu and Ern, and two years with Myrt and Marge. Later he was with the late George S. Claford and would try out two announcers as a possible successor.

Went back to Harry von Tilzer's 1905 piece, "Way Till the Sun Shines, Nellie."

Jimmy, from Cleveland's Hotel Gibson, via WOR, N. Y., brings a nifty brand of dactylography. He calls it rockin'-rhythm, with a staccato brass technique that reminds of the Henry Busch techniq in "When Day Comes" and "The Day After Tomorrow."

It's a distinctive enough trademark, and Coffey should ride on the success picture from the week needs a trick of some kind in order to command attention. Coffey has it.

Carol eyman has lately been steering me toward the music of her in her song session Sunday afternoons over WJZ. Change is not an improvement. She has a voice of unusual clarity of tone, melodiousness and color. For a pop singer and the suggestion of a sob she is now injecting my detract from her music. She can make her voice interesting on the air. Maybe it's on innocuous picture from the cycle of soft stuff, but it doesn't fit her personality.

She is better at the more lyric brand of warbling.

'Reddies and Bylles,' Columbia's ambitiously produced news session, is now on the air stronger than ever on the Sunday night hour. This 30 minute program, reporting, analyzing and interpreting, amply lives up to its billing, at least as far as the news and the application.

Last Sunday night's (5) edition as news by the Trout staff, including Transradio Press dispatches, Irvin Cannon speaking on U. S. national politics and H. V. Kallenbach interpreting the international situation.

Trout's everything, from the setup. White Trout was bothered by a cold the twice had to clear his throat at the beginning. His remarks zipping in themselves and neatly presented. However, radio will have to learn that old newspaper credo: "The news sensations are to be defeated themselves by destroying the public's faith in the dependability of the news agency. Trout is offering 1,000 more Chinese civilians killed in the attack on Canton, and a total of 2,000 dead in a week. Monday morning's (6) papers put the number at 100,000, and 250,000, respectively. That's exaggeration.

Trout's comments on the national political scene, particularly at the recent Senate memorial session on the following day, were a frank revelation of the commentator's New Deal attitude. Real meat of the program was Kallenbach's interpretation of the Czechoslovak and Sino-Jap situations. Offered in the highly individualistic Kallenbach style. It was informative, clear and absorbing.

'AUNT ABBIE STEPS OUT' With Irene Hubbard, Jay Hathaway and Frances Sundry, 11 a. m. Sufastin.

WEAF-NBC, New York  
'Aunt Abbie' steps out in installment No. 1 was preparing to step out but was mostly talking rather than doing. Gabbins may thus be a step in advance as a possible hazard of this kind of a reprint of long ago.

It starts in Boston. Back Bay Boston. And with a pointer lately come into it to use money and possessed, at 55, of a yen to do things and in the street. She is a murderer and stuff like that. It was a little better than she is in my mind. But her family, pomp, prudish and polite, in honor at the idea, seeks to divert, by wit, or strategy, the consumption of this idea.

For a team-mate to the spinster there is a girl secretary, already given to fainting and screaming. First episode was gabby and dull going.

THE ESCORTS and BETTY  
SUNDAY, 11:30 a. m. in installment No. 13 15 mins; Thursday, 1:15 WEAF-NBC, New York

Free to Chicago come The Escorts (3) and Betty, mixed vocal quartet, of nice breezy style, with pops and an intimate style. Male trio for Betty, all blending into a cavalcade of the current pops.

Their forte is rhythmation, nicely done for their clearly commanding lyric voice.

GRISTLY PERFORMANCE  
'The Grists' with Earl Larimore, Helen Wagner, Florence MacLean, and a quartet of Curtis, Horace Sterling, Helen Chast, Noel O'Walley, 69 mins. Sufastin.

WJZ-NBC, New York  
NBC picked anything but an easy one to inaugurate this summer season and the results were pretty much in line with the program. The program, adapted and directed, Street Coffee Kelly's work derives a emotional pull from the fact that the mike require of more or less refined characters, the music from the fact that it is an especially delicate matter. Even if some of the situations did not work out as planned, the program, Church was successful in telling a story, while the rest of the right story, though not pitched in the mood throughout, that kept holding the interest and that maintained a line sense of pace.

For the role of the furniture-dolourous wife NBC brought in its stage creator, Crystal Horne, in what was much missing when compared to her footling performance. Her character she did a crack job at getting the audience to take the mike require that she over to the listeners. Earle Larimore did well enough as the husband, while the rest of the cast was likewise up to requirements.

GEORGE FORMBY  
Friday, 8:15 p. m.  
George Formby, dialect comedian, is pulling down a nice piece from his business at this time. He has bodies all the goods that ever were. He has something that gets British audience rolling in the aisles, but his act would be incomprehensible to the great American public.

Personality depends largely on informality of his act, which should be a pointer to B.C.C. How it might improve its program material by less insistence on turns holding rigidly to an approved script. Formby's show-up to the Lantachaine idiom for party—permits him freedom of studio and mike, allowing him to brag about his business at this time. He has a typed manuscript, though broad outlines are only colored and okayed. Result is a cheerful 45 mins. sequence. Betty's serio-comic intrusions and the presence of Harry Lauder's boys giving a good setting for the program. The show is a good one, that Formby makes old gasp again. It is a good one, that Formby makes old gasp again. It is a good one, that Formby makes old gasp again.

'SOCIETY LIGHTS' With Miss Pickwick  
15 Mins.—Local  
KOCT, Oklahoma City  
Radio society gabber, 'Miss Pickwick,' does a stint for the Daily Oklahoman, morning rag. Has a ready-made audience, presumably among the sons and daughters on the city's north side, where the cattle Kings and Oil Barons have thrown up deluxe honeysuckle.

For the sake of the general audience program is aimed at and should for the most part be a success. The out-of-alive who want to know what the bon ton is doing. Last period's pick-up, which revealed good handling of material and a voice which makes each routine gossip morsel sound like an off-the-record exposé.

5000 Day-1000 Nights  
Columbus  
ALL YOU NEED IN CENTRAL OHIO  
John Blair, rep.

ON THE NBC RED NETWORK  
NATIONAL REPRESENTATIVES  
EDWARD PETRY & CO.

# "se WEEI," said Wilbur Fripp



When "Fink Whortles" failed to sell in Boston, Mr. Fink was troubled. But Wilbur Fripp, his sterling office boy, knew that WEEI was the first choice of local radio advertisers.

He knew, too, that WEEI was the only Boston station delivering the 32 New England counties including Metropolitan Boston which comprise the true Boston market.

How Wilbur, despite the villainous opposition of Frank Montmerency, saved the day for Mr. Fink with WEEI, and finally reaped the reward he so richly deserved is revealed in "FOOLING FAILURE OR THE RISE OF WILBUR FRIPP."

If you haven't received your copy of this thrilling, instructive tale of a brave boy's climb up the thorny path of success, let us know.

**WEEI**  
182 Tremont Street, Boston, Mass.  
A CBS KEY STATION • REPRESENTED BY RADIO SALES

MANGA MAN FINE GAR 30 mins; Saturday 7:30 p.m. Sustained WABC-CBS, New York

John Carlie, production chieftain at CBS, concocted a weird experiment in the use of jungle drums...

Drums are a pet hobby of Carlie. He has an extensive collection of authentic toms-toms of the African...

Use of the drums mingled with native jabbering that is three-quarters unrecognizable but occasionally understandable...

SAM LEVITAN 15 Mins.—Local GRESHAM LINES Tues-Thurs-Sat, 12:45 p.m. KDAI, Datsch-Superior (Benmout & Hohman)

A nifty that really requires the brief force and all plugs to do its selling job. Airing is a quiz session from the bus depot, and passengers interviewed by Levitan do a thorough-going, albeit inoffensive, job of plugging travel via Greyhound...

Quizzes wanderers about the depot, invades the buses, sets down and gasses with the travelers. On spot caught (ed.) passengers quizzed ranged from two honeymooners from California to a trio of tourists from England...

THE PLANETS

With William Thornton, Winfield Henry, Louis Hector, Charles Webster, Selena Royle, George Gault, William Shelley, Bud Hampton, Emily Belleau, Earle Larimore, Frances Malibu, John Brewster, Robert Dryden, Adele Harrison, Joan Baker, Jackie Kirk, Warren Parker, Greedy McGeckick, Ian Martin, Jean Dahl, Neil O'Malley, Ralph Locke, Stanley Waxman

30 Mins. Sustained Monday, 9 p.m. WEAF-NBC, New York

Monday (6), NBC with no best-selling drama, trotted out popular astronomer's largely rhymed drama. It proved no milestone in radio, but fine stuff for that narrow segment of public which could be found to favor it. Worthwhile for NBC practice.

Piece was allegorical poetry, hard to follow in its flights of fancy, but wincingly with a 'message' which kept it near and familiar enough of the time for sustained interpretation and interest.

Poet delivered a plea for peace by spinning an astrologer who chattered in rhyme off into space to consult the planets. And it was a novel approach. No comfort was accorded from seeking out the planets; they were embittered, satirical, brutal, greedy or fatuous. Last resort is Neptune; but he was stoical and resigned, and among his statements to the astrologer looking for the answer is, 'There's no end to this and never was.'

Jin Church and Tom Riley produced and, aided by swell timing of lines, got a tough laugh out of interpretations of moods and the requisite speciousness of projection were excellently projected. It was a field day for actors.

Thornton as the astrologer, Hoeny as Mars, Rector as Saturn, Webster as Jupiter, Gault as Neptune and Miss Belleau as an Echo were standouts in part's not necessarily large. H. Leopold Spilanyi directed the orchestra which was finely paced, set moods and motifs and bridged scenes. Musical accomp must have been tough. For no particular reason (publicly value added) by the actors worked from Hayden Planetarium and the orchestra from Radio City studios. That accounted for at least several noticeable cue discrepancies.

Tactical error was made by NBC in spotting such a program head-and-heel against 'Lux Theatre' on CBS. (Joan Crawford in Ibsen's 'Doll House') Bert.

MAGIC IN THE AIR

With Richard DuBois, Santos Ortega, Elizabeth Metzger, Milya Smith, Don Costello, Jerry Lawrence, 30 Mins. Sustained Thursday, 8:30 p.m. WOR-Mutual, N. Y.

Seen in the studio, this new program based on the idea of exposing small magic tricks elicited with those of the theater. It is another matter. It's a mixture of exposure, dramatization, none too strong comedy, and partly an audience pitch, with lucky participating magicians, some \$1 to \$5 for coming to the broadcast if they go on the air. Idea of exposing tricks is nothing new but crops up periodically and might have a chance of arousing commercial interest. It was well executed and well produced as far as the studio audience was concerned.

Richard Du Bois, one of the acts peddled by WOR, Artists Bureau, is the magician and chief performer. He exposes such effects as burning a lump of sugar, how to put a hard-boiled egg in the milk bottle, how to break a pencil with a dollar bill, and other life-of-the-party effects. Bullet catching trick was also exposed in the course of the drama. Similar idea was tried in the Camel cigarette newspaper advertising several years back.

While there is plenty of literature dealing with these effects, the calling of mass attention to these secrets is bound to hurt certain of the magis for two reasons. First, they pledge themselves not to do so, and will criticize anyone who does, and secondly, because they might be glad to earn the money themselves.

So probably if it wasn't DuBois it would be someone else. Dancer as the magis see it is that sooner or later he will run out of small tricks and comparatively harmless exposures and let the public in on more important secrets. Or else the hoped-for sponsor will ask for them. In any case, it is bound to stir up considerable discussion, since DuBois is secretary of the Society of American Magicians.

Some work of having exposed small magic commercially and paving the way for continuing to do so on a larger scale, has been done by Julius J. Proskauer and others. Proskauer is a wealthy printer and was formerly president of the Society of American Magicians. Members of this organization each take a pledge of secrecy, but seem to interpret this pretty much as they please or else manage to get the okay of the ethics committee.

Gertrude Lawrence in 'Susan and God' Excerpt for Television—And Okay

BERT WHEELER With Fred Haines TRONIMER'S Monday, 8 p.m. WABC-CBS, New York (U. Advertising)

Years of vaude headlines and more years of picture-making in Hollywood are behind Wheeler. But for radio he needs to have some radio guidance and a script behind him, too. For his one-time session on the beer co-operative program he dealt from memory and from vaudeville, like many another vaudeville before him. Wheeler appeared on the radio and gave the impression, right or wrong, that he had never listened to the radio in his lifetime. It was bad, breaking, unselfish rehearsal. Husing, with his assured reading of manuscript and mike experience, was clipped and incisive, while the comedian was uncertain and stalling.

Routine used, that venerable standard wherein the straight man steals all the eagles; by premature popping, made sassy listening under the radio.

It remains personal that performers risk their radio chances by lack of thought and preparation for radio. Wheeler's whole turn reflected a this-is-which attitude. Which is a wrong attitude.

Voice is high and boyish, but that need not be against him. Rather his individualism would make it a trade-off. But not with these froxy bits out of the trunk.

Wheeler closed in the alley. Lu

By BEN BOBEC

RCA-NBC continued its regular Tuesday-Thursday experimental television but this Tuesday (7) made it 4 p.m. because of the choice of 'Susan and God' whose players are not available evenings. Gertrude Lawrence dramatic hit by Rachel Crothers proved a strong sample of what can be done with a sturdy script and able troupers. This was the cast:

Frank ..... Paul McGee  
Lillian ..... Gertrude Lawrence  
Glad ..... Nana  
Mabel ..... Nana

Scene chosen from the play was the bedroom clash of the spouse and his flighty wife with the child of a near-divorce wistfully hoping for a reconciliation. It was well adapted for a 25 minute sample of vision.

Close-ups were used quite liberally and with okay results save that they tend to blur the other character when focusing on the speaker. In general, the definition was good, the actors not upsetting the loose-ness too much.

Television's maiden adventure in the legitimate drama was a bedroom setting—a fact that will perhaps elicit some comment. A number of dramatic crises on the N. Y. dailies showed up for the special event.

PUBLIC SERVICE CORP. With Gov. Harry Moore, 30 Mins.—Local WOR, New York

Thirty-fifth anniversary of utility was promoted via station WOR as a celebration but remained strictly a promotion. Minus a brief dramatic session of three P. S. employee rescues, half hour was one prolonged commercial on the our nation-our state theme with 'our company' taking the glory for oil but founding of the union.

Gov. Harry Moore was ushered in as a commercial splicer doing right well by the utility. Visit at the main plant at Kearney, N. J. with Dave Driscoll, had to be cut out to allow for an interrupted commercial. Gene Stafford wrote the minute sketches depicting Jerry-on-the-job status of the company. Some sound effects as vacuum cleaners, turbines, hot irons, etc. (Hurt)

Advertisement for WCAU Philadelphia with large stylized text 'Advertisement' and '50,000 WATTS PHILADELPHIA'. Includes text: 'To facilitate contact a direct telephone wire New York office to WCAU Philadelphia headquarters is available for all New York advertisers and agencies. Simply call Wickersham 2-2000'.

# Japanese Back Down in Demands On Int'l Settlement Stations But Propaganda Blasts Are Halted

Shanghai, July 10. International Settlement's radio situation was somewhat eased when Japanese backed down from demands on 23 Chinese-owned stations that they register, giving full details of ownership, capital, etc. with local Reformed Chinese Government (puppet). Municipal Council (foreign) negotiated with Japanese, eventually agreeing to prevent stations broadcasting anti-Japanese propaganda. Messages to circulating and news programs resumed, though majority of stations had suspended during parleys.

Generally conceded that Japanese were pulling bluff. Although they have precipitated incidents subsequent to bomb throwings on Japanese army automobiles, they have had to employ armed forces to enforce their demands, which would have been resisted inasmuch as U. S. Marines and British troops defend sector where radio stations are involved. International complications certainly would have resulted, which investors do not wish at present.

Municipal Council will close any Chinese station not complying with its censorship. Two American and one British owned station not affected by ruling, never have indulged in anything except straight news broadcasts.

Japanese are building two stations in Kiangwan and Yangtzeppoo, enclaves of Shanghai, capable of transmitting U. S. messages. Construction began in February, but is progressing slowly. Former Government stations China and Liaohung were dismantled during September. Radio and Mackay interests aided government in building.

## Derby Televised

London, June 1. Television reproduction on a large screen of the Derby horse-race was demonstrated today (1) with good results. Start and progress of horses was shown. Telephoto panorama lacked detail and clarity but the finish was near the average of newspaper resolution.

Ball and Scophony systems were used, with an audience of 300 persons viewing the demonstration.

## Ray Noble London Start Delayed by Tune Rights

London, May 31. Due to go on air June 1 for first time since homecoming from U. S. with new dance combination, Ray Noble had suddenly to cancel first date due to difficulty with numbers he intended to play on the program. Dignified by B.B.C. under title of Maestro of American Jazz, proposed to include numbers now current in the States, but discovered too late they were not yet released here, and he had no time left to arrange alternative numbers. Debut was accordingly set for June 3, with second session following July 1.

Band which Noble is directing through three months stay here is from Toronto, but will still now under direction of Jimmy Trumpet, who who is vocalist and trumpet soloist under new temporary arrangement. A few local boys have been added to the combination plus Marian Mannors. Set for 12 weeks, four of which with plenty radio dates included.

## Bile Beans 6th Year

London, July 30. C. E. Fulford Ltd. have contracted for broadcasts from Radio Normandy for the sixth successive year. Present renewal, which is for 52 weeks, covers the half hour concerts for Bile Beans broadcast at midnight every day.

Renewal was placed by Steel's Advertising Service with Universal Gramex Corp. responsible for the compilation of the programs.

Ray and Means, one act playlet from Noel Coward's 'Tonight at 8.30' series, on the air June 1, production by John Richmond.

# American Tobacco, for Kensitas Corp., May Use England-Beamed Europeans

American Tobacco Co. is plotting a program to be spotted on either of the Compagnie Generale de Belgique, Luxembourg or Normandy, to beam to England broadcasts pleading Kensitas Corp. product. It is not sold in the U. S.

Program, first item has ever placed

## ANN DE OHLA ON NBC

John Royal Brings In 1st Dutch and British Air Experience

Latest imported warbler for NBC is getting a broadcasting build-up in Ann de Ohla, an Australian. Girl was packed to NBC Artists' Service by John Royal during recent European tour.

Miss De Ohla has sung on British Broadcasting Corp. and on Holland stations. Arrived in New York last week. She has already been tied to guest on 'RCA Magic Half' Sunday 12.

NBC has imported half a dozen foreign singers. All get big 'build-up' at start. None has clicked.

## Promote Border Station Above Calais, Me.; U. S. Nearest Is 130 Miles

John N. B., June 7. Arrangements are under way to build a station on the eastern border of Canada and the United States. The station will be located at St. Stephens, N. B., which is a twin town of Calais, Me., on the St. Croix river. The St. Croix Falls area is owned and operated by partner by Grenville Carter and Jack Shevry and has been occupied by St. Stephens town council. Local approval is expected of the Canadian Council.

Question of whether the proposed station will interfere with Canadian Broadcasting Corp. outlets at St. John and Fredericton is now being looked into. The town is 87 miles east, while the nearest U. S. transmitter is at Bangor, c. 130 miles west.

C. K. Windsor, is the domi lone border station at this time.

## JOHN MACDONELL OF BBC IN CANADA

John Macdonell, former program producer with British Broadcasting Corp. and later with J. Walter Thompson London office, has gone to Toronto to talk a deal with Canadian Broadcasting Corp.

May produce for CBC. He handled radio for Thompson agency abroad and, among other things, produced the 'Red' feature short-castcasts to NBC for Royal Gelatine when Vallée was in London for the Coronation last spring.

With Tom Baker, traffic manager of CBL, Toronto, in hospital and on sick leave until next September, Ann Shevry, assistant, substitutes for him, more than satisfactorily supervising that department's duties, Canadian Broadcasting Corporation executives claim.

It is being built along the lines of 'Lucky Strike Hit Parade' with the title to be 'Musical Swaps'. George Washington Hill, prez of American Tobacco, is now in Europe.

Meanwhile, Lord & Thomas agency, which handles the tobacco account, is still casting around for a new full program for network spotting in the States. Show will be in the groove which agency was ordered to spot Al Pearce before he signed with General Foods.

Edgar Lasker, radio chief of Lord & Thomas and son of the agency's prez, Albert D. Lasker, is personally in the search for the new program. Nothing will be definitely set until Hill's return from abroad in about a month.

## Arrested for Slur

Mexico City, June 7. It's a crime in Mexico to take verbal potshots at anybody on the air. Francisco Ferrero Rodriguez, announcer for local station XEMX, was down on the complaint of Antonio Ruiz, a fellow announcer, who accused him of quitting into a program with slurring comments.

First arrest of the kind.

# Montreal Union Demands

**MINIMUM PRICES LIST FOR SINGLES**

Length of program	After 6 P.M.	Before 6 P.M.
15 minutes or less	\$15.00 each	\$12.00 each
30 minutes	25.00 each	20.00 each
45 minutes	35.00 each	30.00 each
1 hour	45.00 each	40.00 each
1 hour 15 minutes or less	55.00 each	50.00 each
30 minutes	15.00 each	12.00 each
15 minutes or less	10.00 each	7.50 each

A choir must consist of at least 8 voices.  
Sunday broadcasts throughout the year extra.

**SOLO AND DUET WORK**

15 minutes or less	After 6 P.M.	Before 6 P.M.
30 minutes	20.00 each	15.00 each
45 minutes	30.00 each	25.00 each
1 hour	40.00 each	35.00 each
1 hour 15 minutes or less	50.00 each	45.00 each
30 minutes	15.00 each	12.00 each
15 minutes or less	10.00 each	7.50 each

**LOCAL ONE STATION ONLY—MINIMUM PRICES LIST FOR CHAIRS**

15 minutes or less	15.00 each	12.00 each
30 minutes	25.00 each	20.00 each
45 minutes	35.00 each	30.00 each
1 hour	45.00 each	40.00 each
1 hour 15 minutes or less	55.00 each	50.00 each

**LOCAL ONE STATION ONLY—MINIMUM PRICES LIST FOR SOLO AND DUET WORK**

15 minutes or less	After 6 P.M.	Before 6 P.M.
30 minutes	20.00 each	15.00 each
45 minutes	30.00 each	25.00 each
1 hour	40.00 each	35.00 each
1 hour 15 minutes or less	50.00 each	45.00 each

**MINIMUM PRICES LIST FOR ACTORS**

Length of program	After 6 P.M.	Before 6 P.M.
15 minutes	\$15.00 each	\$12.00 each
30 minutes	25.00 each	20.00 each
45 minutes	35.00 each	30.00 each
1 hour	45.00 each	40.00 each
1 hour 15 minutes or less	55.00 each	50.00 each


**REVISE TERMS FOR TALENT**

For 15 minute program broadcast before	1. Five times week
2. Length of program	8.00
3. 30 minutes	15.00
15 minutes	7.50
45 minutes	22.50
1 hour	30.00
1 hour 15 minutes	37.50
30 minutes	12.50
15 minutes or less	8.75

No announce attached to a station, no self-named man, producer or director of a broadcast, is deemed to be participating in the course of a broadcast, but will have in addition to his fee as singer or musician the fee provided for an actor in each case.

**CASHS SUBSIDY TO INCREASE**

On all broadcasts given before an audience, that is an audience of over 20 persons, fees in each case will be increased 50%.



## PAUL WHITEMAN

# Chesterfield

Artist Management

**PAUL WHITEMAN ARTISTS MANAGEMENT**

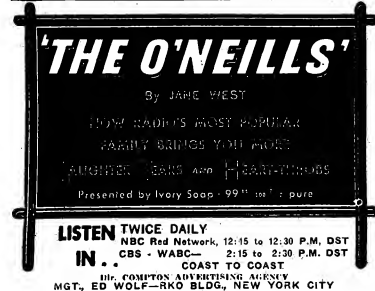
11 E. 45th St. N.Y.C. MU 2-1880

# WENDELL HALL

ONE MAN SHOW

THU 7:30 P.M. MON 8:00 P.M.

792 N. Dearborn St. Chicago



# THE O'NEILLS

By JANE WEST

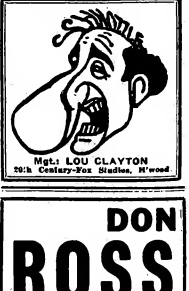
LISTEN TWICE DAILY

12-15 to 12:30 P.M. DST

2:15 to 2:30 P.M. DST

CBS - WABC

Presented by Ivory Soap



# DON ROSS

THE RHYMING MINSTREL

THURSDAY 7:30 P.M. MONDAY 8:00 P.M.

792 N. Dearborn St. Chicago

NBC'S NEWEST NOVELTY

## LANNY GREY'S

Rhythm School of the Air



Here and There

Jimmy Wallington east to start p. a. tour in Baltimore.

Sam Moore optioned for another six months as co-writer with Phil Rapp and Maury Amsterdam of the Metro Good News show.

Ilen Gray can now legally sign his checks that way, court ordering permitting him to expunge the family monicker, Knoblauch.

May McClinton, radio director of the N. W. Ayer agency, is away on a leave of several weeks for his health.

Nelson F. Hesse, radio talent agent, has bought a house in New Canaan, Conn.

Sam Vessley settled his agency suits on the Bank of America newest deal on the verge of a new bank tieup.

Bob Redd waiting for his first day off from NBC production duties in Hollywood to get knitted with Gogo Delys.

Ray Vaynow of the Chi Petry office had Hank Cristall of the N. Y. set-up on his hands last week.

Don Davis of WHB, Kansas City, on a business swing-around the advertising agencies centers.

George Livingston, of Ferris and Ivingstone press bureau in Chi, ill many late this month.

Pat Flanagan, WBMB, Chicago, sportscaster, back on the ether after a lay-off for health reasons.

Frelinda Wayne set for series, 'A Woman Views the News' over KSO for the Des oines electric company. 'She's' columnist for Des Moines Tribune.

Ted Maxwell is now writing and producing the Roma Wine Company show, 'Toast to the Town' over Don Lee stations from KFRC, San Francisco, Friday nights. Maxwell also

Footnotes on Allen

John F. Royal, NBC program chief, has received in bound form a sheaf of copies of vaudeville reports that he sent into the B. F. Keith Booking Exchange when he was manager of the Palace in Cleveland. Reports run from 1917 through 1920 and the one that Royal points to with pride is dated May 21, 1918, and relates to a comic by the name of Fred Allen.

Royal wrote that although the fellow had a peculiar type of material and delivery he was funny and had good possibilities.

In June, 1921, Vansery said 'Allen's turn is over-time but big time.' This reversed an early opinion on Allen's previous act which Vansery filed under 'trash.' At the time of the 1921 review Allen opened his vaude act with the placement on the stage of a large sign reading: 'Mr. Allen is deaf. If you care to laugh or applaud, please do so loudly.'

authors and acts in 'Hawthorne House,' Wesson Oil serial on NBC's Coast Red web.

Soprano Lucile Kirtley back in San Francisco after a series over KGW, Portland, Ore.

Polly Jenkins Flawboys, hill bill act headed for Hollywood under leadership of any Zoller and her husband, Harlow Wilcox, to appear in a Gene Autry picture.

Earl Pallas, chief engineer at WEW, has filed his Republican nominee for Clerk of the Court of Criminal Cases, a position that pays \$5,000 per annum.

P. S.—Town is almost 100% controlled by Democrats.

Fred Jeyner on a week's vacation from WJXC, Columbus, is man-in-the-street program. Fieber Biscuit Co. off the air here his zone.

# HAVANA TREATY APPROVAL MAY CARRY DOMESTIC POWER RIDER FOR INDIES

## Meanwhile Senator Sheppard of Texas Makes Draft Anti-Duplication Proposal Which Would Break Up Network Status Quo

Washington, June 7.—Two-way drive to guarantee local broadcasters against competition from super-power plants were under way in Congress this week. New tack being followed in the hopes of compelling F.C.C. to take sharper altitude against networks and clear channel operators.

In the face of definite indications there is no prospect of action this year, Senator Morris Sheppard of Texas came up with a novel proposal to insure lively competition in radio business and restrict latitude of the F.C.C. At the same time, restrictive rider on the North American allocation pact limiting U. S. stations to 50 kw seemed probable.

Sheppard idea—a double-edged sword over networks' necks—is based on the feeling that too much program duplication exists under present conditions. Limit on station power would protect listeners against hearing the same entertainment from several transmitters.

While the ban is aimed at duplication via webs, Sheppard goes to considerable lengths to insure wide choice of entertainment. Restrictions would apply to records, discs and re-broadcasting.

**Definition**  
Bill defines a network program as any bit of entertainment, speech or other airwave fare lasting five minutes or more pumped out over two or more transmitters simultaneously.

Under the Sheppard scheme, the Comish would refuse permits for any transmitter with power of more than 50 kw which carries such network programs. If enacted into law immediately, it would compel WLW, Cincinnati, to break all network af-

filitions and go it alone, could discourage further applications for super-power, inasmuch as most industry authorities agree there is little room for a completely independent 500 kw plant in view of the high cost of operations and the need for an outside source of program material.

**Privileges Tough**  
Only temporary waivers would be allowed. Comish could from time to time permit super-power stations to carry web programs when the public interest requires—such as Presidential speeches and news broadcasts of nationwide importance—but a limitation says special privileges shall not cover more than one hour in a single month.

Question of writing power limitations into the Havana treaty has been holding up action on the pact. Senator Key Pittman, chairman of the Senate Foreign Relations Committee, said Wednesday (1) that his group had given 'favorable consideration' to the pact negotiated last November, it was delaying a decision at the request of Senator Burton K. Wheeler of Montana, who wants to argue in favor of a rider fixing power of U. S. stations at 50 kw.

Although most industry people and members of the government officials feel it would be strategically unwise to hitch a power rider to the treaty, the chances are that some reservation will be made. Wheeler, an outspoken critic of the clear-channel policy, has recruited respectable support on the ground that limitations are imperative for the welfare of Little Fellows. Ratification could easily be blocked unless the Fur-

slain Relations unit agrees to accept such a clause.

Cloakroom argument over this point finds opponents of any reservation containing that the U. S. would handicap itself in international relations by writing provisions covering a domestic problem into pact with other nations. For purposes of future bargaining, it is held imperative for this country to ratify the pact without surrendering its right to raise the power maximum above 50 kw. Adoption of a limitation would be a green light for Mexico to set up transmitters which would punch their signals into a large part of the U. S. it is held.

The present outlook that the F.C.C. will insist on retaining the 50 kw maximum is another counter-argument. Since a majority of the regulatory body appears to look with disfavor on super-power, there is no occasion to alter the treaty; defenders of the pact reason, and Congress has ample power to head off any lifting of the li in the event it becomes likely.

## Philco Fight Goes On

Philadelphia, June 7.—Some 12,000 Philco employees, who have been out of work since May 1 as the result of a labor dispute, have asked the intervention of Governor George H. Earle to get them back their jobs. Dispute grew out of terms for renewal of the contract of the CIO United Electrical, Radio and Machine Workers. Company calls it a stri union a lockout.

Earle sent a mediator from the State Department of Labor to investigate fully and report back to him.

Rose Marie guests for RCA's Key program June 26.

# 48,600 MINNEAPOLIS-ST. PAUL RADIO HOMES

—surveyed by Crossley—agree with 3,000,000 Northwest listeners:

## WCCO is the favorite station!

It's no news to anyone that only WCCO delivers the entire Northwest market. Everyone agrees that WCCO, with its 50,000 watt clear channel transmission—and only WCCO—covers all the big Northwest.

But now Crossley confirms WCCO's dominance in urban Minneapolis and St. Paul, too. The biggest radio study ever conducted in the Twin Cities\* definitely proves that WCCO delivers peak audiences in the Twin Cities as well as in the Northwest. Here's what Crossley found:

1. Night and day—for all seven days—WCCO led with more first place mentions (by half hour periods) than any other radio station in the Twin Cities—Minneapolis and St. Paul.

2. In the important daytime hours—8 in the morning until 6 in the evening—the first place votes for WCCO exceeded those of any other station by more than 18%!

Think only of the populous Twin Cities, and WCCO is the buy. Add to it the tremendous bonus coverage of all the Northwest that ONLY WCCO can supply—and the "dollar for dollar value" of WCCO is beyond all competition. The clear cut preference of listeners for WCCO in the Twin Cities as well as in the Northwest stamps WCCO as the one-station-buy to do every radio advertising job in these important markets.

\*48,600 coincidental telephone interviews—14 hours a day—7 days of the week of April 3, 1938.

WCCO • MINNEAPOLIS-ST. PAUL • 50,000 WATTS



# F.C.C. Reaffirms Original El Paso Decision, but in Modified Form

Washington, June 7. Complying with the District of Columbia Court of Appeals' instructions about procedure, Federal Communications Commission last week refused to change its opinion that Dominick D. Biederick, publisher of the El Paso Times, is qualified for a new station in his home town and for the kind of program months decided to issue a construction permit over the objections of KTSW.

More legal wrangling was in prospect with the Tri-State Broadcasting Co. owner of the radio station in El Paso plains, readying another appeal against the possible economic injury from office competition and social disadvantages of having a publisher rival.

When the stalled industry-wide station since it was the excuse for former Commissioner Irving U. Taylor to take a moral opinion rating the question whether the public interest is compatible with newspaper use of radio facilities. The Times' request was granted Dec. 1, 1936, in accord with examiner's recommendation, and then a reconsideration, affirmed by the full Commission about a year ago.

In litigation which had the effect of making procedural changes unavoidable, the owner of KTSW was a reversal on the ground the FCC had not given sufficient reasons for its action. On this occasion the appellate judges also declared they do not give newspaper owners as a class should be excluded from the radio business.

Conditions in the newest opinion are virtually the same as those previously reached, although more detailed and in different form. The Commission held that no engineering trouble will result; prospective service is meritorious, need for more programs exists, and ample facilities are available.

## NBC ENGINEERS HUDDLE

Annals and

NBC is holding its annual huddle of divisional engineering chiefs in New York this week. The sessions which opened Monday (6) with a luncheon are George McGrath, engineering manager; H. H. Saxon, from San Francisco; Howard W. Chicago, from Chicago; M. G. N. S. Leonard, Cleveland; W. J. Purcell, Cincinnati; A. E. Johnson, Washington, D. C.; A. A. Peregrine, Denver.

O. B. Hanson, NBC-V, in charge engineering, greeted the boys gathered in for the get-together. Comm left for the Coast where they will spend two weeks working development in the new station; the network is building in Hollywood.

## Juvs' Book-Music Feeds Originating at WHEC

Rochester, N. Y., June 7. WHEC starts feeding Columbia network Junior Masterly half hour show at 11:30 a. m., June 11, one of its new radio projects. The show here. Staff will create entire show weekly, with Charlotte Edwards, owner of the script, and George Adams and Ken Ferning doing the lyrics. Modern Buck will direct the script. Ken Spry will be the announcer.

Players will be group of youngsters, several of whom have done a few weeks work for the station in the last five years, including Betty Anne, 13; Grace Bossitis, 15; Dorothy, 15; George Libutti, 14, and Freddie Schubert, 15. chorus will be eight boys 14 to 16 years old. First show title: "Crazy Hearts."

## Louisiana Down 13%

New Orleans, June 7. Revenue from the sale of time by radio stations in Louisiana showed a decline of 13% in 1937 from March, as well as a 11.9% drop in April, 1937, figures are those of the Louisiana State Bureau of Business Research.

Last year's April decrease from March was 3.37.

## CHICAGO EDUCATIONALS

Harold Kent Lines Up Variety of School Tie-Ins

At a general open meeting of the Radio Education Council of the Chicago Board of Education, Harold Kent last week set up a schedule of 11 programs for the fall season. Testing was attempted in the program. Mr. Kent, superintendent of schools; O. J. Neuwirth, production manager of the Council; J. C. W. M. Mrs. C. Schwartz for WBMM, William Klein of WLS, Bradley Edwards of WGN, and J. C. W. M. WJXD and WIND, H. C. Burnett for Columbia, and several newspaper men.

During the regular school time Kent has arranged for seven programs: science period at the rate of one a week, a weekly program in social studies, a literature program, a chess appreciation show and a news broadcast. These programs will be given on different days, one b.

# WHAS, Louisville, Nixed on Lil' Brother Adoption

for each school day of the week and probably a 10 or 11:15 a. m. There is a chance to have a program for middle grades and a daily five-minute instructional period from 8:55 to 9:05 a. m. to assist in the opening of school.

In the free time there will be four programs. One, the high school program, will be broadcast on Monday at 11: an occupational program which will be broadcast with the assistance of WBBM mobile transmitter; a program tagged 'student life,' which will be a discussion period wherein high school seniors talk of their own problems and a program of 'behind the scenes in education.'

Jim Tully a commentator would be his new east on wax.

# WPAAF Kansas City, Nixed on Brother Adoption

Washington, June 7. Counting apprehension about local monopoly and too much newspaper control, the Federal Communications Commission last week rejected a plan to purchase two public broadcast stations for authority to increase the number of stations in the area. WPAAF, C. 61, denied a unanimous verdict. Construction permit to the purchase of WPAAF (5) and WPAAF (6) was also denied. Kansas City, by the Kansas City Star (WPAAF).

Economic and social implications of public interest test were stressed in the decisions, which upheld the reports of a Federal Radio Council instance. Further significance attached to the denial of consent for the WRNS—Star sale since the purchase price was more than four times the appraised value.

Publication has

Idea that the licensee of an existing station should not operate another plant in the same area was reaffirmed in each opinion. On both occasions, the F.C.C. remarked that available frequencies are limited and that the public interest is not served by the public interest except peculiar circumstances.

The plan to purchase the Kansas City area and prospective duplicate stations was opposed on the issues of public interest, WRNS, while the Commission also established a principle which all have a vital interest in proposed sales. Pointing out that the Star already has an outlet in the Missouri metropolis, Kansas could not see how the purchase of the WRNS station would benefit from station management.

Economic aspects grew in importance when the Commission gave as one of the reasons for frowning on the WRNS sale the fact that the purchase would require more commercialization and consequently reduce the public program service. Proposals for the purchase of the station would try and sell more time so as to bring in at least \$29,500, the cost of the station, on the net of the property.

Aside from this last point, much of the reason why the Commission declared construction of station in Louisville Times and Courier—Fleming would not serve public interest. The Commission admitted WPAAF is a clear-channel plant and that the purchase would not serve public interest. The Commission admitted that the purchase of the station would try and sell more time so as to bring in at least \$29,500, the cost of the property.

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# F. C. C.'s WASHINGTON DOCKET

## MAJOR DECISIONS

**Theradio Day power-jump for WEAU.** Washington, June 7. Federal blessing when station was able to prove that the power increase would be used for the benefit of the community. The station was able to prove that the power increase would be used for the benefit of the community. The station was able to prove that the power increase would be used for the benefit of the community.

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# WHEATIES 'Veiled Lady' In Italian on WOY, N. Y.

General Electric has planted a five-watt transmitter in the Italian language on WOY, N. Y., this week, marking entry into that specific frequency band for the account's product, 'Wheaties.'

Program is 'Veiled Lady' and 'Sample-Hummert.'

**Perry's Philly Branch**

John H. Perry As states national sales rep for stations and newspapers, has opened a branch office in Philadelphia. Cubie will do the agency contacting for Baltimore, while Perry is given charge of the work. M. S. Levin has been assigned to the Philadelphia branch. Perry outfits office in Philadelphia. Bi-weekly take care of the firm's biz on the Coast.

## EXAMINERS' REPORTS

**Two new stations to be operated on the 1510 kc frequency.** Washington, June 7. The station was able to prove that the power increase would be used for the benefit of the community. The station was able to prove that the power increase would be used for the benefit of the community.

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# Drive for Theatre Employment Next Objective of Musicians

Joseph N. Weber, president of the American Federation of Musicians, left yesterday (Tuesday) for Tampa, Fla., to meet with the international executive board preliminary to the opening of the AFM's convention next Tuesday (14). The sessions begin tomorrow.

Among the major issues which the convention will be called on to decide are those concerning a new agreement for phonograph record and transcription manufacturers and a national campaign to bring about the employment of musicians in picture theatres. Weber will report on the progress in these fields and the employment of musicians in the broadcasting industry and on the AFM's agreement to go away from dubbing from sound track records, except in the case of news-reels.

There is much speculation in the AFM's rank and file whether the fight existing between Weber and James C. Pettillo, head of the Chicago local, will be brought to the convention floor, a member of the AFM's executive board, and it is understood that Weber will make no attempt to expiate the personal issues unless Pettillo drops it before the convention.

Weber took Pettillo to task in an editorial in the May issue of the international house organ, charging the latter's behavior as a labor leader as a labor leader and of being the master mind of the AFM who is doing everything this union not organized labor any good. Pettillo claims that he is a victim.

## ILLEGAL FOLIO SUITS AGAINST MERCHANTS

Music publishing industry is trying its drive against contraband song folios into the civil courts. This time the counsel employed by the Music Publishers Protective Association, the industry will bring a series of test suits against distributors who have been caught serving as neighborhood distributors of the bootleg publications.

It is proposed to file the test actions in the Federal courts of New York and eastern Pennsylvania. Litigation will be based on section 25 of the copyright law which makes every infringement of copyright a cause for recovery and allows for the imposition of a \$250 penalty on each copyright plus a fine of \$1 for every copy sold.

Bill Britton is revising portions of his band's act with standard "Musical Ancestors" bit getting a modernization.

Change will find band swinging the old bit that had been done straight herebefore for years in Bizet, Brahms, Liszt, Wagner, etc. Spanish picture to be swung a la "Martha," etc.

Finale will be a split of half band playing Sousa's "Stars and Stripes Forever" while other half renders "Tiger Rag."

## Music Notes

Oakland and Oscar Hammerstein II turned in four songs for Columbia's "Lady Lover." Ditties are "A Mist Is Over the Moon," "That's the Way in Paris," "I'm in Your Arms" and "When You're in My Arms."

Ermesto Gonzales Jimenez is arranging the music for "Mr. Primer Amor," Spanish picture to be made by Cobain Productions for Paramount.

Al Columbia and Eddie Cherkes have written two song numbers for "Jezebels" as "You Are."

Boris Morros is supervising, in the Harry Warner picture, "The Fox," one of the Hopalong Cassidy series.

"Silver" the Sage, written by Ralph Rainger, and Leo Robin for Paramount's "The Texans" has been released for radio and orchestra.

## Footnote to 1938

Peckham, professional escort, has won several torch songs for males. Times will be published by him with music by Ray Evans and Jay Feivelson clefted.

Titles of numbers are "Ten Dollars and Midnight," "Glamorous Boy," "An Escort's Diary" and "It's the Woman Who Pays."

## DECCA AUDIT SYSTEM DRAWS PROTESTS

Several publishers have issued the Decca Record Co. on the manufacturer's new practice of reporting to the music industry on the basis of net sales. Letters addressed to Decca last week pointed out that whereas a rubber-stamped notation of the latest quarterly statements refers to net sales the recording company is supposed, under licensing agreements, to give an accounting of the records manufactured.

These publishers have refused to accept the checks mailed by Decca and are demanding that the company submit amended statements showing the amount of records that were turned out but not included in the royalty reports.

Andy Hena and his Islanders dishing up Hawaiian tunes for Metro's "Honolulu."

## Pre-1909 Numbers with Modern Arrangements Subject to Royalty, Claim of Broadway Music Co.

### BORNSTEIN A DELEGATE ASCAP Designates Publisher to Do Honors at Stockholm

Saul Bornstein, partner and general manager of Irving Berlin, Inc., who is currently in Europe, has been delegated to represent the American Society of Composers, Authors and Publishers at the convention of the International Confederation of Performing Rights Societies, which opens in Stockholm July 27.

Bornstein has been on the other side of the past several weeks negotiating for copyright renewals and extensions of present foreign agency agreements. He's due home the latter part of July.

### Tom Devine to Calif.

Indianapolis, July 7. Closing of Indiana Roof Building Co. for the summer closes the departure of Tom Devine, manager, who goes to California to manage week of closing, and south of Los Angeles. Alce Mahon, his assistant, goes to Fairview hotel Lake Manitou, to handle band bookings and publicity for summer season.

Jack Devine, son of manager, was married week of closing and is coming to California to join his father, combining business trip with his honeymoon.

Brooklyn Music Corp. has raised a novel point of law by demanding that RCA Victor pay for the use of "Take Me Out to the Ball Game," even though the number was copyrighted prior to 1909 or when the law first granted the copyright owner the right to collect on the mechanical use of his work. Broadway Music contends that the recorder loses the right to exemption from payment for the use of pre-1909 works when he departs from the original piano copy or orchestration of the tune. In the case of RCA's recording of the number a special arrangement was used.

Such a roadway music's further contention that, though it is barred from collecting on the original version of the tune, the copyright in the copyright law which gives the copyright owner complete authority over the right to rearrange his work makes Victor liable in this instance. Law makes no exemption in this right to rearrange, and the claim taken by Broadway Music is that such right can be enforced regardless of the fact that the copyright has no living value as far as records are concerned.

## ERISUIT OPENS IN N. Y.

Trial of the suit of John C. Paine, as agent and trustee, against Leatrice Beale, president of the Erisuit, involving a claim of some \$120,000 in foreign film licensing I. S., was yesterday (Tuesday) postponed by Judge John C. Knox in the Federal court following a day of preliminary questioning and testimony by Paine. Court explained that another matter made it necessary that this case be deferred until next Tuesday (10).

Action revolves around the interpretation of a contract whereby Paine was authorized to pay a stipulated scale of fees for the exhibition of these soundtracks in certain foreign countries. The agreement involved expired in 1932.

At yesterday's session Paine was subjected to cross-examination by Homer H. Breland, of Erie county, and Julian T. Ables, as counsel for the defendant producers. Later 25 offered a number of letters tending to show that Paine back in '32 had accepted the terms of the contract different from the one that he was now urging. Paine admitted sending the letters, but he explained that it was his intention at the time to get Erie to pay what money it admitted owing to publishers and to let the fees in dispute ride until they could arrive at a final decision of the points in question. Cross-examination of Paine will be resumed next Tuesday.

Side-light to the controversy between the publishers, as represented by Paine, and Erie developed at the opening of the trial yesterday when Breland and Ables got into an argument over procedure. Paine had offered an affidavit of publication on various motion picture publishers whereby they were made parties to the suit. Erie, but the case these producers would be liable for the judgment of the court. The effect of this move, declaring that although he was present to protect the interests of the publishers, he was not admitting any such liability. Judge Knox brought this conclusion to an end by declaring that since they were all present it would be best to go right ahead with the trial and that this case could be settled later.

Other participating counsel included T. Brooke Price, of Erie; Erie legal staff, and Herman Finkelshteyn, of Fritlich & Schwartz. Frank Hiss, his filon, Ont., 22nd in the Harry Warner picture, "The Fox" in Henry Busch, July 21, with Chick Webb set for July 7.

### Bill Stein Due Back in July

W. H. Stein, v.p. of the Music Corp. of America, sails for the United States, July 6.

He will have been some six weeks on a general survey of MCA business relations in Europe.

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

Following is a totalization of the combined plugs of current tunes on WEAF, WJZ, WABC and WOR computed for the week from Monday through Sunday (June 5). Plugs represent accumulated performance on the two NBC nets, CBS and Mutl 1 from 8 a. m. to 1 a. m. In "Source" column, \* denotes film song, 1, legit tunes, and \*ppg, spots for itself.

Title	Publisher	Source	Grand Total
Cozy Baby, Cry	Famous	Pop	51
See My Heart	Famous	Pop	51
Little Lady Make Bell	Olman	Pop	41
Let Me Be True	Chappel	Pop	41
You Leave Me Breathless	Famous	Pop	41
Let Me Be True	Famous	Pop	41
Love Light in the Starlight	Chappel	Pop	41
Don't Be That Way	Robbins	Pop	41
Love Walked In	Goldwy	Pop	37
I Hadn't Anyone Till You	ABC	Pop	35
Something Tells Me	Witmark	Pop	35
Why'd Ya Make Me Fall in Love?	Feist	Pop	34
In the Bonnet of Blue	Crawford	Pop	34
Day After Day	Miller	Pop	33
Bewildered	Griff	Pop	33
This Time It's Real	Griff	Pop	33
Please Be Kind	Harms	Pop	33
My Heart Is Calling Me	Harms	Pop	31
It's the Dreamer in Me	Feist	Pop	31
Cathedral in the Pines	Berlin	Pop	31
At Your Feet	Shapiro	Pop	29
Moonlight in Walkie	Harms	Pop	29
On the Sentimental Side	Harms	Pop	29
Garden in Granada	Schuster-Ilzer	Pop	28
My Heart Is Taking Lessons	Shapiro	Pop	28
So Little Time	Shapiro	Pop	28
In a Little Dutch Kid	Fox	Pop	28
How'd Ya Like to Love	Famous	Pop	23
How'd Ya Like to Love	Famous	Pop	23
Having Myself a Ti	Paramount	Pop	22
Joseph, Joseph	Harms	Pop	22
Stompin' on the Sun	Robbins	Pop	22
I Love to Whistle	Miller	Pop	21
My Heart Is Calling Me	Berlin	Pop	21
Music, Maestro, Please	Witmark	Pop	21
On an Evening in Soho	Witmark	Pop	21
Cowboy from Brooklyn	Witmark	Pop	20
I Fall in Love Every Day	Witmark	Pop	20
My Sentimental Side	Harms	Pop	20
It's the Little Things that Count	Markes	Pop	20
My Sentimental Side	Harms	Pop	20
When They Played the Polka	Robbi	Pop	20
Let's Break the Good News	Davis	Pop	20
Lost and Found	Santly-Jay	Pop	20
How'd Ya Like to Love	Shapiro	Pop	20
Sunday in the Park	Mills	Pop	20
A Kiss Blind Me	Tennev	Pop	20
So Lovely	Crawford	Pop	20
My Sentimental Side	Harms	Pop	20
If It Rains Wh	Morris	Pop	20
My Sentimental Side	Harms	Pop	20
Ride Tenderfoot	Witmark	Pop	20
It's Raining Sunshine	Witmark	Pop	20
My Sentimental Side	Harms	Pop	20
Touy Trumpet	Circle	Pop	20
Where Have We Met	Miller	Pop	20
My Sentimental Side	Harms	Pop	20
Touty Jambores	Red Star	Pop	20
Stranger in Paradise	Shapiro	Pop	20
Just Let Me Look at You	Chappel	Pop	20
In the Shade of the New Apple Tree	Blumire	Pop	20
Two Boatmen	Renick	Pop	20
I Wanna Go Back to All	Renick	Pop	20
Minuet in Jazz	Tennev	Pop	20
There's a Party Look at You	Renick	Pop	20
Let's Sail to Dreamland	Noier	Pop	20
Somebody Loves Me	Chappel	Pop	20
Whistle While You Work	Reilin	Pop	20
My Sentimental Side	Harms	Pop	20
Pedro the Cocktail Sh	Southern	Pop	20
My Little Red Book	Morris	Pop	20
Simply Atkin	Pop	20	

## Inside Stuff—Music

Chappell & Co. has also filed a renewal of copyright on 'Un Peu D'Amour' (A Little Love a Little Kiss) with the registrar of copyright, with the registrar is an affidavit, attested by the American consul, in which Lao Sileus, composer of 'Un Peu,' declares that he has canceled the power of attorney that he had given for the transfer of the copyright renewal in this country to Louis Bernstein, head of Shapiro, Bernstein & Co. Chappell claims that it got an assignment from Sileus following this cancellation.

Both firms now propose to publish the number with the renewal term, which goes into effect May 26, 1939. Chappell has been publishing it for the past several years on an assignment it got from a European firm.

Shapiro, Bernstein & Co. has dropped the representations it had made to Chappell & Co. about the publication of 'Let Me Whisper,' a current pop release. Shapiro had advised that the melody of the latter tune had been published in what is common with 'Back Home in Indiana,' which S-B had published in 1917, but subsequent research by Chappell disclosed that there were 31 compositions both previously copyrighted and in the public domain that could make the same claim.

One of the old copyrights cited in the research report which Chappell turned over to Shapiro was 'Poor John,' a number which Vesta Virginia popularized on both sides of the Atlantic. Harms, Inc. got the American rights from Francis, Day & Hunter.

Personal agreement between William Morris office and Taps decided splitting of commission on six-week recording of Pancho's band at the Versailles, New York. Previously stated that Local 802 of AFM had ordered the settlement on muddled booking. Band appears before Local 802 after hearing on National Federation case involving booking at the Trocadero, Hollywood. National case will settle year's managerial hold by Taps on band, plus alleged return of loans and payment of back commissions. Pancho asked for postponement of Local 802 session until after other issues settled. Must answer unfair dealing charge with local on Versailles deal. It was to have come up yesterday (Tuesday).

Outside of being amicably disposed to Rocco Vocco, Bing Crosby has no interest whatever in the newly organized publishing firm of Bregman, Vocco & Conn. Crosby has denied through his brother, Larry, the report that he had assured the firm of his financial support. The singer's lone publishing partnership is the one he holds in Santly-Joy-Select, Inc., of which Larry Crosby is a v.p.

'Romance in Swingtime,' newspaper serial by Al with Tommy Dorsey illustrations, is running in the Hearst papers, via King Features. George D. Lottman, Dorsey's p.a., collated on the serial story, which is in the Sid street idiom, with Dorsey and his band doing the real-life illustrations. N. Y. Journal-American starts carrying it next Monday.

Settlement of the Moe Gale-Nat Nazarro-Consolidated Radio Artists suit last week involved dropping of another suit by CRA against Nazarro. Settled out of court, Nazarro's suit against Moe Gale, into which CRA was brought, caused Charles E. Green to drop his action against Nazarro. Litter warned Avis Andrews away from CRA last year.

Although 'Alexander's Ragtime Band,' forthcoming 20th-Fox film musical by Irving Berlin, contains several new tunes, the cavalcade of Berliniana in the film, is stirring up renewed interest in the score. Most particularly, is the 25-year-old title song getting a radio ride.

ABC Music Corp., subsidiary of Irving Berlin, Inc. last week notified the publishing trade by registered letter that it had the exclusive rights to Lant Melnick's output of Hawaiian music folios. Contract with the composer-orchestra leader is for five years.

## BERLIN • BULL • ETN

The surest way to please an audience is to sing this No. 1 SONG HIT

GET HERE IN THE PINES

The best lyric ballad of the year

MUSIC, MAESTRO, PLEASE

positively destined to be a

No. 1 SMASH HIT!

IRVING BERLIN, Inc., 799 Seventh Ave., N. Y.

## Cat-ologue

Ally Brackman and Ned Williams, Artists Republic publishers, have issued an exploitation stamp for Cab Calloway in form of a color photo book, which is a cost of one book. To be distributed among one-night dances, colleges, etc.

Called a 'hepster's dictionary' and Cat-ologue, book is a glossary of swing terms and Har-Stange jive, listing several hundred words and expressions. Rest of space left blank for notes, etc.

## FOUR KILLED IN BAND'S BUS CRASH

Oklahoma City, June 7.

Two members of Eddie Martinez's orchestra, scheduled to play at the Oklahoma Club, and two other persons were killed, and 21 injured last Thursday (2) in a head-on collision of their bus with a truck 10 miles east of Stephenville, Texas. Dead are Frances Valdez and Flora Garcia, both of San Antonio, entertainers with the orchestra and W. W. Matthews, driver of the orchestra bus, and Herman Lemons, the truck driver.

A gas tank explosion followed the collision. Most of the members of the orchestra managed to scramble from the machine and save their lives. Eddie Martinez, director, and Charles ('Cluec') Warner, trumpet player, were taken to a Stephenville hospital in serious condition. Litter suffered a broken back and crushed chest.

Faber Reid, manager of the Oklahoma Club, arranged for a substitute orchestra to open the season.

## MARRIAGE EPIDEMIC IN DORSEY BRIGADE

Three of the four sax senders in Tommy Dorsey's reed section marry following the band's Detroit date. Crew opens at the Fox June 10. Myrie Schertzer doubles with Adeline Kanner of N.Y.; Dean Kincaid with Sherry Kaye, singer; and Steve Herfurt with Dorothy Osnier of Ridge, N. J.

Trio of newlyweds who will have quickie honeymoons on the way to the Coast where the band opens at the Palomar, L.A., June 29. They break the trip westward with a stop-over at Denver to air Dorsey's radio commercial from their June 22.

## J. C. Stein Keeps Moving

Chicago, June 7. Keeping right on with a schedule that he set for himself five months ago J. C. Stein, president of Music Corp. of America, arrives in town this week on his regular every-sixth-week visit. Will spend a day here and then head into New York, and will lay over additional in Chicago next week on his trip back to the Coast.

## Columbus Summering

Columbus, June 7. Ruby orchestra winds up at Neil House this week and hotel will drop band policy for summer. Deshler-Wallace continues into local circuit with Jimmy McHale's 'Men of the Sea' in the Ionian Room. Frank Brennan's band (The Tavernier Supper Club, which will manage. Outfit will have WHKC and Mutual wire.

## SAMMY KAYE AND ORCHESTRA (13)

Sammy Kaye, he of the Swingtown radio build-up, has been coming along on the radio with sufficient tempo to warrant some amount debut was a timely, judicious person. His Broadway Parade nicely at the b. o.

Kaye, along with Kay Kyser, Blue Baron, and others, and possibly other claimants, has been in the line of 'singing title' style. Despite who-did-it-first, it's 'em, because Arnhem has been going along, actually lathering any Kay and Kay Kyser are coming along strong; and Blue Baron (at New York's Hotel Edison) is likewise ambitious to impress his mark on the jive-minded population.

Kaye's combo of 12 (including himself) includes four reeds and three brasses. It's a sweet-sounding one, and while the 'singing title' style hasn't, it's not overemphasized. However, the trademarked high-trombone customer is prominent. The organists are primarily recognize Tommy Ryan, No. 1 vocalist, by the name of Ryan and the organist, Jimmy Brown, another jive player. The band also includes 3 Barons, latter an integral vocal trio from out of the great 'Lub, as the boys know it versatile. Band looks nice in ensemble and plays them expertly. He mixes it deftly from a forthright 52d street Martin to a South Sea melody that's very beachy. Choir has a novelty style of soul accompaniment that distinguishes them.

Tommy Dorsey at the Palomar, Los Angeles, will be followed by Ken Baker's orchestra reopened the Vogue Ballroom, Los Angeles, June 2. King Cole and his Swingers are filling in during intermissions.

Jan Garber's crew opens St. Francis hotel in Price June 28.

Al Janna's orchestra, playing at Riley's, will have a house for broadcasts over NBC via WGY two evenings weekly.

Frankie Hawkins back to Savoy ballroom, N. Y., June 19 with a three-weekly stop from NBC. Moe Gale handling.

Howard Woods has engaged Lou Valero as vocalist. Formerly with Edm. Madrigras and Mickey Airport.

Ramona's crew into the Summit hotel, June 15 for Rockwell-O'Keefe. Henry Busse follows.

Billy Sharp, formerly with Milton Sietke, has joined Joe Glaser's negro band.

Bubbles Becker opens at the Piermont Club, Baltimore, June 9.

Harold Nagel repeats at the Summit hotel, N. Y., starting June 15. Current at Coronado hotel, St. Louis, Mo.

Guy Lombardo set for one nighter at the Park, Virginia Beach, Va., June (8).

Dick Ballou opened two weeks at Ocean View, Va., May (28).

Joe Haymes doing a nightly NBC chore, while dance pacing at New Casario, Virginia Beach.

Nita Norman, one-time vocalist with Jack Marshard org, has joined Frank Brennan's band at Moon Cafe, Pittsburgh, succeeding Al Hughes. Don Battist, until recently with Middleton, has organized own

## Band Reviews

the 'Blue Heaven' number, with 'wife' and 'the kid' as lyric substitutions for 'Molly' and 'Baby.' A subtle, unobtrusive yet welcome light touch.

Kaye introduces the above and all-around radio name in his own stand-out specialties, and seemingly each one is recognized by the listeners.

Withal, a very good instance where radio has created a name for a band knocking around the dance circuit. Kaye has created a name for a band to translate his music into a name and then the other way around will please on his part, a tour as on Broadway, June 8, at the Hotel Commodore (N. Y.) Sept. 30 on his first N. Y. dance job. Abel.

JACK MARSHARD ORCHESTRA  
Urban Road  
Hotel William Penn, Pittsburgh

For years now, Marshard Brothers, Harry and Jack, have been the local big tied up in Boston. Few winters ago and then the other live in Pittsburgh during the Christmas-New Year season for series of deb parties at the swank country clubs and caught on fast with the Smoky City crowd.

Now Harry's in Boston with his own radio show, and Jack is in Pittsburgh at town's class supper room, William Penn's Urban Road, direct result of constant touring since 1925 by local 400 crowd. His stylized music is up their alley but arduous has been smart enough to stick enough on the ball to appeal in other directions.

Dansapation is orthodox but sweet and extremely listenable, with versatile instrumentalists and just enough melody to keep the listeners intrigued. Colten.

## On the Upbeat

trio for engagement at City Club in Erie, Pa.

Pittsburgh future bookings include Charlie Agnew at Bill Green's Terraced Gardens; Charles Palani at Bland's Inn and Joaquin Grill at the Willows.

Ina Ray Hutton's all-girl org opens season June 10 at Manitou Beach, N. Y., and will be first of series of name bands.

Jimmy Livingston band replaced Charlie Randall bunch at Murray's, Tuckahoe, N. Y.

Glenn Miller's orchestra one-night Sunday (12) at Roton Point Park, South Norwalk, Conn., with Glen Gray's Casa Lomas set for spot June 11.

Bill Green, former p.a. for Dave Rubinoff, joins Chicago office of M.C.A. this week after fortnight break-in with Manhattan branch.

Val Ernie into Ritzy Merry-Go-Round Bar, Atlantic City. Replaces Eddie Bradd, who has held the spot for the past three years.

TESTED AND PROVED BY NATIONAL SURVEY Two Outstanding Song Hits

AT YOUR BECK AND CALL (RAM and DeLANGE)

I HADN'T ANY ONE TILL YOU (RAY NOBLE)

ABC Music Corporation 799 SEVENTH AVE., N. Y. C. FRANK HENNING, Prof. Mar.

The First New Style Song in Years

# MARY MCGARRITY

English Lyric by WALTER HIRSCH

By MARIA GREVER (WRITER OF THE SONG)

LEO FEIST, Inc. 1629 BROADWAY, NEW YORK

# N. Y. C. SCALE 1939 EXPO

## 15 Best Sheet Music Sellers

*Love Walked In .....	Chappell
Please Be Kind .....	Harms
Cathedral in the Pines .....	Beeri
Little Lady Make Believe .....	Olman
*Lovelight in the Starlight .....	Parsonnet
*Says My Heart .....	Famous
1 Love to Whistle .....	Robbins
Cry, Baby, Cry .....	Shapiro
Oh Mama (The Butcher Boy) .....	Shapiro
*You Leave Me Breathless .....	Famous
1 Let a Song Go Out of .....	Mills
Garden in Granada .....	Schuster-Miller
Girl in the Bonnet of Blue .....	Crawford
Don't Be That Way .....	Robbins
*On the Sentimental Si .....	Santly-Joy

\*Indl. tne flmslscap song. † Indicates stage production song. The others are pops.

## EXHIBITS TO BE CLASSIFIED

### Special Committee Now Confering with Executives of N. Y. World's Fair on Union Conditions and Wages

Special committee has been appointed by the executive board of the New York Musicians Union to work out a set of wage scales for the New York World Fair, which opens next April. Scales now prevailing for various types of engagements in this jurisdiction will serve as the basis of the committee's assignment.

Restaurants, night clubs, ballrooms and amusement places on the Fair grounds will be subject to the same scales that now apply to similar spots in the Greater New York area. It is the exhibit and other non-regular classes of work that will occupy the committee's consideration.

There will be no transmitting by remote control at the Fair. American Federation of Musicians last year adopted a regulation banning the piping of music from one public room to another and it has been interpreted by Local 802 to apply to the servicing of the various sections of an exhibit building from a central point.

## Winter's Encore Hurts

Last year's April Fessler de pre-seasonal rush by promoters and bookers to push the danceery season is repeating itself this year. What looked like an early summer with unusual spring weather has turned into an encore in winter as far as bands go. Rain and cold killing business. Big namers have been able to book to some extent but even some of those took flops. Others—ouch!

Condition is not only true of the east but is felt all over generally. Midwest and south also hit. While there were no cancellations due to unsuit contract agreement, there have been plenty of yelps on paying-off. One office summarized situation with reply that arrival of a wire, a usual thing after a date, brings chills these days.

## PRANCE PALACE PENDS FOR CONEY BOARDWALK

Coney Island will get its first ballroom this week when contracts are signed for takeover of former super Childs restaurant at 23d street and Boardwalk. George Clarke and Billy Jackson are fronting for couple of local moneybags who would transform the eatery into a class hoedery. May use name band policy on weekends and semi-namers holding forth on weekly basis. Estimated spot can dance about 1,500 people. Liquor and food would be served a la current trend of niterizing prance palaces.

## KRUPA GETS BAD PITT RECEPTION

Pittsburgh, June 7. Using flop of Gene Krupa's band at ballroom in nearby Greensburg last week as the basis for its argument, Darrell Martin, veteran radio editor of Post-Gazette, stirred up a hornet's nest among the jit bugs in his Saturday morning column when he said that swing had already seen the handovering on the wall.

Against fact guarantee in Greensburg, Krupa drew only 203 paid admissions and Martin went on to say that bookers are shooting out the big swing outfits on the road at high prices to clean up before the crash comes. And it's come! he added.

Particularly upset at article was local WB office, since Krupa's orchestra has been booked into circuit's deluxe house here, the Stanley, for week of July 1.

## ANTI-ASCAP BILL, CITY MUST OKAY LUCAS' MUSIC STUNT

American Society of Composers, Authors and Publishers was last week informed by its New Orleans rep that an anti-ASCAP bill has been introduced in the Louisiana legislature. Measure is similar to the one now in effect in Montana. It bars any combination of copyright owners from doing a licensing business in that state.

Louisiana makes the 24th state in which such legislation has been introduced. Of the five states that have passed this type of legislation two, Florida and Nebraska, have lost out when the constitutionality of the statutes was tested in the courts.

## CITY MUST OKAY LUCAS' MUSIC STUNT

Clyde Lucas will join the audience participation band leader parade with a Song Game stunt for his stay at the Claremont Inn, N. Y. Will be aired over NBC as well on two nights band is picked up. City must give its okay since Inn is on park property.

Tables will be supplied with a sandwich card on which 25 song titles are listed. Audience will be asked to write a story using words of listed song labels. Best of night gets a prize of a cuff return but at the Inn, or privilege of bringing in two guests on the house on next visit.

Edward Ward finished his scoring job on 'Lord Jeff' and doing a similar score on 'The Crowd Roars' at Metro.

## Names for Deal, N. J.

Rose Fenton Farms at Deal, N. J., will use name bands this summer. Spot has slipped some during past three years and seeks to recapture faded glory once enjoyed as creme roadhouse.

Opener will be Emil Coleman around first week of July. Spot tried to get Leo Reisman but deal chilled.

## 'SCHNICKELFRITZ' BAND TO PARADISE, B'WAY

Minneapolis, June 7. Freddie Fisher and his 'Schnickelfritz' band, laying off here this week while the picture in which they were featured, 'Gold Diggers of Paris,' has its world premieres at the Twin City Orpheum, played a charity dance at the Hotel Nicolett Monday night (5), the entire receipts being donated to the Shriners' hospital for crippled children here.

Band had been considered for a personal at the Orpheum in conjunction with the picture, but in view of business conditions, house decided not to tackle the big nut involved in building a stage show around the combo.

'Schnickelfritzers' are a Minnesota outfit and Twin City night club 'discovery.' While a night club rage here and before going to Hollywood for their first picture engagement, they played an Orpheum engagement to a big gross. They will leave Minneapolis next week for New York where they open late this month at the Paradise.

Wichita's Blue Moon Opens Wichita, Kan., June 7. Music Corp. of America will furnish dance bands for Blue Moon, open-air dance pavilion here, which will open Friday after enlarging floor and also adding tables to accommodate 1,700 persons.

Ace Brigade and His Virginians play opening engagement. Ray Fleming operates place.

leo Marcelli Now in 802 Rico Marcelli has been admitted to Local 802, N. Y. membership. Currently rehearsing an 18-piece swing crew. Will hop to Chicago next month to conduct a 5-piece symph outfit in three concerts at Grant Park, July 2, Aug. 7, and Aug. 12.

He directed five of the concerts there last summer.

rendel, Jr., With Krupa El rendel, Jr., son of the comic, has joined the staff of Gene Krupa to do advance work.

Figured as a break-in to possibly take over biz management of Jack Gardenier's crew in fall, but was also under wing of Art Schraud.

## MILLER HITS THAT

# Hit the Spot!

## BEWILDERED

By Whitcup and Powell

The Balled Beautiful by McHugh and Adamos  
**WHEN THE STARS GO TO SLEEP**  
 From The New Universal Pict. "Reckless Living"

it of the Summer Season!  
**THERE'S HONEY ON THE MOON TONIGHT**

Illieps, Mack Davis and J. Fred Coats

It by Law Pellock and Sidney D. Mitchell  
**ISN'T IT WONDERFUL, ISN'T IT SWELL**

"Three Bit"

## I WISH I HAD YOU

**MILLER MUSIC, INC.**  
 1270 SIXTH AVENUE - NEW YORK

# 5 STAR SONG SPECIALS

**WHEN THEY PLAYED THE POLKA**

Words by Leo Hoffer    *Music by Robles Andre*

The New Balled Hit

**THERE'S A VILLAGE IN A VALLEY**

**AS LONG AS WE'RE TOGETHER**

By CUB Feland and Dave Franklin

**DON'T BE THAT WAY**

By Benny Goodman, Edger Sampson and Mitchell Parikh

**MOONSHINE OVER KENTUCKY**

From the 20th Century-Fox Production "KENTUCKY MOONSHINE"

**ROBBINS MUSIC CORPORATION**  
 89 ALEXANDER AVENUE - NEW YORK CITY

# NVA in N. Y. Splits Into 2 Factions In Dispute Over Present Control

Politics and policy are big attention getters at the National Vaudeville Artists this week with factions for and against present administration. Accusations are flying thick and fast with both sides claiming a subversive activity against each other. A new day (12), coming from president Lou Handin's side, while opposition is planning his replacement via a possible drafting of executive secretary Henry Chamberlain, at next election in the fall.

Amendment calls for membership vote on members who have been charged with any by-law violations or conduct considered inimical to the organization. Would displace present setup of having the board of directors settle such matters. Handin suggested that matter be laid before a selected jury and judges comprised of members, but this suggestion has been ignored.

Opposition sees in the plan an effort to swing further control to Handin, who succeeded two weeks ago in winning a confidence vote from members, after they voted down an amendment curtailing his committee-naming powers. It's said that Handin is on unfriendly terms with five of the 13 members on the board and wants the change, counting on popularity with members to effect his aims. Opposition envisions a move to further throttle them via membership voting on their recent conduct. There is also talk of a complete revision of the existing constitution, which is meeting strenuous objection in some quarters. It's all regarded by opposition as retaliation for their activity against what they consider the "ambitious element". Same body is also campaigning for

mimeographing of all new amendments so members may thoroughly familiarize themselves with what is proposed, before voting. Stated that present system of reading off proposals at voting met is inadequate and uninformative. Chamberlain is reported to be with opposition on new matter of membership voting. Group is anxious that he throw his hat in the ring at elections regarding him as strong proppity to defeat Handin.

## Saranac Lake BY HAPPY BENNY

Visitors: Illiam Schumacher, by his wife; Mark Vance, the misus; Rose Clark, her mother; Marie Phillis s, by Howard Siemer; Ruby Hess, hubby; Dave Rose, his daughter; Bernice; James Meehan, his uncle from N. Y.; Martha Gill, Kathryn Van Worth, Lake, Placid, and Mrs. R. E. Rand; William Casca, by his frau and sister; Julius Zwilling, by Burg; Sylvia Abbott, her mother, two brothers and sister; rthur Iverez; mother.

Hundred of telegrams and letters received here during the holiday to help make the coming worth while. Tom Mix was here, greeting every one in this Actors Colony. Every one enjoyed his rodeo show and Mix got a kick of being able to give this gang a little cheer.

Sylvia Abbott operated on successfully by the Will Rogers by Dr. Rudy Plank.

Roy Nunley, former Will Rogersite, who got his o.k. here, has been delegated to the Picture Operators convention in Fortsmouth, O.

John Louden seen downtown. He'd been years at the bed routine. The Bernard Schriebers will summer here and keep their optics on Arnold Frazas, who is coming at the Will Rogers.

When you write to your ailing friends or relatives be sure to address your letters Saranac Lake, N. Y., not just Saranac. Letter happens to be another town up here.

Write to those who are ill in Saranac Lake and elsewhere.

# CAFE M. C. EXTRADITED TO PHILLY ON GAMBLING

Philadelphia Samuel (Buffalo) Harris, m. c. in an Atlantic City night club, is being extradited and was brought to Philadelphia in face gambling indictment requested by the special grand jury.

He was pinched while the nitery was in midst of celebrating "Sammy Harris' Night".

## 15 YEARS AGO (From VARIETY and CH)

United Scene Artists demanded that all scene designers get into the union by June 30.

Equity angling for the press agents to join the group. Later not responsive.

Between 40 and 50 stage plays were available for the Chautauqua circuit. Included 'Friendly Enemies' and 'Eddie Cantor took a vaude try after a long absence. Dred 19 minutes at the Orpheum, Brooklyn, and a certain speech. ... fyer. He doubled in from the Ziegfeld show.

Comedy week at the N. Y. Palace with Harry Fox, York and King and the Eddie Foy family. Carl Fried did an act with Sam Moore. ... too much and played too little. Lionel Atwill also on the bill.

Olsen and Johnson held up the show at the Riverside, N. Y. Without their afterpiece the bill would have been pretty dismal in spite of Moran and Mack.

One of the Brighton offered a basketball game on bikes. Partly played in the dark with a phosphorescent ball. Only two men because of lack of stage room.

Fannie Brice hopped out to the Orpheum, Los Angeles and equaled the house record.

Marcus Loew arranged to take over the Lexington Opera House for \$850,000. House had not prospered and was being along with cheap shows, chiefly co-op stock. Loew to get possession in August.

W. R. Hearst leased the Empire, London. To show 'Enemies of Women' and 'In Little Old New York'. House has been the No. 1 music hall.

Equityites smared when at the annual meeting it was announced that 12,081 members were under suspension until they paid up arrears.

Booking office was issuing contracts chiefly to comedy acts and turns in one. Stalling on bands until it could be determined if the baud craze was permanent.

Harry Houdini arranging to tour in an expose of spiritualism. To expose other fakes to give variety.

Two of the three Columbia wheel show intended for summer runs in a dive. Only Barney Graebel's 'Eolies' held to the pace.

Texas Interstate circuit was booking in road shows one day a week. Had a contract provision that it could charge 25c above the show's regular prices. Circuit kept all of the extra two bits. Explained the mixed bookings upon the expenses. Vaude laid off when shows can't in.

Rudolph Valentino trying to enjoin Jean Acker, his former wife, from billing herself as Mrs. Valentino. Said the name was copyrighted and his exclusive property.

Courts held that E. M. Lowe had the right to put his tag on houses operated by him. No infringement on Marcus Loew, who had sued.

# Moss Addresses Agents' Meeting; Reveals Aims, Pushes Organizing

## Philly Lincoln's Vaude

Philadelphia, June 7. Lincoln, former colored vaude house, used last season by a Jewish theatrical unit, will return to vaude in the fall. Operated by Morris Wax, it is being renovated now. Nixon's Grand, which has had colored shows during past-season, now for rent, with strong possibility that it will not be reopened. Harry Stalco, who operated the house, was former manager at Wax's Lincoln.

Biggest nitery vaudeville agent turnout since the organizing licensing drive started was expected last night (Tuesday) at the Edison hotel, N. Y., where License Commissioner Paul Moss was expected to speak. Agents were met by the organizer, Leo Randerl, stated, so that once and for all agents could be apprised of one's intentions as start concert izing from there on.

## ENNA JETTICK PARK WITH CONSOLIDATED

Syracuse, June 7. Enna Jettick Park at Auburn, N. Y., is playing some 20 weeks of dance orchestras this season. After six years with JCA switched this season to CRA.

Syracuse Hotel also switched over to CRA this season, with Paul Sabin current in last Summer Tread spot of hotel.

Herb Gordon opened Friday (3) at Hotel Oonodaga Roof Garden — an indie, coming from Ten Eyck at Albany, where he has played past two winter seasons.

After an active week of issuing office summons to agents, one was skedded to address the percenters on his aims and purposes and help them organize. Moss' work is being an "invitation" to Music Corp. of America to come down town with the rest and see the comblish.

Moss' summations are arousing the old question of whether or not he is creating false impressions with his "biggest" requests to agents. Memo looks like a court order with a lower corner seal but is virtually meaningless. Some of the agents are disregarding it entirely, while unimpressed are rushing around.

Matter was brought to the attention of the courts a couple of years ago by I. Robert Broder who he was repping the agent body opposing Moss. "Poor seal" of same tickets is also being taken up by agents, who claim to receive notices as close as half-an-hour to 15 of appointment.

## Montana Meechy and 8 Charged with Assault

Columbus, June 7. Montana Meechy and eight members of his cowboy band were arrested on complaint of Kenel McClenahan of Galion, O., who charged that they beat him up after a dance. Incident followed an altercation during the dance.

McClenahan alleged he was way-laid and struck on the head with the bolt from a gun. 14 tickets being required to close the world. Charge is assault with intent to kill.

Already organized nitery and vaudeville agents favor the licensing measure with certain qualifications and concessions from all comblish. Standoff boys are all opposed and will remain to the extent of litigation until they have some assurance of eliminating inequalities of present laws which call for fee control and issuing of contracts to acts by agents themselves, and kindred objections. Under those condition they will fight to finish, it's said.

Equity agents will visit Moss' office in a body this week to get their licenses. Was agreed upon last week when comblish addressed his

## Bowes Restraint Suit On Ams to Air June 23

Major Edward Bowes' restraint suit against Jack Shea will be heard in St. John, New Brunswick, June 23. Bowes is asking the court to restrain Shea from using word "winners" in his billing of vaude units, which he tours through maritime provinces during summer.

JACK CURTI  
Presented by  
**SIDNEY FISHER**  
75-177, Shaftesbury Avenue  
PICCADILLY, LONDON, ENG.

## Loring to Chi

Michael Loring, baritone, has been booked into the Palmer House, Chicago. Opens June 23. William Morris agency handling and is working on a picture deal for him.

Last New York engagement was in 'Who's Who' legit musical of past season.

ALWAYS WORKING  
**'WHITEY' ROBERTS**  
Week June 10th  
IVERSIDE THEATRE  
Milwaukee

## Busse to N. Y.

Henry Busse orchestra goes out to the Hotel New Yorker on June 21. Also set for three commercial auditions during his first week in New York.

MOUNT ROYAL-LONDON  
MARBLE ARCH, L.  
APARTMENT HOTEL, TRINITY  
Wife in a body this week to get their licenses. ... 12/6 per night  
Two Persians ... 2/6 per night  
Phone MAYFAIR—646  
Miller Gueson—Controller

## MACINTOSH STUDIO CLOTHES

IGNED AND TAILORED IN HOLLYWOOD  
We specialize in tailored to measure formal clothes. To those who are unable to visit our Hollywood shop, we offer our facilities by mail order. Write for our booklet and measuring blank.  
Full Dress, \$75  
Tuxedo, \$50  
MACINTOSH STUDIO CLOTHES  
6518 Hollywood Blvd.

**ARTHUR BORAN**  
RADIO'S MOST VERSATILE ENTERTAINER  
Presenting His Own Interpretations on the  
**VITALIS PROGRAM**  
WAPL (NBC) Monday, June 13th  
10:30-11 P.M.—E. T.  
Come to Meet  
Director: **WILEY ARISTON**  
CONSOLIDATED RADIO ARTISTS

## The THEATRE of the STARS

**Marcus Loew**  
BOOKING AGENCY  
GENERAL EXECUTIVE OFFICES  
**LOEW BLDG. ANNEX**  
160 WEST 46th ST. NEW YORK  
Dywan 9-7800

**J. H. LUBIN**  
GENERAL MANAGER  
**SIDNEY H. PIERMONT**  
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BOOKING MANAGER

EXCLUSIVE MANAGER  
**JACK BERTELL AGENCY**

Week of June 2  
Loew's Stage, New York

Resort Ass'n Blacklists N. Y. Daily After 'Flippant' Borscht Loop Yarns

Regarding a recent feature series in the New York World-Telegram as 'adverse and unduly flippant,' the Resort Owners Ass'n.,...

Articles were running (W.T. has appeared Saturday (4), the mountaineers went into action. Agents from whom he gathered the material...

St. Loo R. R. Man's Unique Charity Fund for Actors

Hard-up members of the show biz from some stars to the well known received aid totaling \$30,000 in the last five years from a fund set up for that purpose under the will of the late Eugene W. Handlan,...

Although Handlan died in 1928, distribution of the bequest to the show biz was not made until the summer of 1933, because of litigation over the estate.

McCarthy said he has noted a decided improvement in the conditions in which the show biz is made. The will stipulated that no more than \$99 be paid to one person...

Cuffo Smellers No Jell With Concessionaire

A mixup between the concessionaire and a press stunt at the Casa Marana, Miami Beach, Fla., resulted in the loss of the stunt before it could go on.

\$1.13 Admission Gag at Rose's N. Y. Casino

The advertised \$1.10 admission for the balcony seats at the Manhattan Casino, N. Y., when Billy Rose to fill the top shelf, actually comes to \$1.13, with the U. S. 2 1/2% tax added on top.

Dave Genaro, 65, Dies; Developed Cake-Walk

Dave Genaro, 65, credited by many as the inventor of the cake-walk, was found dead in his bed at the Hotel Somerset, N. Y., June 5. He had suffered from cardiac asthma for some time.

MCA Fortune Gallo Bid for Texas Casa

Lou Asiderman of Music Corp. of America Inc. to Ft. Worth 'Texas cowboy' has been secured. The bid for Emma Francis serving as his partner.

Nick Lucas's P.A.'s

Nick Lucas goes for a week to the Florida coast for one week starting June 15. Nick Lucas played in the \$1 million Dollar Pier, Atlantic City, opening July 9.

Diamond Bros. to Sail For Vaude in London

Diamond Bros., of London August 10, will sail for the Palladium theatre. Larry Puck booked.

Atlantic City - THE DUMPS

Atlantic City, N. J., is still in the dumps as far as show biz goes, with the town suffering the most severe slump in a decade. Regular winter bids to go away with convincing cancelling, wire and gaming cleanup, etc., taking its toll.

POTATO CHIP FIRM SPONSORS DOG REMOTES

Crescent Kennel Club greyhound racing, under WSPR bally, State Line Potato Chip Co., which peddles its product at dog track, is sponsoring a series of dog remotes.

Rose Marie's Ky. Date

Rose Marie will go into the Beverly Hills Country Club, South Gate, Ky., July 1 for two weeks. Manager says she is looking for a date to child-labor laws to ascertain legality of youngster's appearance in Kentucky.

PARIS RUBAN BLEU OPENS

Herbert Jubay and the Ruban Bleu troupe, the most successful night spots of the current N. Y. season, is reopening his Ruban Bleu at the Bouffes Sur Le Toit in Paris on July 1. Elsie Houston and Johnny Payne, from the N. Y. production, will be the star performers.

Cleveland Nite Business Buried Under Worst Landslide Buried

Where the downtown section of the King's band date, as it was almost an institution for years. Emergent's orchestra, forwarded, jumped out a week before it happened for Eastern one-nighters. Owners' reticence, but they are under way to have a initial choice on lease after washing up debts.

N. Y. Manager Groups in Complaint Vs. Police Dept.'s Cuffo Booking; Dave Vine Quiz; Agency Spit Reply

Hildegarde Gets 2 Dates Upon Return from London

Hildegarde has two U. S. niterly dates after her return from London. She is expected to book two weeks ago at the Dorchester House about two weeks ago. It is expected back in about a month.

STANLEY, PITT, TO CONTINUE BIG NAMES

Stanley, Pitt, and other big names are expected to continue their appearances in the coming season. Stanley, WB Deluxer, plans no retrenchment during summer and will proceed with stage names on a combination of spot going straight six for a time was spiked last week when Harry Kel W. zone manager, announced that house had already been booked solid for next two months.

Current stage show includes Judy Canova, Schlegelmann and Count Berni-Vici, with Al Pearce's game coming in Friday (10), to be followed by Will Osborne's orchestra on Friday (11) and week of July 1, Gene Krupa.

\$12,000 Cafe Fire

One of the town's pioneer niteries, Harry (Twinkle) Katz's Ace of Clubs was swept by flames last Wednesday (1), causing \$12,000 damages. Spot was empty at the time, the fire started.

Itchy Show on WIP

Regular airing of a niterly show is being airing at WIP. Station is picking up N. T. G. Revue from Hotel Adelphi Roof at 7 p.m. Mondays through Fridays, for quarter-hour. Background music provided by Joe Frassetto orchestra.

Georgia Cafe On Held In Pistol Death Of Son

Waycross, Ga. June 7. Harvey Nelson, roadhouse operator, was held for general purposes, charged with murdering his 10-year-old son, who was shot by a waitress at Nelson's niterly, was held as maternal witness.

Shea-Payton's Sail For P.A.'s in the Isles

Shea and Payton, dance team, sailed July 7 for dates in the British Isles. They are expected to return to New York in August.

Initial charges growing out of being chieftain of unlicensed agency cleanups cropped up this week with filing of complaint against the N.Y.P.D. by the New York Police Department and an actor, by the Entertainment Managers Ass'n., which is expected to be supported by the Constitutional Convention, convening in Albany, on its proposal of separation of theatrical agents from general employment agencies under existing law.

The other matter has the EMA investigating Dave Vine, actor and writer, who had been seen applying himself for the White Plains, N. Y., police department, May 27. It's expected that the EMA will be asked to act as contractor for the job. Pat Rooney and Billy Glason, reportedly to have been on the stand in the Ramsey Dorsey and week of July 1, Gene Krupa.

In reply to the EMA on agent matters will show the situation, through Chairman Edward Corri, that any plan providing for the licensing of theatrical agents in the industry under one classification, is appropriately a subject for the legislative branch of the Constitutional Convention. It is the sense of the committee that the constitutionality of the law making branch of the government the responsibility of carrying out specific proposals for the enforcement of the constitution.

Also on hand is the 'trade agreement,' which Howard Wheeler, prez of the EMA, and Ralph Whelan, president of the N.Y.P.D. Association of Actors, have been preparing for the past month. It's expected to be ready for the EMA meeting. The EMA member this week. Although considered only a framework at present, it's expected that the final bill will be the embryo of a general agent franchise to be issued by the I.A.F.A. and other agencies. The present groups are sufficiently organized to present a front.

MUSIC HALL, N. Y.

Viola Philo, Nina Whitney, Leon Koffler, Carlos Perdomo, Florence...

Present stage show at the Music Hall is a triple opportunity...

Stage presentation concentrates on Russell Markert's production...

Carving out the dance 19th century ballet...

Pat and Pathé's dog show are old-fashioned...

Striking stunts are contained in a new number...

'Lawyer Rapp' is a comedy sketch...

'Opera vs. Jazz' review being directed at months...

'Opera vs. Jazz' review being directed at months...

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'Opera vs. Jazz' review being directed at months...

'Opera vs. Jazz' review being directed at months...

and works out for a good share of vaude, especially for a family time

Line in for three good routines, with Dorothy King leading the opening...

Generally ordinary bill this week...

Striking stunts are contained in a new number...

'Lawyer Rapp' is a comedy sketch...

'Opera vs. Jazz' review being directed at months...

'Opera vs. Jazz' review being directed at months...

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'Opera vs. Jazz' review being directed at months...

ABC, PARIS

Paris, May 31. - Benzer & Mackey with Houston...

Mitty Goldin has stepped up a notch...

The Yanks—Renner, Mackey and Houston...

Paul Bernier is a juggler with a nice quota of comedy...

Paul Marfiner is one of the oldest and best comedians...

The Four Wilkys, arcobats who has been frequently in Paris...

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Paul Marfiner is one of the oldest and best comedians...

The Four Wilkys, arcobats who has been frequently in Paris...

PARAMOUNT, N. Y.

Sammy Kaye's show, 'The Shuttles'...

The Paramount bunch is looking its best...

Co-starred with Kaye is Ethel Spina...

'Show is a judicious blend of music and comedy'...

'Show is a judicious blend of music and comedy'...

'Show is a judicious blend of music and comedy'...

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'Show is a judicious blend of music and comedy'...

'Show is a judicious blend of music and comedy'...

his last appearance, as ever surefire.

Plani, in the deuce, 'who's material for operetta, clicks nicely'...

Plani, in the deuce, 'who's material for operetta, clicks nicely'...

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New Acts

ETHEL SHUTTA. Songs. Comedy. Band Set. Paramount, N. Y.

Ethel Shutta is noticed under New Acts...

Working solo, backed this time by the band...

'Gypsy in My Soul' a corking lyric review...

'Gypsy in My Soul' a corking lyric review...

'Gypsy in My Soul' a corking lyric review...

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'Gypsy in My Soul' a corking lyric review...

STATE LAKE, CHICAGO

Sally Rand, Frazee Sisters, Bob Eaton, Ed Odette, Smith with Rogers & Edley...

Five years ago Sally Rand's fan club turned out to be one of Chicago's largest...

It is being done business for the first time...

From a recent date at the Chapeau come the Frazee Sisters...

'Old-time vaudeville makes up the remainder of the bill'...

Ed Odette and Odette sang through some of their most famous songs...

Ed Odette and Odette sang through some of their most famous songs...

CAPITOL, WASH.

Washington, June 5. - Barney Rapp's comedy sketch...

'Opera vs. Jazz' review being directed at months...

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'Opera vs. Jazz' review being directed at months...

'Opera vs. Jazz' review being directed at months...

STATE, N. Y.

Joe Lewis, The Hartmans, Mark Platt, Three Ohmstedt, Cappe...

Here during the past year, Joe Lewis has been one of the most popular...

The Cappe Bar Harmonica Ensemble...

Here during the past year, Joe Lewis has been one of the most popular...

The Cappe Bar Harmonica Ensemble...

Here during the past year, Joe Lewis has been one of the most popular...

The Cappe Bar Harmonica Ensemble...

STANLEY, PITTS

Pittsburgh, June 5. - Count Berni-Vici, with Lane & G. DeCoti...

Too much show at the gateway, Layton's been cut down to size...

Count Berni-Vici, with Lane & G. DeCoti...

Count Berni-Vici, with Lane & G. DeCoti...

Count Berni-Vici, with Lane & G. DeCoti...

Count Berni-Vici, with Lane & G. DeCoti...

Count Berni-Vici, with Lane & G. DeCoti...

LYRIC, INDPLS.

Indianapolis, June 5. - Herman Hyde & Sally Burdell, Ted...

Five acts comprise shortest bill house has had in some time...

Herman Hyde and Sally Burdell are spotted next to closing in their familiar turn...

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Herman Hyde and Sally Burdell are spotted next to closing in their familiar turn...

Herman Hyde and Sally Burdell are spotted next to closing in their familiar turn...

THE STAPLETONS (2)

Pittsburgh, June 5. - Lane and Lane set the act off on a ballad-dance...

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Lane and Lane set the act off on a ballad-dance...

Lane and Lane set the act off on a ballad-dance...



Variety Bills
NEXT WEEK (June 13)
THIS WEEK (June 6)

RKO

CHICAGO
Palace (10)
Michigan (7)
Palmer (10)
Chicago Star

Loew

NEW YORK CITY
State (10)
Murray Hill (10)
City Center (10)
City Center (10)

READING TWIN

LEDDY & SMITH

Paramount

NEW YORK CITY
Murray Hill (10)
Murray Hill (10)
Murray Hill (10)
Murray Hill (10)

Warner

MANSFIELD, OHIO
Mansfield (10)
Mansfield (10)
Mansfield (10)
Mansfield (10)

Independent

INDIANAPOLIS
Lotte (10)
Lotte (10)
Lotte (10)
Lotte (10)

London

Week of June 6
Mandel Bell
Mandel Bell
Mandel Bell
Mandel Bell

Provincial

Week of June 6
Sara McLean
Sara McLean
Sara McLean
Sara McLean

Cabaret Bills

NEW YORK CITY
Barney Gallian's
Barney Gallian's
Barney Gallian's
Barney Gallian's

Levin Prima Oro
Frank S. Brown
Frank S. Brown
Frank S. Brown
Frank S. Brown

Club 8
Jack White
Jack White
Jack White
Jack White

Francis Hayes
Francis Hayes
Francis Hayes
Francis Hayes

Hotel Ambassador
Hotel Ambassador
Hotel Ambassador
Hotel Ambassador

Hotel Fairfax
Hotel Fairfax
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# Mass. Group Gives Equity \$4,600, Guarantee High for Strawhat Play

A new high in salary guarantee for summer stocks has been made by Equity, which has deposited covering a company which will appear at West Falmouth, Mass. Explains that the guarantee is for a period of four to six weeks and is thereby guaranteeing their salaries for that time. Later in the season they may play any number of shows which reach Broadway. During the very season, representative plays have very small payrolls, amounts on deposit being as low as \$800, covering a two-week period.

Stock at Falmouth is under the direction of Murvyn Vye, an actor, who has appeared on Broadway. Understand others, an investor in the financial end.

Additions to the staff of the Surrey Players for their season at Surrey, Me., are Harold Basage, scenic artist, and William King, scene designer. Herold Basage, who was reportedly acting in London, is making a return to Broadway.

Joe Dorris, vaude comic-dancer, signed by Richard Berger to play title role in "Gingerbread" early next month.

Theron Barber will "reel-Friday" on Four, by Ralph Holmes, to be tried out at Robert Porter's Barter's, Boston, August 2. Ralph Holmes is drama critic for the Detroit Times. Opens July 4.

**Clinton's First Try**  
Clinton will break the ice for a drama this season. In an \$3,000 Andrews memorial, physical set-up is perfect for this shoreline spot. Richard Keene and George Halliday will operate, also split directing. Keene on musicals and Halliday on straight plays. Simon Farlow and Albert Ward will do the sets. House will feature names, with Irene Dudley, Harold Wood, and Gertrude Norma Terris set for "Only Girl"; Fred Stone in "Light"; Richard Bennett in "A Couple of Troups"; and George and Nancy Compton, who operated nearly Madison strawhat (dark this season) past two years, will troupe with Clinton about this summer. Ten-week playhouse.

Cape Playhouse at Cape May, N.J. will go strictly professional this season. Director William M. Richards opens July 1 with past season success and new schedule. Name play will be sought. Boris Marshall will direct all productions.

New London, N. H., June 7.  
New London Players slated to open at Barn Playhouse June 7 with "George and Margaret." No new plays scheduled, but one may be staged during the season.  
Season, which closes Sept. 3, includes "The Climbing," "Dulcy," "Rascal Hood," "Three Cornered Hat," "Tommy's Royal Family," "Night Must Fall," "On the Bridge at Midnight," "The Squaring of the Circle." Changes weekly, and will run Thursdays through Saturdays. "Royal Family" will play Thursdays through Saturday, opening Aug. 9.

Orange Management company includes Albert Whitley, Nancy Clinton, John Thomas, Alexandra Taran, Anne Marie and Virginia O'Brien, and Oliver Thorndyke. Josephine E. Holmes and Dorothy A. Claveri are director and Nancy Clinton, publicity and business manager.

Kingston, N. Y.  
The Maverick Cooperative at Woodstock will open its summer season June 11 with "The Play's the Thing." Marc Blitzstein's "The Cradle Will Rock" is also scheduled. "The Black Playhouse" is set in an old stone quarry.

**Mohawk's Gestles**  
Schenectady, June 7.  
Guest stars engaged for the fourth season of the Mohawk Dramatic Festival on Union College campus include Frances Starr and Herbert Corbridge. School festival, under the direction of "Much Ado About Nothing," James Kirkwood in "A Texas Sinner," and the Coburns. "The Black Playhouse" will be co-featured; Walter Hampden in "Trilby" and Fred Stone "Lightning." Miss Starr in

wood have appeared in previous Festival productions. Among regular members of the management company are Donna Earl, John Burke, Percy Hovian and the Martin Sisters.

Hartford, June 7.  
"Springtime for Henry," comedy by Benn W. Levy, will open the Capital Players' summer season at the Capital Theatre, starting June 10. Virginia Cheshire and Gerald Steeper will play the leads.  
Second play of the Capital Players will be the world premiere of J. N. Gilchrist's, "It Wouldn't Be Cricket," a satire on the summer theatre, beginning July 7.

**lockridge, Mass.**  
The erkshire Playhouse will open its 14th season June 27 with a new piece, the "Whitby" written by Jay Kanin and Harry Ingram and scheduled for New York production by John Golden in July. Donald Cook and Minna Phillips will be the featured plays. "Whitby" is a certain success play which brings Fred Stone here in a revival of "Lightning."

**Phil Baker Goes Legit**  
Phil Baker, Mass. June 7.  
He will crash summer legit here July 25, when he takes the Alfred Lunt role in "Roubin' King" with "Adios, Delight" at Cape Playhouse.  
Understand that Baker's Harry Van Vels has an opportunity to solo the squeeze-box somewhere in the script.

**Pittsburgh, June 7.**  
Allentown Economic Council has budgeted \$2,000 for season of summer stock this year at big barn theatre, 1000 Union College in Lytle. By Candlelight, opens June 15 and will be followed by at least two more plays. At present plans of George Rowland, Jr., of Pittsburgh Playhouse and former head of the Lytle Theatre district theatre organization here.  
Idea was started last year but unacted. Plans are being made to increase about each summer until a permanent repertory company is eventually developed. At present players, recruited from drama schools and semi-pro ranks, receive only expenses.

### SEEKS PLAY ORIGINALS

**Hopes Public May Supply Them—Adaptions Not Desired**

London, May 31.  
B.B.C. is making official demand for new radio dramatists from among writers through the medium of a new more play broadcasts during winter quarter of current year, in response to growing popularity of broadcast drama, official bulletin states many short plays of 30-40 minutes duration will be included, most of which it is hoped will come from pens of new writers.  
The corporation, which has had opportunity by listening of making a note of both limitations and advantages of public and radio play, says B.B.C. will perhaps feel inclined to submit new plays for broadcasting. The new bulletin calls to broadcast more works written for the stage and fewer adaptations of stage plays.  
As example of successful exploitation of pure-mime technique, statement of the British Broadcasting Corporation, which recently drew up the British network.

### Lucy Monroe to Star in 'Waltzes' Al Fresco

Lucy Monroe, radio singer, set to star in "Three Waltzes," opening production of "Fishes" Club members at Jones Beach, N. Y., June 25. She acts as producers in "Countess" following week.

### Caston Philly Leader

Philadelphia, June 7.  
Saul Caston, for past two seasons assistant conductor of the Philadelphia Chamber Orchestra, has been named director of Robin Hood Doll concert this year.  
Doll concert is co-rop by Philadelphia in the Philadelphia Orchestra. The concert is 23 for eight weeks of all three.

### Shows Out

Three shows are slated off the Broadway list by the end of the week, two of them revivals. "Susan and Godolphin" and "The Road to Nowhere" are the two shows which will drop after 36 winning weeks. Led the straight plays on Broadway nearly all season and should get a few more jumps to the Coast for late summer start.

### SUSAN AND GOD

Opened Oct. 1, 1937, "Majority of applause were in favor. Two, however, expressed dislike for this Rachel Crothers play staged by John Gouss. Brown (Post) said: "It must be abandoned instantly and has a filthy libelous aspects." The attention (Journal): "It had me listening, but I felt it only Goldens-Crothers hit, possibly more moderate proportions."

"The Circle," which the management says was intended for a six-week run, goes off at the Playhouse Square (41) Broadway, New York, drew around 10,000 for first five weeks then ceased off. It four also closed at the Playhouse Square (41) and final week at the Mercury. Revival started fairly well, then slipped.

### Leblang Cuts Agency On B'way May Move; Buiding to Be Razed

Pending a final decision on raising the Fitzgerald building, at Broadway 1260 street, N. Y., the ticket agency, which has been located on this spot for 25 years, may be moved to the Longacre building. The Fitzgerald building is now owned by the New York Life Insurance Co. which had been paying 800,000 mortgage on it. Last week the building was offered for sale at \$1,000,000. The offer was rejected other than the company's nominal \$100,000, which was a book transaction.

Leblang's has been notified to vacate by Aug. 31, 1938, and if the building is razed to make way for a picture house, the ticket agency will likely move back to its former spot in the Longacre building. If it is doubtful if a more profitable tenant could be secured. No special plans are made for the drug store known as Gray's. Upon moving, the agency would have a store front on Broadway with its quarters on the subway level for the cut rate department, as usual, although that branch of the business has been declining for several years.

When he rose in the ticket field, Leblang's was rapidly recognized by late Joe Leblang bought the Fitzgerald building and about 1929 took title to the adjoining Longacre. Combined sites then had an estimated value of \$1,500,000. It was the dream of Leblang to erect a large building on the 424-434 street front as a monument to his name. It was a long and arduous process. Leblang's interest in a bank that resulted in his estate being heavily mortgaged. The bank, which was still being operated under the direction of trustees representing the defunct estate, was sold to Leblang.

Leblang entered the premium ticket field under a deal with Postal Telegraph and rapidly became the property of three major agencies, which spot it still holds, that part of the enterprise was sold to Leblang's. Bulk of the estate was willed to the widow, who later wed the late estate is not being settled. More than a year ago it was decided to shut down the Fitzgerald building and the Longacre. The agency's offices are located. Various plans were sketched for using the building hours but were dropped. Leblang holds title to the Longacre, which has been breaking even or slightly over what was believed to be the most valuable corner in the world, but the newer buildings in Times Square zone lessened the office value of both Leblang properties.

Proposed film house for the site would probably be in addition to the George M. Cohan theatre, which is being built on the site. Fitzgerald, "Whether it will be razed along with the building hasn't been decided."

### Inside Stuff—Legit

William Fields is set to take over as general press representative for Gilda Miller in America next season, after she has returned to the shores of the motherland, "Victoria Regina" (Helen Hayes) since last fall. Fields' new connection is unusual in that he is guaranteed 40 weeks at \$300 weekly. In recent seasons, few legit agents have remained with the same management. Fields' connections with her have been known similar guarantee provisions.

Salary for the Fields job is double the minimum set by the basic agreement of the theatrical managers, Agents and Treasurers union, but it is possible the compensation will be higher, according to the number of shows Miller will present. Understood that one or two pa's topped the \$300 mark. Most scripts are submitted by the authors, although their multiple activities were somewhat regulated by the TMAAT deal.

Under a plan to share the work among jobless agents, a system of associate pa's was devised. When the agent handles more than one-fourth an assistant must be put on and paid a minimum of \$75 weekly. If there are three shows to be handled, the associate gets \$100. Later figure goes for 4 or more shows are handled, but the agent handles more than \$75 must be engaged. For each play the agent in charge gets not less than \$50 additional to the \$150 minimum. Fields will follow Bernard Simon in the Miller outfit.

Play readers are who the busiest folk along Broadway at this time, when producers are stepping up their efforts to find material for new season's schedules. Most scripts are submitted by play brokers, who are supposed to know their stuff, but only between one-third and one-fourth are said to be fully perused by the readers. Often the topic makes it unsuited for consideration and those scripts are returned (without the manager knowing much about their contents).

Readers usually submit a brief outline, with a manager should or should not pass on the play, which is then accepted or rejected. If the agent is inter too long to reach the end of the story.

Some doubt in managerial offices about summer rules on Broadway clings was cleared up by Equity last week, when the regulations were sent out. From June 1 to Aug. 15, provisional notice of closing may be postponed, that shows will be closed after the 15th. Additional notice to casts. However, actors may leave the show any Saturday, provided he notify the manager on Monday night of that week.

If the actor fails to give such notice, he is compelled to remain in the following week, which the management signifies its intention of continuing not less than Thursday night.

Loss of "I Married An Angel" Shubert, N.Y., varies by a few dollars weekly. Difference of \$8 on last week's figur and the previous week came about when there was difficulty in disposing of an upper box, which showed not to be sold at all. The house and could not figure out the play. Saturday (4) night, these box tickets were sold three times, and in each instance the patrons returned to the boxoffice and got their money back.

Joe Losey, legit director, who plans to produce Ernest Hemingway's play, "The Fifth Column" next season, has recently taken up gardening. Planted in his yard a large number of "Vines" and "Cucumbers" and he says they do not sprout properly. "Vines are growing now after finding pointed out where they were planted up.

Because there were two actors with the front name of Hugh, one was not mentioned as having been elected to the Equity council. They are Hugh Cameron and Hugh Rennie, latter's name having been omitted. He is currently appearing in "You Can't Take It." In You, Booth, N. Y.

Cancelled plans for a summer run of "You Can't Take It" will "In You" at the Philadelphia Playhouse. The house was picketed by the musicians' union and attendance steadily dropped. Locust, operated by the Shuberts, was formerly used for lectures.

### FTP Fails to Work Out Plan to Alleviate Pay Sice Wrangling in N.Y.

Protests against the curbing of salary wages in the WPA Theatre Forum continue to pile up, both in federal relief quarters in New York and in Washington, D.C. Heads of theatre departments have been unable to work out an equalization plan which would be satisfactory to the rank and file, but are hoping for a better deal in the long run, which is due to become effective June 30.

General schedule up to now permits 10% of the complement to be paid the top white collar wage of \$29.85 weekly, or \$103.40 monthly, with artists getting 80% of the top rate to \$83.33, or about \$240 less per year.

Stated that there are not many salaried people on the project—less than 13—being paid over \$3,000, with artists getting \$75,000.

Arthur J. Fremont of the Newspaper Guild, formerly a WPA director, addressed the chorus Equity meeting last night for the purpose of expressing to the capital protesting the curtailment. He said if the volume of the objection is increased, he is the order to cut may be recalled. Further demonstrations against the reduction in made in the WPA administrator's N. Y. quarters last week, minor musicians led by a band leader on the front of the building for two hours.

Receivers has been appointed for the WPA Theatre Forum. The receivers to collect past due state taxes approximated at \$28,000 (120) from the WPA Theatre Forum. Krilinger has been dark for years, except for occasional legitimate road shows.

### MICE 'BWAY REPEAT FOR FALL; TOUR NEXT

Sam H. Harris is considering a limited repeat date for "Ice and Men" on Broadway early in the fall, prior to the start of a tour, closed with a box office success manager figures the N. Y. critics prizewinner would draw probably for several more shows.

On the road, "Mice" will have the support of the Theatre Guild production lists.

Idea is to provide clubrooms, arrange for many telephone services and other conveniences, and have a daily program of activities, including lectures and educational lines. Although no site has been definitely picked, it will be in the heart of the theatre district. A governing board and advisory council are presently being formed.

**Hedda Hippo to Open Frisco Town Hall Talks**  
San Francisco, June 7.  
Hedda Hippo, opens the San Forum series here.

Open the San Forum series here. She heard weekly during the six-month season in the Frisco Town Hall, Dunsmuir Way, Theodore Dreiser, Conan Doyle and Marjorie Hillis.

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# ROAD SHOWS

## Sentenced, 6 Suspended from Jobs in WPA Probe of Shortages in N. Y.

Personalities appear to figure in disclosures of alleged shortages in the boxoffices of several WPA theatre project shows in New York, and the date "back" to last fall, when the state's investigation department made charges that were not sustained. In the interim, a number of people have been sifted off the payroll, but to date only one has been indicted for theft, Edward A. Rudler, who was in the Adelphi boxoffice during the early weeks of "One Third of a Nation." Pleading guilty, he was given a suspended sentence.

Three colored ticket-sellers at the Lafayette, Harlem, were suspended last week and a trio were removed from the circus box, staff. They were announced as having been "permanently suspended" but later it was revealed that Rudler admitted taking coin from the advance sale of "Nation." At first, he did not report the shortage, which was paid at \$225.

Alizer Rudler was detained and was hospitalized for some time because of his condition and promise to make restitution. Lyle, the author of agent-sheets, did not report the irregularity for about one month. Regardless of the treasurer's illness, delay in turning him in was not excused by the authorities.

Claim that the circus had bigger business than the boxoffice statements indicated is not upheld by the admission prices and the capacity. Tent show has been pulling money on Saturday afternoons, when the highest take is around \$490. Although there are some 100 admissions for juveniles, admission for them being 10c, and as many as 2,200 have been there, there are some 100 admissions, also reserved seats at 40c. Following the lines of regular circuses, programs are used and around 700 free admissions have been given for a performance in exchange for bill-plate.

**Outdoors**  
Circus just about breaks even on actual operating expense, not counting wages, paid by the Government. Tent show other equipment is under a rental arrangement, owner getting 30% of the gross. Because of tent man has representatives free present during the circuit. For some dates, "sponsors" are cut in for their own organization. One claims that it did not get its rightful share. That is said to have arisen over a peevish from the ground leader, who was refused a refund last season on reserved tickets, which he sought, returned after the performance began. Complaint was made at the time but the ticket men were up-

A WPA investigator, who figured in the circus imposture, charged fraud in part of several of the ticket department last fall. The ticket men occasionally worked at the ball park, but the charge was not sustained. (Continued on page 50)

## 'Funny Man' as N. Y. Stage Play for Barton

Hollywood, June 7. Lela Rogers is leading cast to close a deal for the production of "Funny Man" at the Manhattan Barton. Roy in "Tobacco Road," is slated for the lead.

Contract was entered into in the piece as a possible starter for Spencer Tracy.

## Wildberg on Coast In Quest of Stage Talent

Hollywood, June 7. John Wildberg, New York attorney, is spending 10 days here in quest of acting talent for Broadway and Broadway productions.

Among the eastern plays heek: "Hollywood" (later "The Night Riders"), "Cramp," "Touch" and "The Boys Prepared for the Fall" by Tomberlin and Rowland Soblebin.

## Cornell, Cornelia Skinner To Get Honorary Degrees

Philadelphia, June 7. Two Pennsylvania seats of learning will confer honorary degrees upon Katharine Cornell and Cornelia Otis Skinner at annual commencement next week.

Miss Cornell will receive her Doctor of Letters from U. of P. next Wednesday (18), the first actress to be thus singled in years by the university. Miss Skinner gets Doctor of Humane Letters from Temple on Thursday (18).

## 'BOY' TROUPE SAILS FOR LONDON

'Golden Boy' is today (8) in two sections for where the troupe will open at the St. James Grand Hotel. Odet's author, Luther Adler, who plays the part, and Harold Clurman, stage manager, will be accompanying the company aboard the President Harding.

London date will be limited to nine weeks. 'Boy' being booked to start a U. S. tour early in September. Lillian Ernster, who is in London, will play the femme lead, but Frances Farmer will return to the cast for the road dates. Later has a picture assignment this summer.

'Boy' will be presented in London in association with O'Brien, Dinnert and Dunphy.

## Selwyn East for Play, Then Back to M-G Films

Hollywood, June 7. Edgar Selwyn is headed for New York to ready his next legit production, "Justice," for Broadway.

Before he left he inked a new Metro producer contract. He is due to be recruited in three weeks to resume film work.

## Hardwick Ails, Stopping 'Shadow,' 3d Postponing

For the third time "Shadow and Substance," Golden, N. Y., has been interrupted by the illness of Sir Cedric Hardwick, author (18) nights' performance was called off because the English actor crunched a knee while playing tennis. He was due back last night. First time he had lung trouble. Second time it was indigestion.

Equity rules call for no pay when interrupted by illness. Second time of the star, but players getting \$100 or less weekly are given \$5 per day as expenses. The English actor, who last was drunk. Har wick assumed the payoff to those, \$150 or less.

## Skeds B'way Plays

Minneapolis, Min. Leo R. Murray, manager of Lyceum, legit roadshow bus announces that four plays, have been booked for next season: "Hourly for What," "Star upon Whitenocks" and Alfred Lunt and Lynn Fontanne's play to be developed.

Of "Miss and Gnd," "Our Town" among others, are sought.

## B'WAY HIT SKID DOWN OWNERS TOURS

18 Plays Ready to Compared to 22-24 Last Season—Production Stations Also eld as in drance

## COMEDY DEARTH

It is questionable whether there will be as many legit shows on tour next season, zardous interland, ut principally because of p ruction lions and the fact there were fewer B'way successes this season. In spite of this, there are around 18 plays for the road, int 22 to 24 on tour last season.

Successes during the season of 1937-38 were much more adaptable to road showing, as indicated by three companies of "You Can't Take It With You," two of "Yes, My Darling Daughter," a couple doing "Room Service" and two of "Brother Bear." Most of the companies, which toured while the original played Broadway, were comedies or laugh shows, something which the past season was shy of.

It is not assured that there will be an attempt to form road shows of this season's "On Borrowed Time," "Shadow and Substance" or "Our Town," all distinctly dramatic or serious trend. Definitely decided there will be no dupe of "Susan and God," while "Golden Boy" will offer only its original cast, after a road company failed to show much in the west this spring.

**Questionable Tour**  
Whether all the hits will go to the road is not certain, particularly true of "Hourly for What." Whether that musical will tour is virtually up to its star, Ed Wynn, who played the Winter Garden under a guarantee of \$2,500 weekly, plus a percentage. Comic is known to be hankering to (Continued on page 52)

## Helen Hayes a Boswell

San Francisco, Jun Helen Hayes was made an honorary member of the San Francisco Theatre Club when it held its 50th anniversary dinner dance here Saturday.

(4). Miss Hayes was the first actress to be honored by the club since Lillian Russell played here in 1916.

One act in "The Front Page" written by Miss Hayes' husband, Charles MacArthur in collaboration with Ben Hecht, was enacted by news anchors in honor of Miss Hayes, who appeared at the affair following the closing of "Victoria Regina" at the rink here.

## Vic Moore in Selwyn's Coast 'Borrowed Time'

Hollywood, Jun. For Arch Selwyn's "Borrowed Time" (Monday) one of the

## Actors Try Luncheon

Actors at also seeking the aid of the Federal Trade Commission in the plea to eliminate the so-called "no-bid" rule. Dreyfusberger said that since they are helping to support the FTP it is not ethical for them to engage in competition. They also complain that the FTP should not make its own selections.

But, however, is not prima fact, facts of which will be forwarded to the commission as possible basis of action on the

## FTP Disclaims Desire to Compete With B'way in Answer to Protests Against Invasion; Wants to Serve

## Insuring a Job

Producer of a recent show, which was playing to knock-knocks in its opening week, was anxious to try for a run. Told his staff he'd keep it open another week if the receipts reached \$75 for the Saturday night performance.

Arriving at the theatre early, the company manager and press agent discovered the take had reached \$54. They debated buying \$21 worth of tickets and thus insure themselves another week. Finally decided it wouldn't be cricket, t show folded.

## In response to protests by way managers about the invasi of the Times Square theatre zone by WPA, Federal Theatre Project holds have indicated they do not plan to compete with the commercial theatre. Communication from Mrs. Holl Flanagan, national FTP director, stated that the WPA does not consider Living Newspa's shows, dance drama of children's plays, etc. competition.

Broadway managers had protested the WPA use of the St. James theatre. At the heart of the theatre zone, for "robin incident." Petition signed by dramatica members of the League of New York Theatres was sent to Harry L. Hopkins, national theatre administrator. Mrs. Flanagan replied said that WPA heads will always welcome suggestions as to how the project may serve the profession, but claimed that of the five New York theatres used for relief shows, none is directly in the Broadway area.

## Verbal Agreement

Stated by Mrs. Flanagan that a verbal agreement was made by Elmer Rice, former WPA theatre director in New York, and the League of New York Theatre providing for one legit house in the show zone. Stipulation was, however, that no straight dramatic attraction would be so spotted. Mrs. Flanagan claims that WPA lived up to that agreement, but that some of the so-called "living newspapers" should not be regarded as competing dramas, while the other WPA-ers in the restricted zone were children's plays and "dance dramas." There's no record of any such agreement in the league's files. "Robin Incident" as described as a drama play, reforming lasting about one hour. It forced both.

Reported that the FTP does not intend using more than one legit house adjacent to the Broadway sector, not probably being the Adelphi. At WPA quarters it was stated, however, that no definite plans had been made, and whether the reputed plan to reduce the number of houses used come about through the order curtailment of expenditures, or the managerial protest, was not indicated.

At present, only two houses on the fringe of the show zone are being operated by WPA-Adelphi ("One Third of a Nation") and the Elliott ("Prologue to Glory"). Rental of the latter house is \$20,000 monthly, the former \$28,000. Daly's, which is farther out of the district, is said to call for a similar fee for "The Rocks," after long rehearsal. Shanon revival theatre represents a fairly large sum, considering the rent, rather massive setting and the wages of players, who are paid whether rehearsing or publicly appearing.

## RELIEF FUND TO GO ON DESPITE FOLD THREAT

Stage Relief Fund, which was started during 1932-33 as a more or less temporary movement, has now been extended its sixth season and will continue functioning next season. Several times, when the treasury was low, it was thought the Fund would have to suspend, but success was obtained. Despite the creation of the WPA theatre project, it is considered that Stage Relief is still necessary.

And it is supported mostly by extra Sunday performances of legit shows. There were 20 such benefits during 1937-38, the total take of \$1,028. "I'd Rather Be Right" brought in \$3,484, while among straight plays "Susan and God" drew best money. Total average gross for nine benefits bettered \$2,000 each. In addition, the Fund received \$120 from programs sold at the benefits.

In all, the Fund has gotten \$238,480 from the special legit performances. There have been 130 to date.

## FTP Costume Loans Probed as Unfair To Comm'l Outfits

Charge of unfair competition, laid at the door of the Federal Theatre Project, is being investigated by Evans Costume Co., N. Y. for National Costume Assn., an advice of Henry Hopkins, retail administrator. Costume group begged to Wasington and was not informed what quantities and specific instances of FTP lending costumes free of charge must be certified before writing to us.

Started several months ago when costumers wrote to Washington headquarters of FTP charging that since the project were releasing materials, to schools, churches, groups, etc., while the other WPA-ers in the restricted zone were charging to commercials, a answer forthcoming, costumers then wrote to President Roosevelt with a similar letters. Latter last week to Hopkins brought interest in complaint.

## ARTHUR BYRON TO TRY DAVIS PLAY ON VACASH

Arthur Byron is to try Davis play on VACASH.



Victoria's \$75,000 Advance in L. L. Presares Record 100G for 25 Shows

Los Angeles, June 7. Helen Hayes, opening last night (6) at the Biltmore in Victoria (Calif.) to a \$50,000 advance...

For first time in history of the Biltmore advance sale was opened two weeks in advance...

House capacity has been increased by 200 seats...

WPA Harry Essex is company manager for Gilbert Miller's 'The Fields and Will Schneider' handling the advance.

WPA Edwin Lester's summer season of light opera is currently in its fourth week...

WPA 'The New Moon' (2,900-\$220) (3rd week). March of light opera lovers continues with a performance near Victoria...

WPA Harry Ober's production, 'Mason in Custody' two weeks, with 'The Mischief' being in the 'Judgment Day'...

PINS DOES 10G IN FIRST WEEK, CHICAGO

Chicago, June 7. With the help of a \$220 top in the big Grand, the Chicago Pinettes musical bit indicates an ability to stick it out in this town...

WPA 'Anthony and Anna' Grand Northern. Moves to Blackstone shortly. 'Spirchee', Blackstone. Final week's estimated at \$10,500.

TAKE IT, SEATTLE TAKES BIG \$10,500

Seattle, June 7. 'You Can't Take It With You' got into in week's earnings with a \$10,500...

Drama Guild Selects 5 To Award Writer Prizes Committee to award the Rockefeller Foundation Fellowship...

Road Legit Grosses

Table with 2 columns: Title, Grosses. Includes 'Estimated total grosses last week' and 'Total grosses same week last year'.

WAGON ROLLS TO 13G, HUB; TO 12G, HUB; TO 11G, HUB

Boston, June 7. 'Star-Wagon' without opposition, rolling smoothly through the first two weeks here...

Ken's Address

(Continued from page 4) prez of 20th Century-Fox and chairman of the motion picture producers committee...

Green, playing up to reporters who needed a headline, threw some pols into an hour-long talk at the New Deal policies...

Support Martin L. Davey of Ohio and Mayor Harold H. Burton of Cleveland declared themselves as labor partisans in their greetings...

Wife Off Slowly in Frisco. \$5,000. Hays Folds After 3 Wks., \$30,300

Chicago, June 7. 'The Wife Off Slowly in Frisco' (1,850-\$240) (1st week). Although disappointed with \$5,000 for the first six days...

WPA Plays ANTHONY AND ANNA

Chicago, June 3. Comedy in three acts, 'Anthony and Anna' presented by Federal Theatre Project...

American debut of this play indicates that it is considerably better than the English version...

Spotted in a British tavern, presided over by a kindly boniface and his stoney servant...

Light conversation piece that it is, it makes a sharp contrast to the American, with the fall falling for the young Briton...

St. John Ervine's dialog sparkles in spots, but his humor is strictly British...

Pirates of Penzance

Oswestri in two acts, with libretto by Sir W. G. S. Ross...

One of the most popular of the Federal Theatre projects, 'Pirates of Penzance' and Sullivan topped last Thursday night...

Quint on Monday (6) began its regular schedule with call for 'The Mikado' on Monday and Tuesday...

Wife Off Slowly in Frisco. \$5,000. Hays Folds After 3 Wks., \$30,300

Chicago, June 7. 'The Wife Off Slowly in Frisco' (1,850-\$240) (1st week). Although disappointed with \$5,000 for the first six days...

Broadway's Early June Leap; 'Right' Announces Final Weeks; 'Bouquets' Fair \$10,000 1st Wk.

B'way Legit Grosses

Table with 2 columns: Title, Grosses. Includes 'Estimated total grosses last week' and 'Total grosses same week last year'.

Records reveal that the two weeks following Memorial Day are about the dullest in the year...

'Final weeks were announced, and that was the rather dull period which led Broadway through the season...

In the first flight of popularity, 'The Two Bouquets' which opened last week, drew mixed notices...

'Susan and Gus' Playhouse (20th week) (C-198-\$330). Saturdays out...

'The Circle', Playhouse (8th week) (C-478-\$330). Final week for well...

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'One Third of a Nation', (21st week). 'Frogue to Eli Watt'.

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lizer award through summer; gross last week's \$13,000.

'Room Service', (6) (56th week) (C-198-\$220). Sticks into July...

'Shadow and Substance', Golden (20th week) (D-187-\$330). One of the serious plays...

'Susan and Gus' Playhouse (20th week) (C-198-\$330). Topped the close Friday (101) week...

'The Two Bouquets', Barrymore (7th week) (C-198-\$220). Quoted over \$7,500...

'Frogue Road' Forrest (22th week) (C-107-\$1,655). Down around \$4,000...

'Two Beauties', Windsor (2d week) (1925-\$425). Drew mixed notices...

'What a Life', Biltmore (6th week) (C-91-\$430). Has drawn moderate...

'The Two Bouquets', Windsor (2d week) (1925-\$425). Drew mixed notices...

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Broadway

Ruth Morris on vacation. Irving Mills has bought a speed boat... Understood. Frank Nell holding...

second prizes in a vaudeville \$5,000. Greater Union has made a deal with...

Postal's Show Biz

(Continued from page 1) ing. She will report for work on...

Felix Fuchs winding up details for a Monte Carlo replica at the World's Fair in New York...

Harry Schumer, theatrical backstage man, is having second-act trouble. His first play attempt...

Cliff Stong, electrical research, uses publicity check to boost the weather bureau's radio toy banked...

John Irving Berlin, back from the film summer, is in New York. N. J. home of former Ambassador Walter E. Edge...

Amusement parks already have in mind, combination discount tickets out and are distributing them through homeodies of film companies...

Bob Vignola, pioneer film director, now en route to Sweden a vacation, has some London directorial bids he will look into on his way back to the U. S...

Bernarr Hall started for Europe Saturday on a combined business and pleasure trip. Will see what the possibilities are in France...

Ruth Draper says with Lord and Lady Wakehurst... Because of huge success, Lawrence...

ing. She will report for work on Father's Day (June 19) at 3:30 a.m. and work until midnight...

She augments regular local crew of 35 girls who receive 30, an hour wage, and work as vaudeville professionals are also being used...

Maestros who have already composed special ditties for Postal are Buddy Duchin with 'Dad', Ray Pearl, 'My Daddy Dear', Clyde McCoy, 'Father's Day', and...

In the same vein, Tom Downey was turned down when he proposed making a recording for Mother's Day...

Through tieup with the Swoffard & Cole agency, Postal started its literary activities by co-sponsoring Larry Clinton's opening at Glen Island Casino...

Quality of the material never gives a reader from upstairs. However, girls get regular pipe-tips into her Westchester home...

Playhouse 1938-39 season will get underway July 15. John W. McGreevey's five-year-old lad bedded with a leg fracture...

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London

Harry Richmond is being held over by the London Police... Ernest W. Freedman back to his office after nine weeks with mastoiditis...

Chicago

Kelly Smith ready to establish fishing tour... The Pastime, one of the town's greatest theatres, being torn down...

New % Plan

(Continued from page 3) end at \$18,000 with a dollar's difference of 2 1/2 to 5% in the rental return...

Minneapolis

Everett Seibel, Minneapolis agent C. p. a., home ill. Triplets of Marlene Lebedoff, indie...

Man Lester quit as an ineffectual manager to be replaced by the owner and manager of a new theatre to be built at Dunkirk, N. Y...

Pittsburgh

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three months as director of Showmen's Jubilee. Practically every musician to town...

Hollywood

Jim Keeffe back from Fribo. Bill Robinson cast on p. tour. H. C. Frank will sing back to Knackland...

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# News From the Dailies

This department contains reprinted theatrical news items as published during the week in the daily papers of New York, Chicago, San Francisco, Hollywood and London. Items are given no grades for these news items; each has been rewritten from a daily paper.

## East

Gertrude Lawrence, Gracie Allen, Arthur Brooks, Brooks Atkinson, O. Slogow and Edna St. Vincent Millay to boost Dorothy Parker's musical play in Washington. They will appear for \$1k for Spanish children.

Margaret Perry in Reno to divorce Institutes Mer Ith.

## Coast

Fritzi Ridgway, former film actress, sued Constantin Bakalactinos, music producer, for separate maintenance in L. A.

A. C. court ruled that Barbara Ann, film star, may demand half the money her former husband, Frank Fay, collects if she returns to him. Fay, who is now recovering an ailment, says he is suing to recover an ailment.

Lola Wise, scene player, and William H. Snow, radio equipment official, opposed marriage license in L. A.

Mrs. Virg in McDowell granted a divorce from Hugh McDowell, Hollywood film studio sound technician. The couple will be represented by attorneys for his mother and stepfather to furnish details.

John Coope will be having \$94,000 in a child in pictures. Deposition will be taken by Mr. Coope's attorney, S. C. and Mrs. Arthur Ernst, for an accounting of his son's income.

Shirley Marrita, film actress, won L. A. divorce from Sam Katz, Metro exec.

Paul Curtis, L. A. auctioneer, was charged with taking equipment accounting for valuable furniture and antiques. Among items described were a diamond necklace.

Mrs. Harry Gray, scene actress, and her father, W. B. Philpott, were ordered to produce records of their property. The type of filing did not per it, always wading in on the attack. Little Henry chased Barney into retirement from acting and that's just what Ross did to McLarin, who Petrolle, who after getting out of the chummy, was giving himself in his Indian blanket and went forth from the squared circle forever. Garcia is still on the rampage and if, if Armstrong feels him, it will be a better fight specimen than the event which was a fine boxer, Ross, go into exile.

There are those who thought that this was the recent marriage to take something from him, but the argument doesn't hold both ways, for the fact that the man was going out like a ramp lamp tells the story of a fighting heart. He refused to pass from the hands of handlers urged him to do that and refused to go down even for a moment on the hundredth round. He took on the lug, there is another angle to the final rounds of the 121 Armstrong, who was too tired to put anything behind his relentless blows.

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# BOOKIES WERE NIPPED BY ARMSTRONG'S WIN

By JACK PULASKI

When Barney Ross went down to defeat before the byline mits of the New York Times last week in the Garden Bowl, N. Y., the bookmakers also took it on the chin. Up to the point where the layers were down to eight to five odds on Barney to keep the water-tight title, it was a case of all or nothing. The odds were mugs having their inning, with some of the latter favoring the bookies' breakage.

At rightside on the chilly evening that ended an unusually cool May, those supposedly in the know realized they were in for a trimming as early as the first round. During that hectic session, which was Barney's best, the fellows on the favorite tried to hedge but couldn't. They sensed that Ross would drop the duke to the colored demon from the sidelines.

Armstrong is the best title fighting machine in the world, as indicated during the winter when he added a long string of wins at every metropolitan appearance. However, sports experts who in the past have bet on him to lose to the gamblers did, founded their opinions on Barney's record's decline of late, talking of him as Jimmy McLarin, Billy Petrolle and Cedrina Garcia.

But they did not consider the fact that Ross maintained his something of a balance between the three, something of the type of a win that did not per it, always wading in on the attack. Little Henry chased Barney into retirement from acting and that's just what Ross did to McLarin, who Petrolle, who after getting out of the chummy, was giving himself in his Indian blanket and went forth from the squared circle forever. Garcia is still on the rampage and if, if Armstrong feels him, it will be a better fight specimen than the event which was a fine boxer, Ross, go into exile.

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# OBITUARIES

## PAUL POOLE

Paul Poole, 51, former vaudeville producer and booker, died in Syracuse, N. Y., at 30.

He was for 11 years connected with the Keith office as franchise producer, presenting among other plays "The Millionaire" and "The Peaches and a Pear" and "Ming Toy". When the advent of the talking pictures cut out his vaudeville, he went to Fulton, N. Y., as manager of Recreation Park. For the past two years he had been representative of the American Federation of Actors between New York and Cleveland, with an office in Syracuse.

He is survived by his divorced first wife, Babe Poole, and two daughters, also by his widow, Marg, Frank Wash Poole, and a brother, Frank, who was the active member of Poole Bros. magic exchange for many years. Burial was in Syracuse.

## It was he who devis the stunt of giving noonday patrons check card for the evening show.

**LEON A.**  
Leon Augustus Bemis, 60, son of the late Mr. and Mrs. George A. Bemis, died suddenly at his home, Schuylerville, N. Y., May 27.

For more than 35 years he traveled throughout the country with an Uncle Tom's Cabin company. Survivors include his wife, Augusta, a sister, and brothers.

## HARRY E. HORWITZ

Harry E. Horwitz, vaudeville exhibitor in Cleveland, died May 20 at his home in Bedford, O.

Owned the Olympia, one of Cleveland's first ice-cream parlors, and the New Broadway. He operated picture and houses in Toledo and Akron. Survived by wife, one brother and four sisters.

## CLINTON PETERSEN

Clinton Petersen, 88, known in vaudeville as "The Plumber" comedian, died at his home in White Plains, N. Y., June 1.

Surviving are a son in New York and a brother in Los Angeles.

## WAYNE L. BLANKENSHIP

Wayne L. Blankenship, 29, former orchestra leader, and more lately proprietor of the "Plumber" comedies, died at his home in the home of his father in Tulsa, Okla.

Understood the tragedy resulted from trouble between Blankenship and his life.

## DAVE GENARO

Dave Genaro, 65, of the vaudeville team of Genaro and Bailey, was found dead in his bed at the Hotel Somers, N. Y., Sunday afternoon. He had suffered from cardiac asthma for several years. A story in the Vaudeville section.

## MORANIA MONTENBATT

Morania Montebatt, 42, died at the St. Joseph Hospital, Orangeburg, N. J., June 1.

She had appeared in vaudeville with the Greenwich Village Folies. Her last stage work was with the WPA Living Newspaper.

## BARNEY BRENNAN

Barney Brennan, 26, formerly vaude, died June 1 in Hollywood. He was 17 when he was vaude, was 17 when he was vaude, was 17 when he was vaude.

Mother of George White, legit film producer, died in Toronto, Can., at the home of her daughter, June, last week at age of 34. Survived by five sons and four daughters.

## FRANK ALTON REE

Frank Alton Ree, 52, dealer in film property, died at his home in Hollywood. Surviving are his widow and two sons.

## MARY GRAY WESLEY

Mrs. Mary Gray Wesley, 78, mother of Molly Gray and Jane Wesley, died in New York City, June 1.

Survived by her widow and two sons.

## Edwin McCormack

Edwin McCormack, mother of the famous died in Monkstown, Ireland, June 2.

## Burley's 'Baby' Row

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## FADMAN RETURNING

Edwin M. Fadman, director of "The Great Dictator", returns to New York. Star, Paris returns to New York tomorrow. (Whispered) from Trip-Abroad. They will open offices in New York for distributing foreign product.

He is in New York for distributing foreign product.

Announce a sidewalk cleaning service. To keep the walks clean and impress dirt visitors onto the curb. Initial cost was \$1 per foot, but maintenance is 15c a week, per foot.

S. S. Krellberg, manager of the Belmont, announces he is endeavoring to have a play written from the film, "Life Dances On."

Appraisers set value of estate of the late John Ringling at \$2,462,362. Held \$600,102 in circus stock.

Alfred Bellman, film producer, and Albert Maltz speakers at the Playwright Forum of the New Theatre League last Thursday.

Long Island auto club the host to 5,000 annual event. Club providing transportation.

St. Ann's Church tells ill of rights constitution of the N. Y. constitutional convention that games of wits, "armies" diversions" and favors legalizing them.

Evelyn Dall, performer with Bert Ambrose's band at Buckingham palace last week, was the wife of one of the former at Billy Rose's Manhattan Club, and also a featured attraction in shorts before she went to London. Her right name is Evelyn Minton.

Percy Helton, vet actor, and J. C. Zwill, newspaper man, have done a comedy, "Hello, God Bless Her."

Met. Op. to supplement its regular season with a special series of the Fair. Mr. Vincent Astor, vice-chairman, trying to arrange for the "The Fair" Co.

There will be an Actors' Fund dinner (On Borrowed Time) next Friday.

Seaters Films. Rome. Offers Great Cactus \$250 for sale. The district reported to have turned down an offer of \$250 for some of the seeds made in Rome but international in appeal.

Corigliano and Lewicki violinists, engaged for the Lelewel stadium concerts.

Porterfield and the 73 members of his Barter theatre company left for Aberdeen, Va., Sunday morning (Thursday).

Town of Swarthmore, Pa. resolves but all common to the town, but not connected with the college. Includes billiards, bowling, swimming and like events for the town picture theatres.

Moore using the Brunswick Record Corp. in Manhattan. Charges breach of contract under which he was made in Rome but international. Aids \$50,000.

Widow of Mrs. Valterio von Stroheim, wife of the late Carl von Stroheim in Federal Court. L. A. accusing James Simons, ex. of California, of a bankruptcy discharge from a judgment of \$125,000, granted her father, a plaintiff asked the court to set the discharge aside. The judge ruled in favor of the plaintiff. He had a half interest in a valuable gold mine at the time of his death.

Valterio Crawford, writer, killed by the death of his wife, Mrs. Carl Romanello, Hollywood actress.

John S. Lohan, film man, app. baby star in 1924. Lived with an actress, Mrs. Lohan, who was abandoned by Walter P. Lohan in May, 1927. She charges deception in a property dispute.

Sidney Barrett's \$27,500 suit against Columbia, charging he was wrongfully fired, was compromised before trial in Frances Langford, radio singer, and Jon Hall, film player, announced they would be married in December.

## MARRIAGES

Anita Ardito to Marcus Glazer in Chicago, June 1. Bride is singer in the Chicago Park to Dick Baldwin in Ventura, Cal., June 1. Both are film players.

Lorraine Davidson to Paul Sutton in Yuma, Ariz., June 1. She is film player.

Ray Floyd Sixes to Gene Shumate in Des Moines, May 28. He's sports announcer for KSO and KRNY, Des Moines.

Helen Hudson to Herbert W. son, radio salesman at KHL, Los Angeles, June 4. In L. A.

Robert Eastman and Ann Nease in Pittsburgh. Mrs. Eastman is a switchboard operator and groom continuously director at KOAM, Pittsburgh.

Rosemarie Branigato to Dr. Lester D. Rotham in N. Y., skeddled for \$100,000 by the actress, Lillian.

Lily Pons to Andre Kostelanetz in Wilkonn, Conn., June 2.

Russell Glesson to Cynthia Howell, former of the actress, Lillian, in Calif., on Thursday next (9) Rev. Edgar F. Gess, who married James Howell, in 1906, ill officiate.

Jeanne Hartin in San Francisco, June 1. She is film player.

Allen Bradley and Dorothy D. Johnson, June 4 at West Hartford, Conn. Bride is a theatrical staff at WSPR, Springfield, Mass.

## Bessor, Royce So-So

London, June 1. The Palladium's newcomers, Joe Besser and Royce, lacking a suitable vehicle, were hung out to the public. The source Coleman says that the boys' program, Mickey Courtwright, assisted by David Burns and a company of 17, likewise mixed it on the show.

## BIRTHS

Mr. and Mrs. Joseph Sierrod daughter in Los Angeles, June 2. Father is set designer at Columbia Pictures.

Mr. and Mrs. Ernest Nordl, Jr. in Hollywood, June 2. Father is Metro cartoonist.

Mrs. Mrs. crmie Milington, daughter, one 3, in Los Angeles, June 2. Father is radio publicist.

Mr. and Mrs. Hope. Daughter, one 3, in Baltimore, Father is a writer.

Mr. and Mrs. Bill Buffington, daughter, June 2. In Baltimore. Father is WPBR, Baltimore.

Crosby Gairie has purchased from the estate of the late Sir Henry White the 200,000-acre estate in Scotland. Models dated between 1820 and 1890. Sold by the Patent Office of London.

Miss Moore using the Brunswick Record Corp. in Manhattan. Charges breach of contract under which he was made in Rome but international. Aids \$50,000.

Surry Players left for Maine last week. To put in two months of recording for their new production.

Finnish radio has a new game. Nine people read from a book and the idea is to tell from their points what they like.

Players in London tonight "Tight Places" at the St. Martin's theatre Friday. Play about children.

Frances Farmer stole some of Conn. artist's things in a N. Y. court Friday that Shepard Trauble was responsible for the reduction of his assets, "The Undefeated." Fairly in verse and to a music. The play was by a composer not yet selected. It due to be much longer than the current.

Olivia Milton Royce, Charles Frohm, Gene Buck, William Caxton and others playing in "The Children of the Sun" at the Westchester theatre.

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Mrs. Rae Powell Mann given an award for her play, "The Children of the Sun," by Lee Bernard Mann. Guest of her daughter was \$175,000, but she is a widow.

Leon and Eddie to display Wash. 1000 St. art in their nitery June 7-9. Prize winners at the recent outdoor exhibit.

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Variety Shows Reviews

STANLEY, PITT (Continued from page 40)

a nice vocal, and Easter and Hazelton brush off their audience and not quite as effective as in the old days. ... variety also carries chorus of the girls and they're on the raised platform for a couple of minutes. ... Show's called the "Frenzied Polies" and production stunts include ocean liner, ...

Henry is next-to-closing, working on full stage, and immediately sells himself with his "Hello Stranger" ... doesn't follow through very successfully. His monolog is ...

HIPP, BALTO

Baltimore, June 5. Hipp Fields' orchestra program ...

On a good reception, Hipp Fields met smoothly and in a straightforward manner. Gives out "On the Sunny Side" ...

Phoney praise seems to be setting for chorines performing their best stunts. "On the Trail," during which the females wear scanty leotards ...

Earle, Philly Philadelphia, June 5. Abe Lynum's "Wing and a Prayer" ...

Backed by Abe Lynum's sock band and Lou Schrader's house orchestra ...

Lynum band, though is one of the sweetest combos ...

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OUTDOORS

Ringling, Again

Urges Labor Cut For He Must Close

For the second time there are reports that the Ringling, Barnum & Bailey circus may cancel its tour with increased vigor ...

North told the men that to accept a cut in the wage scale ...

North stated that taxes, transportation and other items were paying expenses to a point where the show will operate in the red ...

North is said to have stated that if the Ringling outfit closes he may cut the spectacle and part of the "Centennial Revue" ...

Well-prepared fast tapper by line of acrobats ...

Suits aggregating \$29,000 and attachment of \$2,000 of receipts of the Pacific International Air Races ...

Uphal approves fair Salt Lake City, June 7. Utah state board of public works approved a budget of \$52,000 ...

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Mix Picks Up

Syracuse, June 7. Tom Mix motorized outfit played local job (26) to best big show has had since ...

Mix still out of show. His officials stating his return due this week. Ruth Mix, daughter, still pinch hit for her daddy, and doing a great job ...

In Watertown, Monday (31), wirewauler, they doode fall from wire, breaking ankle, and out of show for three weeks ...

June 11 the publicity department of Tom Mix circus issued publicity to the Glenn Falls newspaper saying George Hanstetter, who is spending the summer at Lake George, would appear in the Watertown evening performance yesterday (6) ...

Hannetford, widely known circus star, issued a statement which was widely reported in the Watertown evening paper next day, saying that he has not agreed to appear with the Tom Mix outfit when the show played Glenn Falls ...

DOWN THE LANE IN HOME BARN

Downie Brothers Circus returning to its quarters here June 3, after an absence of four weeks ...

If the show could have made expense account, the show would have said, "I was content not to make any profit, but it seemed impossible to bring in the actual daily outlay of ..."

The show made its last stand at Portsmouth, Va., May 31, where it employed 275 employees received their pay in Portsmouth and left for their homes. A crew was retained to transport the show here and to take care of equipment ...

World's Fair Staffs Being Realigned Realignment and permanent assignment of staffs in the new pavilion of N. Y. World's Fair over the last week of 10 days has strengthened the personnel staff ...

John Krimsky, formerly acting director of entertainment, has been made full-time director of the department. Manner in which he staged entertainment at the preview ...

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VARIETY

AWAYWA, IT'S GOOD COPY IN PRISCO

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WIRTH, INC.

Albany, N. Y., June 7. Frank Wirth Booking Association, Inc., has been chartered by the State of New York ...

Directors, each holding one share, are: Harry Seidman and Pauline Miller, 1515 Jessup Ave., Bella Vista, 1920 Nelson Ave., Morris, Inver, 11 Park Pl., N. Y. C., filing attorney.

Air Aftermath

San Francisco, June 7. Suits aggregating \$29,000 and attachment of \$2,000 of receipts of the Pacific International Air Races, were filed here last week ...

The widow of Paul Thorpe, killed in a pylon crash, filed \$20,000 suit against C. J. Roberts, contractor, and the Seaway Scaffold Company. George Butner, injured in the same crash, obtained the attachment and asks \$9,000 ...

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H-W Train Fire

London, Canada, June 7. Serious fire in the circus train of the H-W Train Co. was averted at Guelph, Ont., by two members of the Guelph Fire department ...

One of the gasoline stoves in the blaze was quickly smothered by the fire department, who were in the vicinity of the car when the explosion occurred. Damage was slight ...

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Indanapolis Nut Down

Indianapolis, June 7. Running of the Indianapolis 500 race here today. Decorations by sawdust in attendance of about 40,000 over 1937. Total estimated attending race this year, 100,000 ...

General admission tickets were sold for \$2.50 to \$7.25 a person, with added two bits going for tax. Grandstands and box seats were sold for \$10.00 to \$15.00 a person. Included in reserved parking spaces and in the infield ...

Tim McCoy Sued

Los Angeles, June 7. Charming Broadway actor, C. S. Ramsay III has led a \$112,022 in superior court against Tim McCoy. McCoy is suing Ramsay for \$112,022 ...

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SOUGHT FIRST AID

George Hadley, 22, of New York, employed at Lewis Brothers Circus playing Serecia Paul, a circus star, was killed by state police officer during a fire at the circus ...

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# "This care guards against Cosmetic Skin"

SAY THESE LOVELY  
HOLLYWOOD STARS

I ALWAYS USE **LUX  
TOILET SOAP**. IT  
REMOVES COSMETICS  
THOROUGHLY

Rosemary  
Lane

**LUX TOILET SOAP**  
HAS AN ACTIVE  
LATHER THAT PREVENTS  
CHOKED PORES.  
I USE IT REGULARLY

Gloria  
Dickson

"I've never seen the man yet who didn't admire a lovely skin! And it's really very easy to guard your complexion the Lux Toilet Soap way," Rosemary Lane tells you.

"Use cosmetics all you like," says Gloria Dickson. "Lux Toilet Soap's ACTIVE lather guards against Cosmetic Skin."

Choked pores cause Cosmetic Skin—dullness, tiny blemishes, enlarged pores. Lux Toilet Soap's ACTIVE lather removes dirt, dust, stale cosmetics *thoroughly*. Screen stars use this gentle soap. Why don't you use it, too—before you renew make-up, ALWAYS at bedtime?

See Rosemary Lane  
and Gloria Dickson  
IN WARNER BROS.

"Gold Diggers in Paris"  
NOW SHOWING LOCALLY



9 out of 10 Screen Stars use Lux Toilet Soap

# VARIETY

PRICE  
15¢

Published Weekly at 134 West 45th Street, New York, N. Y., by Variety Inc. Annual subscription, \$5. Single copies, 15 cents. Entered as second-class matter December 12, 1925, at the Post Office at New York, N. Y., under the act of March 3, 1879. COPYRIGHT, 1938, BY VARIETY, INC. ALL RIGHTS RESERVED.

Vol. 131 No. 1

NEW YORK, WEDNESDAY, JUNE 15, 1938

56 PAGES

## BEEF ON SHORT FEATURES

### Paramount's 'Painless Pruning'

#### Cuts \$1,000,000 Pix Down to 800G

Hollywood, June 14. Paramount expects a \$3,000,000 saving this year through reduced operating and production costs. Studio tappers claim quality will be unimpaired and summer releases stronger than ever.

Doubled out that through program of "painless pruning" studio now is turning out movies for around \$800,000 that formerly carried a \$1,000,000 budget. Directors, actors, writers and other creative workers have taken their cuts with a smile, studio claims.

One and one is emphasized of a director who rated \$50,000 for a picture, now phoning away for \$40,000. Production pay cuts also dented out 15 others.

Comfortable swing is being effected by the studios in turning out works without assignment to other points. Prices also go out on loan when a picture is finished and a next one is not yet ready.

Also stressed in that economy wave is that one producer now shoulders the burden of a picture alone, where previously he had four or five assistants.

### A Casting Cop

One roadway gendarme is acting as a talent scout and checker for the 40th Street studios. Tens of Bronx ingenues invade one manager's office that work with what they thought was an official air.

Said the cop on the corner seat them.

### NIX 'DOLE' FOR SONGWRITERS

Opposed that every writer member with 15 standing in the organization be given a minimum of \$25 a week was overwhelmingly voted down at the semi-annual meeting of the membership of the American Society of Composers, Authors and Publishers in the Ritz-Carlton hotel, N. Y. last Thursday night. Resolution was offered by Jack Chigau, a writer, Gene Buck, ASCAP prez, strongly opposed the suggestion, holding that it would set up a double system which would work to the disadvantage of not only the society but the entire music industry.

Another resolution, urging the

(Continued page 23)

### Strawhat's Tieup

#### With N. E. Picture Chain to Bally Bosh

### K. C. and Louisville's 'Jubiestas' This Year

#### Plan Featuring Names

Midwest town towns are going for celebrations known as "jubiestas," elevated to divine the countryside to the music centers. One has been arranged for Kansas City and another for Louisville, both spots sending representatives to New York to look at the shows. Name handles stage shows and screen possibilities are accepted.

City jubiestas is slated for next month, is being backed by the local in the 12th St. T. Finance school of called has been and names. Tom's did a show Oct. 2-8 and Comedy Journal signed the report p.

### Uncle Sam's Lower-Casars

#### Protect Imported Budgets

of American budgets around are planning a petition to Congress protesting European duties.

For his contract for the

1939

### 109 IN '37-8 RAN UNDER 67 MINS.

### Too Short Film Features Ire Exhibs, Both Dealers and Singlers—Latter, of Course, Most Miffed—Makes It Too Tough to Round Out Bookings When They Run That Short

### MEANS SHORTS, ETC.

Varying the basis for bowls at this time of the year when sell-in is under way and the usual complaints are voiced against percentage deals, the over-sized rentals, failure on deliveries this year and other stock beefs, exhibitors are beginning to attack the distributors for release of what they term "short features." By this, they mean features, which are too low in running time, many under 60 minutes.

Exhibitor attitude is that the distributors are cheating that the theaters aren't getting full measure, regardless of whether pictures are in the "A" or "B" grade. Although the agitation against abbreviated features is general, it is more prevalent among the theatre operators who aren't double-billing and, as a result of pictures running under 70 or even on or 60 minutes, are forced to fill out with shorts an other matter in order to get a two-hour show.

The public isn't getting its money's worth, either when the features are short, it is contended.

A survey of the 1937-38 product delivered to date but not including any westerns, most all of which run

(Continued on page 23)

### DANIELLE'S 40G GROWS TO 116G

George M.'s 60th

### Dropping Television Until August

#### As N. Y. Dept. Stores Rush in Sets

### Bravo, Joan

Hollywood, June 14. Motion Picture Relief Fund got Joan Crawford's entire \$5,000 paycheck for a recent air appearance.

M. C. Levee, her agent, waived his \$500 commission.

RCA-NBC last week terminated its Tuesday-Thursday experimental television broadcasts after last Thursday (9) until Aug. 1. For some months past a regular schedule of five hours of weekly in-house casts was beamed from the Empire State Bldg.

Stoppage of televising school has been a blow to the retail selling of the inde sets which were put on sale in eight New York department stores within the month. Introduction of these sets to the mass public was rushed after NBC-RCA experiments drew a flood of publicity on television. Now there is no televising at all around the New York territory for such sets as they have been sold.

### SOPH TO CHIRP IN EVERY PORT

Sophie Tucker and the William Morris office are setting a "Song in Every Port" booking for the singer via a proposed world tour starting next summer. It's her baptismal trip.

Miss Tucker has been anxious to make such a trip for some time. She will combine bio and pleasure on what is expected to be a one-year voyage, hitting all important spots around the globe, and a couple of inflators with her troupe. A number of acts would accompany her.

Expects to play one to four weeks in some South African and Australian spots, negotiated by Morris office now.

### Det. Press Blasts Radio; Cites Stars' Logrolling As Among the Abuses

Declaring it intent of no slight Detroit Free Press carried a lengthy editorial last week explaining why morning sheet had mentioned only one station (WWJ), owned by the Detroit News, in which is developing time and expense to educational programs which are a benefit to the public.

Basis for the aping was a letter from Waldo Aldott, director of broadcasting at the University of Michigan, which pointed out that all 17 commercial stations in Michigan are contributing liberally to the fund of radio education.

Missive cited G. of M. educational broadcasters: WMBC, WJWB, WKLM, WXYZ and WJR.

### RADIO'S SMUGGLER FIGHT

Mexico City, June 14. Radio has been enlisted by the Mexican ministry in its drive against smugglers. Powerful stations have been installed at Monterey to detect customs inspectors along the U. S. border.

Government is now using a like station in Guatemala frontier.

Free Press' first annual had threatened the cheapness, was some of demoralizing character, of a large number of broadcasts in the U. S. (Quotient editorial advised)

(Continued on page 23)

### Listen to The Hour of Charm

#### All Girl Orchestra

Broadcasting for General Electric

### Sundays 10 PM EDST

### WEAF-NBC-Coast-to-Coast

IL SPITALNY, Park Central



# WORLD AT LARGE

## Par Retards New Season Releases Until Sept. 1; Others May Ditto

th the 1938-39 season, will begin its new season. Instead of Aug. 1, with the coming year's product not starting to roll until the former date. Some in the past have sent out new season's stuff even earlier than Aug. 1, but Par's change in policy for '38-39 may start a tendency to wait until around Labor Day, as in the field, to start new show years.

Using July and August for windup of current season's (27-33) product, including "The Texans" and others. Par leads off Labor Day week for '38-39 with "Sing You Sinners" and "An with Wings." Other pictures lined up for release during the first half of the new season by Neil F. Aspinew and associates include: "Arkansas Traveler," "If I Were King," "Archie and Louis Abroad," "King of Alcatraz," "Scaps from Leavenworth," "Louis Braille" and "The Legion." These are the top pictures on the schedule for the initial '38-39 quarter.

## SELZNICK CONTINUANCE WITH UA GROUP TIPPED

Hollywood, June 14.—That David O. Selznick will continue to release through United Artists at the termination of his present commitments is indicated by an official statement issued last week. Statement was released in behalf of publicity directors of the five UA handling Selznick's production—a exploitation group with Russell Burdwell, Selznick's representative, as chairman.

Inference is that Selznick-International would not tie itself up to the rope unless it intended to remain in the UA producing group. Selznick has two pictures to make under the old agreement.

## Carr Retiring From Pix After 16 Years

Hollywood, June 14.—Frem Carr, Universal producer, is going to retire to his ranch when he finishes the six Bob Baker westerns to which he is committed on the 1938-39 deal. His studio contract expired last Friday (10) and he did not re-sign.

Carr's retirement means the closing of his producing unit on the Universal lot. He has been operating for the past two years as an associate organization, hiring his own writers, directors and staff.

Carr has been a leading figure in the Independent Producers' Association. He was president of the Independent Motion Picture Producers' Association in 1924.

## 'Snow White' and 'Prince Charming' Want More \$

Baltimore, June 14.—Alicia Costello, president of the Adcockville, the voices of "Snow White" and "Prince Charming" in the animated film, are claiming additional compensation from the sale of records made off the film's soundtrack. The event which has been publicized by Disney, dubbed have placed the matter in hands of attorney Edward Lawrence of New York for local action.

## Berle's \$2,500

Hollywood, June 14.—Though Milton Berle is under contract at \$2,300 a week to RKO, it has a story for the coming year. The production company is loan him out.

## No Laurels

Hollywood, June 14.—Publicity man at Hal Roach studio couldn't contain his glee when he spotted a glowing notice on a recent Laurel-Hardy release, not treated any too kindly by the critics.

Running over to Stan Laurel, with the clip and broadly grinning at his good fortune, Flick was set back on his heels when comic, after giving the critique a fast ogue, muttered "That guy's nuts."

## WB WILL HAVE 25 READY BY AUG. 1

Hollywood, June 14.—Warner Bros. has 25 pictures completed by Aug. 1, opening date of the 1938-39 season, according to Jack Warner, v.p. in charge of production. Nine films are ready for the new season.

Pictures finished are "The Amazing Dr. Clitterhouse," "Boy Meets Girl," "The Sign of the Cross," "Garden of the Moon," "Rocket Busters," "Sister Act," "My Bill," "Girls on Probation" and "Mr. Champ."

Republic studio stepped to an all-time high in employment with the addition of 200 workmen to UA, which closed the camera at the same time.

## KORDA'S PROGRAM

Besides 5 for UA World Mat., Korda Make Korda Films.

Alexander Korda is embarking on the most ambitious picture-making program of his career. Not only will he make five for world release for United Artists, but additionally he is to make three especially for distribution in England, to be known as "Empire Films." Korda's product will be released in Canada, also by UA. Regal formerly handled these films in the Dominion.

Korda was granted preferred distribution terms in England, so that he might continue to fill the needs of the English market, with pictures especially made for that territory.

Korda's more important films are to be world releases by UA, which group includes the five now scheduled by the company for the coming season.

Korda was on the coming's "Palord-Astoria Monday" (13).

Korda was on the coming's "Woodruff-U-A" to be distributed here and throughout the world, including the coming "Without Bares," introducing the Korda discovery from France, 17-year-old Corinne Luchaire (it's a remake of the French film: "Four Feathers"; "Thief of Bagdad," an "Over Moon." Few of these will be Technicolor.

## Zeidman with New Indie

Hollywood, June 14.—Max Zeidman yesterday (7) was named executive head of production for Malcolin-Brown Pictures Corp.

He has 12 new in Hollywood, after several weeks of negotiating in N.Y. He starts on the first of what is hoped to be a busy campaign is continuing for the first season.

## M. GIANNINI ON THE GENERAL MGR.

### Settling Dr. Giannini's Contract—Silverstone Given Contract—Chapli Held For, but Failed to Vote for the Doc

### PLANS

Hollywood, June 14.—Retirement of Dr. A. H. Giannini from the presidency of United Artists has been mutually agreed upon and brought into organization by the contract, which has over three years to run, amicably effected. Application is expected to occur on his return in the fall from an European vacation on which he leaves here June 15. He will sail from New York.

Dr. Giannini was to issue a statement by tonight (Tuesday) as to his future status with respect to his relations with UA and the date of his stepping down.

Tippoff that an agreement had been reached was the payment on Monday (13) of three months' salary to Leo Samuels, UA assistant secretary who was brought into organization by Dr. Gi.

Taking over the presidency of UA in July, 1938, Giannini was held to the post at the annual elections in November. Although he was elected the presidency until November, likely he will receive his resignation by tonight, as his European vacation generally consumes three or four months.

## \$800,000 LEGAL FEES SO FAR IN RKO'S 7B

Additions allowances totaling \$17,280 were allowed Saturday (11) by N. Y. Federal Judge William Bond to various petitioners for reasons rendered in connection with the reorganization of Radio-Kelby-Orpheu, bringing the total expenses involved in the liquidation over the \$800,000 mark. The latest order of the court will bring the total amount allowed to Irving Trust Co., trustee, at its option, to \$800,000. William J. Donovan, to a total of an even \$400,000.

A breakdown of the present award follows: Irving Trust requested \$60,000; and \$20,000; Donovan, who asked for \$85,000, received \$55,000; Richard B. Sandreit, special master, wanted \$30,000 but was awarded \$12,500; Edward L. Ward, attorney for the Maryland receiver, got the \$4,000 he asked for, and Price Waterhouse Co., attorneys, were given \$3,003 asked for. All the above amounts are interim allowances and not the totals the petitioners have received.

In his order, Judge Bondy made no comment.

## DOYLE BOOSTS H'WOOD; THUMBS DOWN ON MAE

Sydney, June 14.—An entirely different picture from the usual accepted view of Mae West was painted of Hollywood recently when Stuart F. Doyle, former mogul of Greater Associated Artists, was in the Good Film League. He tabbed Hollywood as an international settlement with the world's best brains engaged in making pictures destined for around-the-globe circulation. He noted that the film capital was a play city.

Report from Hollywood that Doyle would give West a tour for a road tour at \$100,000 in Aussie territory was received with some scepticism in the Aussie press. When Doyle visited Miss West's draw in stage appearance in the U. S., veteran theatre men claimed that the draw her pictures in Australia would be little more than an unaccompanied stage tour here.

## WB-Cosmopolitan Talking a New Deal; Marion Davies East

Hollywood, June 14.—For a new deal and the Heart-on-Corsets deal, it was being dickered over a new deal although a renewal of contract runs to Dec. 31. Marion Davies is now in New York conferring with Harry H. Sisk, v.p. of Cosmo, who will head western shuttles for confabs with Warner's execs.

In fact, Davies points to a renewal of the contract, although Miss Davies may not make a picture at Warner's. He intends to travel and write magazines.

Others joining P.M. two years ago, the interests to make next season, but declare

## RKO Hearings Over; Special Master Indicates Early Reorg

## What, Agai

Hollywood, June 14.—A fund-raising party at Frank Tuttle's home for Commencement College of Alabama, Chico Mixx was engaged on to buy an original manuscript. "Not my," he begged off. The last one I bought cost \$1,000 in a plagiarism suit for \$100. But the original manuscript of George Geshwin number for \$20.

Arthur Kober kicked in with \$25 for the original ms. of an original Caldwell short.

## \$800,000 LEGAL FEES SO FAR IN RKO'S 7B

Special Master indicated by Attorney Hamilton C. Rickaby, of the Simpson, Thacher & Bartlett, counsel for the proponents of the plan.

(1) In the matter of RKO's relationship with the Radio City Music Hall, RKO agreed to grant the M. H. reference on film franchises. In the event of RKO merging or combining with some other firm, The H. plaintiffs have the privilege of cancelling the RKO association, under stated conditions.

(2) These concessions were indicated by Attorney Hamilton C. Rickaby, of the Simpson, Thacher & Bartlett, counsel for the proponents of the plan.

(3) In the matter of RKO's relationship with the Radio City Music Hall, RKO agreed to grant the M. H. reference on film franchises. In the event of RKO merging or combining with some other firm, The H. plaintiffs have the privilege of cancelling the RKO association, under stated conditions.

(4) In the matter of the provision, under the plan, of calling for a purchasable allowance of 10% of the issuable common stock, this shall be altered to a straight 200,000 shares.

(5) RKO shall set aside out of net earnings after 1940, a sinking fund of 10% of its earnings. Dividends shall be paid only if cash position of company is unfavourable.

(6) The plan also revealed that the Lehman group's holdings in RKO Co. \$2,445,000 of debentures and \$362,000 shares of common. Leo Spitz, president, owns 24,000 debentures and 3,025 shares of common.

Many bondholders who argued (Continued on page 23)

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### INDEX

Advance Production Chart. 18  
Candler ..... 48  
Chatler ..... 48  
Concert ..... 50  
Dansaspi ..... 44-45  
Exploitation ..... 67  
15 Years ..... 19  
Film ..... 19  
Forum ..... 55  
Film Re ..... 114-15  
House Re ..... 21  
Inside-Legit ..... 50  
Inside-Music ..... 44  
Inside-Sheet Music ..... 27  
Inside-Radio ..... 41  
International News ..... 12-13  
Jack Osterman ..... 20  
Legitimate ..... 48  
Litterati ..... 43-45  
News from the ..... 51  
Nite Clubs ..... 46-47  
Publicity ..... 51  
Outdoors ..... 55  
Picture ..... 57  
Picture ..... 57  
Radio ..... 42  
Radio Reviews ..... 34  
Vaultville ..... 47

## Bogart Rogers Gives Up Pix Making to Write

Hollywood, June 14.—The picture was a writer-producer. Let the left last week with four months of his contract still to go. He intends to travel and write magazines.

Others joining P.M. two years ago, the interests to make next season, but declare

## Boxe Belt's Indies, Still Playing Film Single, Opene 20% Cancellation Privilege Would Aid Biz A'Round

Southern tier of states may witness the turning point in the battle waged by exhibitors to stop the cancellation of film single. Because a majority of theatres in the south still are running film singles for most of time and because they are not an spot for the Class B or C operating firms, the setup is offering inducement in favor of forcing an interim wedge on upped cancellations.

Additional contributory factor is that exhibitors for the most part in the southern territory that far are opposed to permitting the public to become educated to claim that although exhibits are against the Neely bill they are probably more opposed to the bill. This is being today than any exhibitor group in the country. They know that the Neely measure is all about but think something should be done about cancellation, if such a footing is possible and they are forced to take 40-50% weak product.

Southern exhibitors at recent 40-50% cancellations and conventions were bluntly in favor of a minimum cancellation of 20%. Exhibitors who are opposed to a single feature policy, they are worried over what to do with weaker films and they are forced to buy and pay for, but often are unable to use. Since these features were made for the night programs when bank night was held until recently, the southern exhibitors have the 'B' and 'C' films as 'night' pictures.

Now that the courts recently ruled that banks, and exhibitors in the southern area are willing more than ever that they do not know what to do with the minor product. Under present setup only a small cancellation privilege is allowed but the situation must be changed to give up to 40-50% features in order to get a specific company's product.

The exhibitor must be allowed to use up to 40-50% features in order to get a specific company's product. The exhibitor must be allowed to use up to 40-50% features in order to get a specific company's product. The exhibitor must be allowed to use up to 40-50% features in order to get a specific company's product.

The southern exhibitors claim that if he has an option to buy any number of features, at least 10 pictures could be wiped off the slate. "This would enable the exhibitor to buy a company's product to fill the gap and strengthen his picture lineup all down the line. In this way, once increased cancellation would help to cover up the general level of his production."

Because of possibilities of breaking the backbone of double features retained in this southern situation, there is a possibility that these exhibitors may receive consideration in their demands for higher cancellation. Though the status is still in the formative stage, the alignment is being made available to them at the trade in the next few weeks.

### Va. Exhibs Nil Duels

Norfolk, June 14.

Double bills and price-cutting are lacking in Virginia.

Slate motion picture operators in session at Virginia Beach stopped discussion at Jim McQueen's "Uncle Jim" radio's "Question Bell" long enough to resolve that they will sue anyone who is not permitted to invade Virginia. They took this action on Monday (13).

Talks between exhibitors of Virginia and producers were advocated at a meeting of exhibitors and producers by W. F. Crockett, president of the V. M. P. O., the host.

Mayor Roy Smith's address, the advantages of putting on the picture, put on the dog in his own back yard. He pointed out the importance of it being the dog before election.

The fishing was first item on program Sunday, Reoceph Drissell, owner of Lowe's State, Norfolk, took the biggest trophy fish. Judge Jones had tough time with award due to unusual fish stories advanced by Ed Gates, Reoceph Drissell, and arranged for the fishing party but it was hardly under way before summertime fishing. Ed Gates is a former president of the Motion Picture Owners, Sunday reports.

Some features have been put on in rapid succession Monday with final adjournment today (Tuesday).

## Coin Concious

Hollywood, June 14.

"It's a Wednesday one," said Michael Curtiz, Warner director, referring to a celeb.

Asked what he meant, Curtiz explained. The only time he shows any enthusiasm is on Wednesday, payday.

## GEORGE WALSH'S GOLF BRAWL IN THE GROOVE

The first golf tournament only for managers and others assailed with his in Netco Theatres Corp., Paramount's top boss, at the George Walsh Golf and Country Club last week on the second annual golf affair invited a number of outsiders, mostly distribution and theatre men,

of around 75 coming out the tournament. Doing it up right, he included a lunch with drinks and entertainment at the Orange County Country club, Middletown, N. Y., where he ate as a breakfast dinner at night at Scheuelpens near Middletown, N. Y., with many guests.

Jack Carpenter, Ward Leizes and Sid Fabian were among those who attended the event. J. E. McDermott, Par's general auditor at the h.o., went off his usual form, but in a recent conversation with developing polo ivy. Two first starters at golf, Bob Welman, manager of the N.Y. Star, and Louis Notarius, Par film buyer, surprised official scorers with the way they carried the ball around. Harry Rubin, Par projection boss, folded up badly after two holes and took a 10-minute rest. He was busy as a bird dog all day on arrangements, scratched himself many times and was seen in the company of Joe Lee, 20th-Fox branch manager at N. Y., proved the champ at golf, while Al Reitz, Fabian's camp, offered stiff competition at pinholes.

## MEBBE HE DIDN'T

Wher-up on Agency Biz Leads Court Suit For Coils

Leo Tuttle Los Angeles, June 14.

He has a content that he widened up Al Leeds on the agency biz before the latter joined up with Arthur Leeds and that the education he (Tuttle) was entitled to 10% of the money invested by Leeds in the firm didn't prove convincing enough to Superior Court Judge Vickers, and he dismissed the suit.

Leo Tuttle, 42 Pearson Bldg., advised that he would institute slander action against Tuttle due to the nature of the latter's statements.

## Agent Sues Ann Miller

Los Angeles, June 14.

Breach of contract suit for \$73500 was filed here last week against Ann Miller, RCA player, and her mother, Mrs. J. A. Collier.

Plaintiff is Gilbert F. Nelson, associate agent for Ann Miller, who sued the dancer to a contract which was assertedly broken March 29, 1937.

## Walt Disney, M. A.

Ambridge, Pa., June 14.

Walt Disney will be awarded an honorary Master of Arts degree by the University of Michigan in a commencement exercises here. Creator of "Mickey Mouse," "Snow White," "Donald Duck" and other famous representative of the picture industry to be awarded this degree by Harvard University.

Disney, who left school at the age of 16, has never attended college. He was awarded a \$6000 scholarship to give Disney an honorary fellowship, if the invitation reached Ambridge, Pa., at the University of Harvard invited and the B.A. honor and to be declined.

## TELEVISION TOUR

Fee for Kabbernetter's Visit Test in N. Y.

It will cost only \$50, to appear on a television broadcast—under plans now being lined up by National Broadcasting Co. and Radio City as part of a Television Tour scheduled to start about July 30. New York studios of NBC will broadcast the tour, is to be a 40-minute show, with televiewing of any member of touring party, high light feature.

Bulk of space on 8th floor of RCA building is now being fit up for the tour. Television equipment, camera, typewriter, microphone, casting studio, receiving apparatus and other paraphernalia connected with television will be shown. A stunt television broadcast will be staged for each touring party with visitors at viewing who has been transmitted. None of this event will be sent out to television reception.

The Television Tour will not interfere with regular experimental programs and shows and films. These will be open to special invited groups in the RCA building as in the past. The program set will remain in the hands of members of the RCA-NBC Television Co., the television experimentation contacts.

## COOL PASSES \$6 DIVIDEND BUT NOT STOCK

Picture companies have felt the decline in earnings reflected in deferred dividend distributions was Columbia Pictures when the directors last week decided to take no action on the 25c quarterly dividend for stockholders at the end of the month. Columbia, however, insist its old stock dividend policy by voting a stock dividend of 2 1/2% payable Sept. 16 in common stock and voting stock "rifle" holders on record Sept. 1. Company made provision for paying in cash for fractional shares in the form of stock certificates on N. Y. Stock exchange on Sept. 12.

Dip in Columbia earnings was shown in the 9-month report at the same time. This report for the nine months ending March 26 showed a net profit of \$428,200, after tax deductions, as compared with \$1,189,354 in the similar 9-month period of last year.

Company's balance sheet shows \$1,652,649 to be the current assets, with current liabilities listed at \$1,321,824. Working capital was placed at about \$1,012,000 as of the date of the report.

Columbia's gross income from rentals, sales of film and accessories was \$1,536,645. Amortization of picture rights was \$1,100,000. Net profit of \$232,000. Company deducted \$416,797 for dividends on preferred and common stock, \$450,900 for taxes covered by report. Of this amount, \$202,170 went to common stockholders.

Profit for Zenith Radio and subsidiaries for the fiscal year ended on April 30 dipped modestly from \$1,200,000 in 1936 to \$1,100,000 in 1937. Company reported profit, before taxes and charges, totaled \$701,479, or \$1.6 per share for 12 months ending last April 30. For the preceding fiscal year the profit totaled \$700,000, or \$1.60 per share.

Though Universal reduced its quarterly earnings for the first fiscal year as compared with the previous year, the company's statement released last week showed a dip of about \$700,000 in earnings in the 26-week period ending April 30, compared with \$1,568,285 for the first half of its fiscal year ending April 30, as against net loss of \$300,000 in first 26 weeks in revised fiscal year.

Loss for the 13 weeks ending June 29 this year amounted to \$388,779, compared with \$460,000 for the corresponding period a year ago. Loss for the 13-week period ended April 30 was \$199,687, as against \$109,669 in comparable period last year.

## Novelties, Testimonials Net Pic Players \$1,500,000; Studios Co. of It Selves in

Hollywood, June 14.

American manufacturers during the past few months have made a fortune out of offers of film personalities and royalties as 'endorsement' fees and studies on wearing apparel and accessories. They will not even approach the take for 1936, fatten year since the inception of the industry. It is still in the way is not too low to keep important stars and studio executives on the watch for the cash haul.

Top money grabber for the current season is the picture "GARDEN LOSSES SUIT."

## GARDEN LOSSES SUIT W.S. US'S HOCKEY FILM

Madison Square Garden Corp. last week lost its suit in N. Y. supreme court for an injunction and accounting of profits which it brought against Universal Pictures, Inc., Bid 'U' Exchanges, Inc., and Universal Film Exchange, Inc., over the picture, "Idol of Crowd," which the Garden claimed that Universal had failed to compensate it for using stock exchange sequences were authentic in the picture. The Garden asserted that Universal had misrepresented to the public the exploits of the picture that the scenes portrayed in the picture had actually been performed by professional hockey players in the arena was tied up with the film duetion.

Source of complaint was that Universal sought to build up the picture by making it appear the hockey game sequences were authentically taken during the Stanley cup series, but actually were taken for purposes of the Detroit arena and with the understanding that the shots were not to be used in the picture.

Judge Bernard L. Shi opinion dismissing the action. He said that the picture was founded upon the Civil Rights Law, as much as the plaintiff is a corporation and not entitled to protection. The complaint likewise failed to show any 'property right' which the plaintiff was entitled to protect in an action of unfair competition. There is nothing to indicate that the defendant in anywise asserted that the picture is other than fiction; nor does it appear that any attempt has been made by the defendant to 'pass off' defendant's motion picture as that of the plaintiff, or that the plaintiff had anything to do with the defendant's picture. No right to relief is shown either for an injunction or an accounting.

## Par Tells Exhibs Again

Los Angeles, June 14.

Paramount filed its second answer last week in the suit brought by George S. Coe, an independent exhibitor, who protested the company's failure to deliver certain pictures on the 1935-36 program.

Acti pending in U. S. district court involving 17 exhibitors reported 25 film houses.

## Gilliam West

Bound for Coast, another of his periodic trips west to check product going into the cans and making the Gilliam plans leaving for Los Angeles tomorrow (Thursday) few stopovers on the way.

He'll stop for a night in City first, making a stop there (his home), then going into Texas for a few days in Dallas and possibly other points.

## LET 'ER GO

Hollywood, June 14.

'Hold That Coed' goes before the cameras this week at 20th-Fox.

Cast includes John Barrymore, Donald Meek, Marjorie Weaver, George Murphy, Jack Butler and Joan Davy.

## SMASH IT GOES

Hollywood, June 14.

'Smashing the Rockets' went into production at RKO last Thursday (13) with Frances Mercer and Ruby Keeler in the top spot posse Chester Morris, as a picture.

rent 12 months' policy will be Walt Disney, with Shirley Temple, for the most similar to the most recent sum, sliding into second place. Edgar Bergen, coal ting via Charlie McCarthy, has moved into third place. Frances Marion, who had Deanna Durbin, already copying real sugar, is already gaining, while "Idol of Crowd" has been taken by his ex-husband, Janet Kay Chapman, Warner's five-year-old, has already gained a foothold that augurs well for her future possibilities.

Jackie Cooper, who gathered almost the equivalent of her screen salary through outside merchandising promotions during his knee-pants days, lost out when he donned slacks.

## Cutting In on Payoff

Players really awake to the possibilities of the extra added income half a decade ago, but it has only been in the last year that significant steps have been taken to give the opportunity to bolster company purses. Now they are beginning to siphon over the millions of dollars in profits that they pass to a merely for the purpose of exploiting their pictures, when they might have had the advantage of the exploitation of the Result is that one major production outfit is seeking ways and means of outdudding the exploiters of newcomers a clause that gives the studio rights to the player names for the picture. In the case of the receipts into the lot's strongbox. (There is already such a clause in all pacts between studios and players which exploit lion tampa, sans coin.)

First to put the outside income business into effect was Disney who was Walt Disney, who, with Roy Kamen, launched a corporation known as the Disney Enterprises, the purpose of which is to expand the commercial income from Disney's screen characters. Kamen, who has been a close associate of Disney since the inception of the Disney subside as well as a shareholder in the underwriting and distribution of the spread bible given Disney picture through Kamen's efforts, carried on the same application to Disney Enterprises net for 1937 scored above the \$125,000 mark in the year ended March 31, a net excess of 00,000 this year.

Disney's name has been earning money ever since the picture was picked with silverheat enthusiasts, the economic upset that followed the 1929 stock market crash. Mickey Mouse picture on the half of a dollar watch only saved a big, clock making concern from being bought up financially.

## Dwarfs a Life Saver

Swelling his side-issue earnings for 1938 are the rubber replicas of Snow White's Seven Dwarfs, demand for which now has a Detroit rubber novelties factory.

Two years ago Shirley Temple's name was used by a corporation to handle toys, cereals and apparel, cut-out dolls alone bringing her \$17,000 for the corporation to handle such items in 1936. Her income from endorsements for breakfast, foots continues to be a corporation to handle such items.

Like Disney, she, too, has set up a corporation to handle such matters. Gene Autry, whose photos decorate ice cream cartons, candy boxes and other products, has a considerable falling off in the royalties she draws from toys and dresses, novelties, and other merchandise.

Only a few days ago Warner studio picture department - "Smashing the Rockets" was being cast. Akron, Ohio, through which is acquired the right to bring in Janet Kay Chapman books, games and puzzles for a contract for a number of years. Saffield execs agreed to the deal after viewing a special presentation of the picture, "Smashing the Rockets," the picture that intro into the moppet. Saffield also publishes the "Smashing the Rockets" magazine.

Harmonics and other musical instruments for juves for the main purpose of the 1937-38 season, the business man

# St. Paul-Mpls. Unionization by Mgrs. May Force Par Shuttering 100%

Inneapolis, June 14.—Closing of all Twin City Paramount theatres, comprising the vast majority of all inneapolis and St. Paul showhouses, is under consideration in consequence of the unionization of house managers, assistants and treasurers and threatened demands for pay boosts and "better" working conditions.

Union of managers has obtained an A. F. L. charter and claims that Paramount theatres in Twin Cities now are 85% organized, and that unionization of independent neighborhood and suburban houses will follow.

"The union has served notice on John J. Friedl, inneapolis Amuse. Co. general manager, that its demands will be presented prior to Sept. 1.

It has practically all of its Twin theatres operating in the red, and it gladly would welcome an excuse to shutter the houses according to those in the know.

While in this territory, in connection with the North Dakota theatre divorcement trial, Y. Frank Freeman in charge of Paramount theatre in Fargo, Minn., made a statement that chain is in no mood to consider any "unreasonable" demand regarding where they emigrate.

Minneapolis is believed to be the first city where managers of film houses have organized into their own A. F. L. union.

The Minneapolis local of the Film Executive Workers A. F. L. union, has chosen A. Carlson as its president, Chet LaVoie, v. p., Gilbert Eslerly, secretary, agent, and Hazel Champi, n. secretary-treasurer.

**New Drive Nears**  
Cleveland, June 14.—That New York theatres will be completely unionized by the end of the year in the near future was seen in the most significant bill which was unanimously approved by 18 others. New Yorkers were more vitally interested in this one, for some \$66 was promised the strong moral and financial cooperation by Browne. Campaign covering every type of Broadway house and theatrical work to be put into effect before opening of fall season.

Plaintiffs pushed through a resolution recommending that a alliance should go to bat against California's proposed initiative measure. All California locales are being notified of the "vicious details" of the measure, which aims to have all labor unions incorporated, limited in power and subject to penalties for unlawful acts.

Executive board had two bills referred back, one to provide group life insurance for members not exceeding \$1,000, and second that would request the U. S. war department to restrict army post theatres to married men and women as a concession to commercially owned theatres. A recommendation that Congress went through.

The poli- setting resolution objecting to inclusion of guilds under the National Labor Relations act is the conventional dispute which the A. F. L. should withdraw its support as well as charters of the screen players' guild and writers' associations. For the first time the grievance committee had no kicks to announce.

Officers Union, partly vexed over jurisdictional dispute among its'ing some theatres, has threatened to stage a walkout in all of the Greater New York houses within 24 negotiations for more money, better working conditions, etc., under a new contract.

The engineers handle cooling plants, and others for heating during the winter and some other work in the theatres. Their union has filed a new contract now expiring, delivered an ultimatum yesterday (Tuesday) to the committee for new conditions on which that union action was im-

## Orchid-Raising Stirring

ollywood, June 14.—Top roles are in the forthcoming "Brother Orchid" at Warners have been assigned to Edward G. Robinson and Wayne Morris.

Picture, now in the scripting stage, is based on Richard Connell's yarn about a gangster who finds refuge in a monastery and raises orchids.

## U HAS NAMES, BUT NO STORIES

ollywood, June 14.—At the time etro brought the "Madam Currie" story from Univer, a deal was made whereby the picture Universal have the proper picture material for "Robert Montgomery, Jack Stewart and Robert Young, each of these players would be released to Universal.

Now, now, now, trying to find stories to fit all three of these personalities.

## WB Wants to Examine Nat'l Screen's Officers In Its \$1,000,000 Action

Warner Bros. Pictures, Inc., and its distributing outfit, Vitaphone, filed suit in U. S. Supreme Court Justice Peter Schmuck for an order directing the appearance of Herndon Robbins, president; Poloy Gruen, v. p., and Sam Dembow, Jr., general manager, of National Screen Service, Inc., for examination before trial of Warners' suit for \$1,000,000 against NSS. Action, which was begun last week, is for damages, an accounting of profits and an injunction.

Plaintiffs claim that for several years the trailer company has represented it is tied up with WB and Vitaphone and that it uses the two titles without permission. Plaintiffs also contend the flashes put up by the defendant are inferior and do not properly represent pictures produced by the plaintiff.

## Par Back Lot Shiffs

ollywood, June 14.—Transportation head at Paramount, was placed in command of the prop shop last week as the last year, is for damages, an organization. Lee Hinson was appointed to fill the transportation job.

William Cook, Robert Preston and Judy King. Writers added to the staff include the late Fredrick Jackson and Lynn Starling.

## Negro Unionization

Philadelphia, June 14.—Petition for certification of collective bargaining representative of maintenance employees in six major houses was filed with the National Labor Relations board Friday (10) by Leon E. 100, JATSE, Theaters and Amusements, Inc., New Douglas, Jay, mehn and Po

# PIX BUILT UP TO BURN THEM

## Can't See Why Any Anti-Trust Suit is Filing Double Features—Argument Set Forth in Preliminary (Penny) Case

Define suing whether anti-trust statutes stand in the way of distributors' efforts to eradicate double features was sought from the U. S. Supreme Court last week by six industry leaders. Announcement whether the matter will be studied is probable at the opening of the fall term.

Presenting four important questions, half-dozen distributors asked the highest bench to review the finding of the Eastern Pennsylvania federal district court and the affirming opinion of the Third Circuit Court of Appeals in equity proceedings brought by Harry and Louis Pincus, who requested a preliminary injunction, was set for December 1, 1938, with action under both the Sherman and Clayton acts.

Construction of the basic features of these anti-trust laws is requested, while several procedural errors are charged against the district court. Chief questions which Vitaphone, RKO, Paramount, Metro, Fox and United Artists want settled are:

1. Whether a combination or conspiracy in restraint of trade may be deduced from mere fact that a number of distributors were in the same geographical area and similar policy against deals, particularly in view of widespread opposition to the practice.
2. Whether, assuming the dual ban results from "concert of act" inclusion of contract clauses against double-billing is a violation of the Federal code.
3. Whether violation can be predicated upon a finding that six distributors in the same geographical area when there was no finding that such action by any individual company would restrict trade.
4. Whether the Third Circuit Court could affirm the lower court decree in its entirety while saying there is some question as to the sufficiency of the pleadings.

No Illegality  
Disclaiming any illegal conduct, the distributors went to considerable length in attempting to convince the court there was no accord between them. Contract clauses were adopted over a period of several months, brief noted and are not standard, varying from simple prohibition of extra billings to total complete provisions imposing penalties.

Widepread distaste for duals used as the basis for the lawsuit was argued, in effect that even if they were illegal, the distributors would be laudable. Double-billing described as a "vicious practice common in the industry" by the motion picture industry by most producers and exhibitors and as injurious to the public by several groups, including General Federation of Women's Clubs, Parent-Teachers Association, National Y. M. C. A., plus school teachers and clergy.

Conceding they want to stamp out double-billing, the distributors' lawyer tried Court for taking view that where competitors in an industry are in similar policy with respect to three years of the Court will presume that they did not adopt that policy in an attempt to restrain trade but it was a good policy to adopt, but because they had combined and conspired to do so it was illegal.

Effect of the Circuit Court sustainer is to "root" the considered "a vast number of the majority of exhibitors in the motion picture industry" and to check movement which would "lead" to "the general" (continued on p. 5)

# New Hollywood Race Track Preems; Strictly a Warner Bros. Production

## Hathaway on 'Frontier'

ollywood, June 14.—Henry Hathaway is set to direct Samuel Goldwyn's forthcoming "Gazy Coors star", "The Last Frontier," formerly "The Red Cavalry," Gene Fowler and Howard Eastman are screenplay the tale of American soldiers in the Philippines. Currently Hathaway is piloting Paramount's "Spavou of the North."

## NABE CIRCUIT INVADES LOOP

Chicago, June 14.—Essaness has taken over the Woods theatre building from the Marshall Field estate, having bought the building and leased the ground. This holds a five-year lease from Sept. 1, 1941. However, it means that eventually the Essaness nabe circuit is in the loop, and mark the first step by a nabe circuit to possibly retaliate against Radaban & Katz for the Sherman and Clayton acts.

Essaness has been burning since B & K forced double billing feature this town.

## Stanton Griffis Foreses Softball Craze in U. S. A. But Coin Angle Obscure

Stanton Griffis, head of Paramount's executive committee, chairman of the Madison Sq. Garden Corp., financial mentor of the McClintic-Katharine Cornell, etc., prophesies that Americans will be softie crazy by next summer. Sportsman-financier foresees the growth of the moderated baseball games, particularly as an appeal to young women. His observations are that America will be as gymnastic-minded as the German youth now.

Now, says Griffis, if he could somehow get softball into Madison Square Garden as a summer stopgap, it would double their net profit, excepting that any manifestation of baseball is synonymous with sitting in the sun, and as a summer attraction. During the winter, Madison Sq. Garden, however, is well stocked between hockey, basketball, bike races, the circus, fights, etc.

For the 1939 fall, the Sun will try the ice show gap as a summer stopgap. The MSG is such a national landmark.

## 20-FOX DENIES 48-HR. WEEK FOR ITS WRITERS

ollywood, June 14.—Official denial that 20th-Fox has played an attempt to cut an eight-hour day and 48-hour week was issued last week by Fred Mettler, company president, in a letter to the Screen Studio. Mettler said, has merely established an improved accounting system for the proper allocation of daily picture costs. No time limits have been placed on its creative personnel, he insisted.

## Campus Queen's 'o' Invite

Lynchburg, June 14.—On the strength of a new picture showing her as May Queen, Miss Vera Dickens, this year's graduate of Randolph-Macon College, has had an offer of a screen test by Metro.

The slender blonde, daughter of a Lynchburg physician, said she didn't know whether she would accept. Local friends are particularly interested in a picture career.

Hollywood Park, about nine miles from Hollywood, opened officially Friday (10) with an overflow crowd in the grandstand and stars in every department but the horses.

It was distinctly a Warner Bros. production, with the Warners' own everything but ride a horse. Los Angeles' weather was unusual, as usual, but the glittering display of picture personalities made up for the lack of sunshine.

Everybody who happens to be somebody in Hollywood, and a lot of folks who once were, and still more who hope to be somebody, were there to compete into the four-legged actors.

reduction at the arena; stud; was practically at a standstill for the day, if a flock of producers, heads, creditors and actors laying their money on the line and asking any non-picture bystander, "who do you like in the seventh?"

The seventh produced the only steamlined horse. It was not a film-owned debut. His name was Chute, owned by the Boeing airplane works, which probably accounted for the flock of stars.

As a picture production the scene effects fell short of those at Santa Anita, but it was a fine performance. As a picture production the scene effects fell short of those at Santa Anita, but it was a fine performance.

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## Doran After Montgomery For Hemingway War Play

Hollywood, June 14.—D. A. Doran Broadway legit producer, is here trying to sign Robert Montgomery to do a top in a modernistic, including users more elaborate, which had night club down.

If they had big league horses it would be a big league horse track.

# Reserve Decision in Enforcement Appeal; Some Witnesses Not Called Due to Reported 'Retaliation Fear'

Fargo, N. D., June 14. Trial of the suit to determine the constitutionality of the North Dakota theatre divorcement law is under way before the federal judges Friday. Several North Dakota independent exhibitors were called by both sides to testify how they had been affected by or how they feel regarding producer ownership and operation of theatres which the measure seeks to outlaw.

Although they didn't bring the needed out during the defense counsel claim their reason for not placing certain independent exhibitors to stand was to protect the men whom they wished to call 'begged off' through fear. One exhibitor in question was pleased with test-courting down his cheeks; defense counsel assert, not to be surprised because he was afraid he'd be 'ruined' if he testified against Paramount.

On the other hand, the plaintiffs' counsel, who were expected to call a number of North Dakota independent exhibitors to testify they were in favor of the divorcement and have no objection to it, also had an explanation for their failure to produce these witnesses. They aver they didn't wish to subject the exhibitors to emphysema, embarrassment and the retaliation of the well-known Allied Forces responsible for the law's passage.

On the court, consisting of one federal circuit court of appeals judge and two federal district court judges presiding in the state of North Dakota and uphold the validity of the law forbidding film producers to own or operate theatres, or whether it decides in favor of the plaintiffs, Paramount, et al., and its defendant independent exhibitors, its enforcement and leaving Paramount in possession and enjoyment of the theatres, the matter the court will be called upon for a final and decisive say in the matter.

Pursuing its line of attack with testimony calculated to show that competition exists between the entire film industry and that there is no justification for a law which all independent exhibitors are to stand, as rebuttal witnesses, William F. Rodgers, Metro, Gabriel Mess, president of the National Theatre Organization, and Y. Frank Greenbaum, Austin C. Keough and Al Anson, co-plaintiffs.

Defense witnesses asserted that in the operation of their theatres they were shut out from profits when producers invaded their field with showboaters. They also claimed producer-owned theatre circuits enjoy real advantages general over independent exhibitors in the matter of obtaining product, thus making their competition and the continuation of the present system eventually will exterminate independent exhibitors from the theatre producer's 'hold the power of life and death.' These witnesses included, in addition to W. A. A. of the North-West Allied States' president, M. M. Richey of Michigan, national Allied director, and other independent exhibitors, notably Col. H. A. Cole, owner of two theatres at Greenville, Texas, and national Allied director; Frank Koppelman, La. Cross, Wis.; Verne Young, Gary, Ind.; Ben Ash, Peruss Palace theatre, and Edward F. Maertz, Milwaukee.

The plaintiffs were prepared to put in evidence of other independent executives on the stand, in addition to those who testified, but they were excused when they learned they were to follow the lines of that of Rodgers, etc., as admitted by stipulation.

**Inlie Testimony**  
Koppelman said that in La. Cross, where he owns a number of theatres, Paramount, etc., the exhibiting end in opposition to him and took away one of his most desirable products which had been for many years, and threatened to take away other product. He testified that he had no idea of the situation or attention of the state attorney general, who threatened prosecution. The pressure is said to be in this way saved much of his product for him and side it possible for him to con-

tinue to do, he claimed. He said, in fact, with Bennie Berger and other exhibitors in Fargo, Minn., formerly that Berger formerly owned the State and Opera House at Jamestown, N. D., and after \$25,000 surrendered the latter. Then, he said, Paramount came in and leased the Opera House and took Metro product away from Berger. Retaining his alleged experience as owner of a 240-seat theatre at Gary, Ind., and a small circuit, Verne Young said that he once had sold out to Paramount and then he took back his house when that company went in arrears on rent. He claimed B. & K. entered Gary by option to his house and took P. product away from him. He was told, he said, he had no business re-entering the theatre field. Moreover, he claimed, RKO wouldn't sell its product to him until B. & K. consented to a lease.

**Retrospective Figures**  
Illustrating the degree of competition in the film industry, Rodgers testified for the screen rights to the stage success, 'The Woman,' finally bought by Metro for \$200,000. He also testified for the control rights for leading stars, stories, cameramen, technicians, etc. Lowest cost of an average picture in the North is \$100,000 and highest \$2,000,000, with \$700,000 the average, according to Rodgers.

Actually, asserted Rodgers, the vast majority of exhibitors pay less than \$100,000 for the screen rights to the print itself. Revenue obtained from first-run houses makes it possible for distributors to rent pictures to second-run houses at low rentals, he testified.

M-G insisted on its pictures being placed in theatres it considers the 'best' theatres, assuring them the largest box-office returns, Rodgers pointed out. He also testified that M-G's terms where M-G pictures are to be 'spotted,' he said. Pictures with \$100,000 or more rentals will be subsequently will sell as low as \$10, according to Rodgers.

It is not true that M-G exercises favoritism in selling its pictures and it does not favor producer-owned theatres, Rodgers testified. Other things being equal, testified Rodgers.

Fifty-six theatres were cited by Rodgers. In 22, at least, M-G product was divided equally among independents and affiliated theatres, while 24, in only a few instances, were producer-owned houses.

**Cross-Examination**  
Judge Devan's cross-examination of Keough sought to bring out that P. was consulted by independents before they entered into contracts with exhibitors and that the company reserved the right to withdraw its pictures from any independent exhibitor who displeased it.

**Freeman, on cross-examination** cited that the testimony of Keough sought to bring out that P. was consulted by independents before they entered into contracts with exhibitors and that the company reserved the right to withdraw its pictures from any independent exhibitor who displeased it.

# Report Judge Callaghan Resigning from Par Board

Stephen Callaghan is reported resigning from the board of directors of Paramount. He was one of the later additions to the panel, in view of reorganization of the company.

# Herman Wobber Impressed Into 20th's Sales Top

The appointment of Herman Wobber as general manager of distribution for 20th Century-Fox is largely in the nature of an emergency and may be temporary. Need for a show man of Wobber's stature is pressing at this time, following the death of John D. Clark. The company is at the height of its 1938-39 selling season, and this fall will conduct a series of sales drives which probably run from August to December.

These sales division managers are: 20th Bill Sussman, Bill Kupper and Bill Gehring, actively held distribution, but the company preferred, at this time, to have man like Wobber run things. Among other angles, Kent is none too well and has had to devote much of his time to administering matters in 20th, let alone sales activities, as he would be.

The three Bills in the sales division posts at 20th, though none is entrusted with the top distribution job. The office and familiarizing here throughout the industry, Sussman was with Kent in Paramount. Gehring, who is a Fox man, and Gehring, they all are highly regarded in and out of the company.

A fourth Bill, William J. Clark, brother of the late John Clark, is in charge of shorts sales. It is anticipated that Wobber will spend considerable time on the Coast, though named to the h.o. sales spot.

# EASTERN SAC MEETS

## JUNE 21 IN NEW YORK

General membership meeting of the eastern division of the Screen Actors Guild will be held next Tuesday afternoon (21) at the Hotel Astor. N. Y. members will elect an advisory committee to direct the affairs of the local chapter.

In addition, Mr. Florence arc, eastern rep, will read her year's report and Kenneth Thomson, the Guild's publicity secretary, will speak. Thomson is expected to return to the Coast after the meeting with Laurence B. Schwartz, SAC attorney, who arrives in New York today (Wednesday).

**U's No. 1 Collegian**  
Hollywood, June 14. Raymond Parker is slated for lead in the collegiate series at Universal 'Freshman Year,' first of the group, starts July 1.

Four pictures will be made, each representing a year in college, each having the same cast.

# SHORT AND FAST

**Hollywood, June 14.**  
Leon Schickelstein is to be released on contract production, with 16 under way for his 1938-39 schedule. He is expected to appear in the current slate, due for shipment next month.

# No More Theatre Acquisitions?

Pending a decision from the three judges who sat in the two weeks' fight of Paramount and subsidiary interests to declare the North Dakota chain-divorcement bill unconstitutional, belief is growing among theatergoers in the United States that no more theatre acquisitions will be made by chain-distributors. The result of this leaning in the face of recent chain-divorcement agitation and danger, may ultimately result in wide agreement to stand pat on what the theatre has done for the past few years.

Based on the vigorous fight up by Paramount and others against the North Dakota bill, first to be passed, together with the effectiveness of the presentation of the evidence, legal opinion is reported to favor a victory for Paramount at odds of two-to-one. Observers present at the trial consider that independent forces led by the United States Assn. leaders, including Abram, Levey and Sieffes, not only put up a weak battle but digressed a lot from the points involved. These forces brought in various independent exhibitors, one of whom claimed Par had built gainst him in his town, but in addition to this type of testimony indies dragged in complaints which, it is claimed, had little or no bearing on the case. Par, also, had indie exhibs testified.

In addition to heavy legal batteries representing the chain side of the question, several major distributor heads were on hand to lend strength, but after Bill Rodgers, Metro, sales chief, in several instances that are characterized as powerfully played, the exhibitor group decided no one could add to the job Rodgers had done. Agreement was reached excepting other districts from taking the stand, including Neil F. Ames, Par's Andy Smith (U.S.) and Bill Gehring (20th) who were in Fargo. Red Sears was on the way out when getting word he wouldn't be needed. RKO was similarly informed, and was expected to be called.

Reports from Fargo were that not only did some State witnesses cause a little squabbling but that Meyers put out his neck on a couple of his friends and got into a fight with them. The result was to back the impression, also, that Allied leaders did not have as keen a knowledge of the picture business as they're cracked up to have, after being seen in action.

# Hot Sands Lads Overrun L. A. But Show Biz Gets the Convention Scorch

# Bey Hills Would Shoo Cars Into Parking Lots

Exhibitors here are up in arms over a proposed city ordinance which would put a 45-minute parking limit on all streets from 7 a. m. to 8 p. m. Big idea is to drive pic goers into the parking lots.

Amusement traffic commission has recommended it for passage. There's no limit on parking on residential streets during the night, with a four-minute limit in the biz district.

# Omaha Mayor Suspect Of Being Anti-Show Biz

Apparently burned by defeat of his drastic censorship ordinance last week, Mayor Dan Butler tangled with city council meeting next day with Ralph D. Goldberg, owner of six local theatres, who had been held before council on charge his parking lot, behind Suburban Avenue theatres, was too big.

Councilman Harry Trustin whacked at mayor for 'petty persecution.' Mayor turned on Trustin and Goldberg, lashed the theatre man for ignoring neighbor's squawk.

Mayor's action was met by a censor gag, said Goldberg. He is against anything or anybody connected with amusement.

Film men representing all towns and 27 theatres formed an Omaha exhibitor's association, which met on Monday (13). Unity in the current fight against proposed censorship is the chief group's first in town's history. Proposed permanent elect Bill Mitchell, Omaha manager, president; Sam Epstein, vice-president; Lawrence Grobeck, alternate vice-president; Walter Crook, secretary-treasurer.

# DuPont's Directors

Wilmington, June 14. Six directors of duPont Film Corp. were reported today (Tuesday) to be in attendance at annual meeting. E. duPont de Nemours & Co., named four and Pathé Film Corp. two. A. B. Echols, Newbury J. Steers, George A. Scanlan and J. J. Moosman are the duPont directors, while E. J. Briggs and Robert Young are Pathé designees.

Los Angeles, June 14. Shrine conventioners, some 50,000 of them and their families, have come and gone and, true to the promise of the organizers, there has been less than hoped biz in general. Theatre grosses were one-third off and nobody profited from the influx of hinkies other than hotels, cafes, railroads, rubberneck buses and gas.

Downtown merchants also set a moon that the free-spending promiscuity of the Shrine, with a lack of holding money was evident by the infrequent ding-donging of the cash registers. Also harmful, they assert, was the knitting of downtown traffic by their informal parades and such playthings as having breakfast and luncheon there. The busy Seventh and Broadway corner during the early morning rush, Genardine touched off by the parade, had several judged blokes without fees.

Understood that convention wasn't the divvies it was supposed to be. Some eastern temples sent only their potentates and a few others, and will be in the city for the busy Seventh and Broadway corner during the early morning rush, Genardine touched off by the parade, had several judged blokes without fees.

# Spear's \$1,000,000 Suit Over Dionnes at Bat

Chicago, June 14. Long pending \$1,000,000 damage suit by Ivan Spear against Pathe Brothers, which was filed in court by McNeill & Libby, Papa Dionne, father of the untitled, etc., and his attorney, president Sam Epstein, vice-president Lawrence Grobeck, alternate vice-president Walter Crook, secretary-treasurer.

Bill of particulars claims that Papa Dionne was coerced into signing a distribution agreement with the company, which was signed by Dionne with newspapers around the middle of 1937. Bill of particulars claims that Papa Dionne was coerced into signing a distribution agreement with the company, which was signed by Dionne with newspapers around the middle of 1937. Bill of particulars claims that Papa Dionne was coerced into signing a distribution agreement with the company, which was signed by Dionne with newspapers around the middle of 1937.



# Ohio's New Proposed Censorship Fees Has Entire Biz Up in Arms

Proposed new censorship fee in state, which it is limited would cost the industry about \$1,500,000 annually, being viewed as a considerable apprehension by exhibitors who fear that they will have to foot the bill. That is their opinion after the picture contracts in effect in Ohio since 1915, which specifies that each exhibitor shall pay the districts for any tax, fee or other like charge.

Although the excessive censorship fee or added tax possibly was admitted incorporated into a bill pending before the Ohio legislature in order to make the distributors dig up cash for not unemployed, the additional fees actually will be passed along to the exhibitors in all probability. Theatre men familiar with contract provisions believe the proposed tax on admissions would give them a better break. At least would enable them to tilt their admittance scale enough to cover this added tax and thereby partially pass along the additional burden to the public. This is not possible under the censorship bill because it would be difficult to allocate the expenditure per 1,000 feet of film even if the public could be made to understand why there was an admission rise.

Distributors are opposed to both forms of additional taxation. They think it is about time that legislative sots stop picking on the film business every time additional tax money is needed. They believe this attitude of "soaking the picture industry" is wrong in the old theory that films are luxury.

Censorship fee bill would assess every foot of film at each release print at the rate of 2c, per copy. Broken down roughly on an 8,000-foot picture, a three-day run would cost such a picture would cost the exhibitor 95 extra, or 43¢ per day. This is because each release print costs \$100 in new censorship fees. Figuring it is good for 50 days per picture, the picture would cost the exhibitor \$3 daily.

Measure is particularly drastic against new releases, which are included in the bill. With new release prints estimated to average 900 feet in length, censorship would cost \$18 per print. New release prints last about 18 days. Each would mean \$1 per day extra. This figure is little less than what the exhibitor has to pay at day in rentals for his new releases.

Attitude of distributors in this state is that if the censorship fee boost is placed on the exhibitors it will be placed on the shoulders of exhibitors. Whether the intent of the bill is to place the cost on the distributors or not, it will be the exhibitor who pays in the end. Distributors say the contracts cover this, and it is up to the exhibitor to pay. They say to those who say they continue being serviced with films.

## YALE'S FILM EDUCATIONAL DRAMA PRODUCTION

New Haven, June 14. Yale's department of drama has completed "It's Not All Play," a feature in which behind-the-scenes procedure of a dramatic production is shown in a motion picture for the first time. Film is to be shown to workers in schools, colleges and production is to be first in series to add additional stage production. Next picture, "Direction," intended as a film course in play directing, is scheduled for production in the fall. "It's Not All Play" was directed, photographed and lighted by Benjamin O. Original 12,000 feet of 35 millimeter film was shot in 2,400 feet or the equivalent of more than 8,000 feet of standard negative.

## Life Mag's Photo Spread On Film May Cause Suit

Understood that William E. Cheney, editor of Collier's Weekly, has received notice of his intention to sue both Life and Armand Denis, producer of "Dark Rapture," Universal film. Fracas seems to be the result of Denis arranging with Life to publish a number of pages of photos from the film. These are to appear in Life, issue of June 17. In so doing, the Life photos will be published ahead of a story on elephant hunting which Denis is claimed to have sold to Collier's, and in connection with which Collier's Weekly was to have the privilege of using from "Dark Rapture."

The Collier's story, it is understood, was to run not later than July 18.

## '39 Fair's Press Bldg. To Have Newsrels Labs, Postoffice, U. S. Customs

New press and public relations building at the New York World's Fair is being rushed to completion because the Post Office branch and U. S. Customs also will have space in building. Number of foreign countries bringing in exhibits and material under bond makes a customs branch on the grounds essential. Structure will be completely air-conditioned. It immediately adjoins the presently completed Administration Building. Press building will be laid out along same lines as prevailing department space in the Ad Building but will have more room. Two-story affair will be equipped with newspaper laboratories for both newsrels and N. Y. city newspaper photographers.

Public relations department has announced that definite space allotment and arrangement of it for different newsrels and publicists will await until about two or three months before the exposition opens next October.

## Lesser Buys In

Hollywood, June 14. All interest in Ed Buell's midwest western, "Terror of Tiny Town," was purchased last week by Sol Lesser, who immediately approved updating the budget for two more weeks of shooting.

Lesser and Buell plan a series of features, built around the lower-case actors.

# CLEVELAND TOURS OPEN 50%

Nabes to Shutter 3-4 Days a Week—Other Keys Look to Hollywood as Solution B. O. Woos

## NEED STRONGER FILMS

Eighty-eight nabes houses in Greater Cleveland may let down the shutters three or four days per week this summer as a protest against the weak-sister picture forced on them and to stave off a terrific bo, slump hitting all big theatres. () meeting, held Thursday's () meeting, local exhibitors' association took an unofficial poll, on the question of whether to shut their theatres on a half-schedule. Only 25% of the members were missing, according to George W. Erdman, secretary, and 100% of those present approved of the emergency measure.

Reaction is being drawn up and will be put to an official vote probably Thursday (16). From all reaction of exhibitors, who are crying woe, it will be passed nearly unanimously. Majority of 80 owners are already laying plans to cut down their nabes next week to four-a-week, from Thursday through Sunday. "Business is lousy the other three nights now that I'll be saving dough by not playing these turkeys," said one exhibitor.

Recession conditions are bad here, reiterated Erdman, and the class of productions coming through is not encouraging enough to warrant full-week sicks until Hollywood comes to our aid with better pictures. "The members of Cleveland association threaten to operate on a curtailed basis up to fall or a time when business warrants a full week's operation."

George Young's Romy and Max Ledowski's Carole, both downtown grindlers, folded two weeks ago after a futile fight with Class C first-runners. Former house may go back to stock burlesque Aug. 14.

## Even the Miners

Salt Lake City, June 14. Mining, like Utah's industry, is suffering and labor strife, has caused Utah amusement operators to hit the aspirin bottle. More than 9,000 miners since June 3 have been trying to get released from underground chores, forcing nearly (Continued on page 21)

# IATSE Ready to Organize Pic Industry; Won't Affect Top Creative Talent; NLRB Hearings for 96 Cases

## June 28 the Date

Hollywood, June 14. National Labor Relations Board set June 28 as the election day for writers to name a bargaining rep. Three voting places to be set up in two vacant buildings and a Catholic church in Culver City. Position on the ballot to be determined by flip of coin. At NLRB meeting today, Major Walter Tuller, attorney representing Paramount, but indicated as the spokesman for all studios, declared: "We are not conceding this election as legal. We intend to resist it in every way possible."

## 'Marie Antoinette' Relighting Carthay Circle, L. A. at \$1.65

Los Angeles, June 14. Fox set Coast relights Carthay Circle with Norma Shearer's "Marie Antoinette" July 8. House has been shuttered since "Snow White" departed April 7.

Customary \$1.65 top bill prevail for film performances, with tariff at \$1.10 to matinees.

## PAR ONLY TO RELEASE WPA 'THIRD OF NATION'

The only par Paramount will play in connection with a pictorialization of the WPA legit picture, "One Third of a Nation," under a deal just made, it isn't interested in the rights to the play nor financing its production by Harold Orlieb, legit producer-author, who has acquired the piece for films. Associated with Orlieb's production of the picture at the Eastern Service studios, Astoria, O., will be Judge Willard S. McCarty, former general counsel of Dudley Murphy, who figured in the promotion of the production of "Empire Jones," released a few years ago by United Artists, and will be the "Nation," approached Fox with regard to setting releasing chains.

Best of film campaign to be conducted by William Walsh, special attorney for the NLRB, who was sent here from Washington to supervise hearing on petition of the Screen Writers Guild for an election of their own bargaining rep.

## Actor-Director Guilds Pledge Support To Writers In SP-NLRB Tiff

Writers Guild Monday (13) announced its studio members in support of the Writers Guild. Actor-Director Guilds and Extra Players and Character Artists, Studio Carriers, and other unions are working on that date and the studio payroll without affiliation.

proper time. If we are blind enough to be thrown into confusion and become disorganized. But IA is powerless as long as the three big guilds are united. I can only urge a vote for the Playwrights, or not to vote, even though eligible, is a vote for the writers. Screen Playwrights' executive board Monday night (13) adopted a resolution to support the Playwrights against its studio members. It is a legitimate organized labor that there is a need for such organization for people whom they represent. The Screen Playwrights maintains the same stand. It has taken from its inception of last date and the coming election. Screen Playwrights stands unflinchingly opposed to requirements of studio writers in any and every form.

Hollywood, June 14. Drive by International Alliance of Theatrical Stage Employees to organize the film industry 100% scheduled to get under way within two weeks. William Bioff, personal representative of George E. Browne, IATSE international president, will return to west coast to supervise campaign.

Bioff said he would be back at Coast headquarters before end of this month. He will be delegated to carry out the program of Browne to extend jurisdiction of the IATSE to all wage earners employed in picture industry for all studios.

First move in campaign was taken when suit was instituted in L. A. Superior Court to force international officers of the IA to take over control of Makeup Artists Local 700. Makeupers are now affiliated with the IA, but have been functioning as an autonomous group, \$800 a week. Minimum had been fixed at \$80 a week. Bioff stepped into the picture and forced producers to up the scale to \$115.

Several independent organizations, including the Screen Artists Guild, have already petitioned IATSE for aid in securing working agreements with the producers. IATSE on all of them was delayed until the Cleveland convention. IATSE is not interested in extending jurisdiction of Browne and Bioff and committed them for their leadership.

William Cleveland, Harlan Williams, international up of the IA, made it plain that the organization is not interested in extending jurisdiction to high-salaried actors, directors and writers. IA, however, is expected to take the extra bit players, assistant directors, etc.

## Ask Guild Charter evoke

Cleveland convention asked the American Federation of Labor to revoke the charter of the Screen Actors Guild, and petitioned the National Labor Relations Board to disregard the SAG and other creative studio guilds, branding many of them as "company unions" because they share in production profits.

Ignoring request of the IATSE, Dr. Clarence Nylander, regional director of the NLRB, immediately ordered 96 pending film cases set down for immediate hearings. He said attorneys will be called into conference tomorrow (Wed.) and deal with Washington to supervise hearing on petition of the Screen Writers Guild for an election of their own bargaining rep.

Best of film campaign to be conducted by William Walsh, special attorney for the NLRB, who was sent here from Washington to supervise hearing on petition of the Screen Writers Guild for an election of their own bargaining rep.

An effort will be made to arrange counter elections in as many cases as possible. The cases primarily concern those of Studio City, Motion Picture Art Directors, Society of Motion Picture Artists and Illustrators, and Society of Location Picture Set Designers. If consent is given by the studios, the Screen Directors Guild will be the first to be elected.

Other petitions set down for early hearings are Screen Cartographers, Screen Designers, Society of Motion Picture Artists and Illustrators and Extra Players and Character Artists, Studio Carriers and other unions.

One Central Voting Booth. Attorneys for the SWG, Screen Actors Guild and Screen Writers Guild have been called into conference by Dr. Nylander to discuss the election procedure. Attorney announced that central voting booth will be established in Los Angeles. (Continued on page 20)

No Product, No Biz, L. A. s Lament; '4 Men Pacer at \$20,300; Crime 18 1/2%; 'Darrieux's 1st O.K. 19G; 3 Reissues

Los Angeles, June 14. Not much sign for the troubled exhibs on the curfew...

Estimates for This Week Chinese (Grauman-FWC) (2,024; 20th) and 'Darrieux's 1st O.K.' (1,918; 20th) and 'Crime' (1,812; 20th)...

Downsides (Par) (1,800; 30-45-55) 'Four Men and a Prayer' (1,700; 20th) and 'Crime Takes Holiday' (1,600; 20th)...

Orpheum (Broadway) (2,200; 30-40-50) 'The Internationals' (1,800; 20th) and 'Marriage Business' (1,700; 20th)...

Paramount (Par) (3,950; 30-40-55) 'The Hunted Men' (1,700; 20th) and 'Crime Takes Holiday' (1,600; 20th)...

Three Symph Shorts Hollywood, June 14. Three musical shorts will go into production at General Service...

'Thorughbred' \$21,000, 'Diggers' \$14,000, 'K'lwyn' (Brooklyn, June 14) Capacity big at Fabian Paramount...

Estimates for This Week Albee (3,274; 25-50) 'K'l napped' (20th) and 'Trip to Paris' (20th)...

'COMRADES' 14G, 'HARDY' 13 1/2 G, 'NIGHT IN THE PITT' (Pittsburgh, June 14) Business taking on the chin...

Estimates for This Week Albee (Harris) (2,000; 25-35-50) 'Holiday' (Col) Big way off Thursday...

'Comrades' Fine \$7,200, 'Grove' \$4,100, Seattle (Seattle, June 14) Stripping of week is 'Holiday' at Liberty...

Est. lists for This Week Albee (Harris) (Evergreen) (185; 32-37-42) 'Over the Wall' (WB) and 'Battle of Brooklyn' (WB)...

First Runs on Broadway

Week of June 14 'Week of Changes' (19) 'Three Comrades' (1) (3d wk.) 'Squad' (Rep) (17) 'Revue in Van' (1st) 'Maf' (Col) (16)

(16) (revised in Variety, June 8) (revised in 'Cocoanut Grove' (Par) (15) 'The King of Kings' (Reissue) (17) 'Roxey - Three Blind Mice' (20th) (17) 'Revue in Van' (1st) 'Men' (WB) (15)

Capitol - 'Toy Wife' (22) (revised in Variety, May 18) Paramount - 'Cocoanut Grove' (Par) (2d wk.) 'Roxey - 'Rage of Paris' (24) (revised in current issue) 'Strained White' (WB) (22) 'And Trip to Paris' (20th) dual...

Albee (Sterling) (600; 10-12) 'Purple Heart' (WB) dual, split with 'The King of Kings' (WB) dual, split with 'The King of Kings' (WB) dual, split with 'The King of Kings' (WB) dual...

Albee (Harris) (2,000; 25-35-50) 'Holiday' (Col) (3d wk.) 'The King of Kings' (WB) dual, split with 'The King of Kings' (WB) dual, split with 'The King of Kings' (WB) dual...

Rainer - 'Marriage' 11 1/2 G, 'Diggers' \$5,000, Prov. (Providence, June 14) Biz generally better up as warm weather sends the public to beaches...

Estimates for This Week Carlan (Pay-Loew) (1,400; 25-35-50) 'The King of Kings' (WB) dual, split with 'The King of Kings' (WB) dual, split with 'The King of Kings' (WB) dual...

'Devil-Krupa' Net \$19,000, Philly; 'Comrades' \$16,800, Diggers \$12,000

Portland, Ore., Monday; Valentino 14 G, 'Robin' 3G (Portland, Ore., June 14) Biz a floppo, worse in years...

Estimates for This Week Broadway (Parker) (2,000; 30-40-50) 'Son of Shelly' (Indie) (revised) and 'Sinners in Paradise' (U)...

Albee (Harris) (2,000; 25-35-50) 'Holiday' (Col) (3d wk.) 'The King of Kings' (WB) dual, split with 'The King of Kings' (WB) dual, split with 'The King of Kings' (WB) dual...

Albee (Harris) (2,000; 25-35-50) 'Holiday' (Col) (3d wk.) 'The King of Kings' (WB) dual, split with 'The King of Kings' (WB) dual, split with 'The King of Kings' (WB) dual...

Albee (Harris) (2,000; 25-35-50) 'Holiday' (Col) (3d wk.) 'The King of Kings' (WB) dual, split with 'The King of Kings' (WB) dual, split with 'The King of Kings' (WB) dual...

Rufe Davis Catches Up (Pittsburgh, June 14) Contract Rufe Davis signed with the Denver Post...

Estimates for This Week Broadway (Parker) (2,000; 30-40-50) 'Son of Shelly' (Indie) (revised) and 'Sinners in Paradise' (U)...

Philadelphia, June 14. Blazing sun and high humidity, which set new heat records Saturday...

Estimates for This Week Broadway (Parker) (2,000; 30-40-50) 'Son of Shelly' (Indie) (revised) and 'Sinners in Paradise' (U)...

Albee (Harris) (2,000; 25-35-50) 'Holiday' (Col) (3d wk.) 'The King of Kings' (WB) dual, split with 'The King of Kings' (WB) dual, split with 'The King of Kings' (WB) dual...

Albee (Harris) (2,000; 25-35-50) 'Holiday' (Col) (3d wk.) 'The King of Kings' (WB) dual, split with 'The King of Kings' (WB) dual, split with 'The King of Kings' (WB) dual...

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Albee (Harris) (2,000; 25-35-50) 'Holiday' (Col) (3d wk.) 'The King of Kings' (WB) dual, split with 'The King of Kings' (WB) dual, split with 'The King of Kings' (WB) dual...

Rain Swamps Chi; Darriex \$17,000, Jessel-Talmadge with You and Me' Trip to \$30,000; Yellow Jack Mild 10G

Chicago, June 14. It has rained 18 days out of the last 20 in this town... Rain swamps Chicago... Darriex (RKO) (2)...

40-'You and Me' (Par) and 'Make a Night of It' (dual). Holding up okay, \$6,200. Last week 'Josette' (dual) and 'The Girl from Rio' (dual) and with Ross-Armstrong (light pictures added, okay \$7,200.

'YOU & ME' 15G, 'DORSEY' 22G, 'DETROIT'

41-'You and Me' (Par) and 'Make a Night of It' (dual). Holding up okay, \$6,200. Last week 'Josette' (dual) and 'The Girl from Rio' (dual) and with Ross-Armstrong (light pictures added, okay \$7,200.

42-'You and Me' (Par) and 'Make a Night of It' (dual). Holding up okay, \$6,200. Last week 'Josette' (dual) and 'The Girl from Rio' (dual) and with Ross-Armstrong (light pictures added, okay \$7,200.

Estimates for This Week (RKO) (1) (2) (3) (4) (5) -'Robin Hood' (WB). This makes its fifth week in the loop and still going strong, indicated \$30,000 last week.

43-'You and Me' (Par) and 'Make a Night of It' (dual). Holding up okay, \$6,200. Last week 'Josette' (dual) and 'The Girl from Rio' (dual) and with Ross-Armstrong (light pictures added, okay \$7,200.

44-'You and Me' (Par) and 'Make a Night of It' (dual). Holding up okay, \$6,200. Last week 'Josette' (dual) and 'The Girl from Rio' (dual) and with Ross-Armstrong (light pictures added, okay \$7,200.

Rainer-Roughneck 24G, 'You and Me' Nice \$6,200, 'Crime School' 4G, L'ville

Louisville, June 14. Outdoor competition in the form of football games, night games at Parkway Field with the Colomels, American Athletic Club, pulling sports patrons, and outdoor wrestling and boxing shows getting under the winter.

45-'You and Me' (Par) and 'Make a Night of It' (dual). Holding up okay, \$6,200. Last week 'Josette' (dual) and 'The Girl from Rio' (dual) and with Ross-Armstrong (light pictures added, okay \$7,200.

46-'You and Me' (Par) and 'Make a Night of It' (dual). Holding up okay, \$6,200. Last week 'Josette' (dual) and 'The Girl from Rio' (dual) and with Ross-Armstrong (light pictures added, okay \$7,200.

Estimates for This Week (M-G) and 'Swiss Miss' (M-G) (2d run). Comparison of \$4,000. Last week 'Hollywood' (Col) and 'Start Cheering' (Col) just \$2,000.

47-'You and Me' (Par) and 'Make a Night of It' (dual). Holding up okay, \$6,200. Last week 'Josette' (dual) and 'The Girl from Rio' (dual) and with Ross-Armstrong (light pictures added, okay \$7,200.

48-'You and Me' (Par) and 'Make a Night of It' (dual). Holding up okay, \$6,200. Last week 'Josette' (dual) and 'The Girl from Rio' (dual) and with Ross-Armstrong (light pictures added, okay \$7,200.

'Comrades' Okay \$3,700, 'Heaven' \$3,400, Lincoln 'Weather or Not, B' way Biz Away \$10K Keel; 'Josette' \$30,000 'Cross Reveal' \$9,500, 'Vivacious' 55G 2d

The wrong kind of weather. After the rain has had its effect, the film shows on Broadway this week. First hint of sunshine and warmth sends 'em to the country.

49-'You and Me' (Par) and 'Make a Night of It' (dual). Holding up okay, \$6,200. Last week 'Josette' (dual) and 'The Girl from Rio' (dual) and with Ross-Armstrong (light pictures added, okay \$7,200.

50-'You and Me' (Par) and 'Make a Night of It' (dual). Holding up okay, \$6,200. Last week 'Josette' (dual) and 'The Girl from Rio' (dual) and with Ross-Armstrong (light pictures added, okay \$7,200.

Estimates for This Week (RKO) (1) (2) (3) (4) (5) -'Robin Hood' (WB). This makes its fifth week in the loop and still going strong, indicated \$30,000 last week.

51-'You and Me' (Par) and 'Make a Night of It' (dual). Holding up okay, \$6,200. Last week 'Josette' (dual) and 'The Girl from Rio' (dual) and with Ross-Armstrong (light pictures added, okay \$7,200.

52-'You and Me' (Par) and 'Make a Night of It' (dual). Holding up okay, \$6,200. Last week 'Josette' (dual) and 'The Girl from Rio' (dual) and with Ross-Armstrong (light pictures added, okay \$7,200.

53-'You and Me' (Par) and 'Make a Night of It' (dual). Holding up okay, \$6,200. Last week 'Josette' (dual) and 'The Girl from Rio' (dual) and with Ross-Armstrong (light pictures added, okay \$7,200.

54-'You and Me' (Par) and 'Make a Night of It' (dual). Holding up okay, \$6,200. Last week 'Josette' (dual) and 'The Girl from Rio' (dual) and with Ross-Armstrong (light pictures added, okay \$7,200.

55-'You and Me' (Par) and 'Make a Night of It' (dual). Holding up okay, \$6,200. Last week 'Josette' (dual) and 'The Girl from Rio' (dual) and with Ross-Armstrong (light pictures added, okay \$7,200.

56-'You and Me' (Par) and 'Make a Night of It' (dual). Holding up okay, \$6,200. Last week 'Josette' (dual) and 'The Girl from Rio' (dual) and with Ross-Armstrong (light pictures added, okay \$7,200.

57-'You and Me' (Par) and 'Make a Night of It' (dual). Holding up okay, \$6,200. Last week 'Josette' (dual) and 'The Girl from Rio' (dual) and with Ross-Armstrong (light pictures added, okay \$7,200.

58-'You and Me' (Par) and 'Make a Night of It' (dual). Holding up okay, \$6,200. Last week 'Josette' (dual) and 'The Girl from Rio' (dual) and with Ross-Armstrong (light pictures added, okay \$7,200.

59-'You and Me' (Par) and 'Make a Night of It' (dual). Holding up okay, \$6,200. Last week 'Josette' (dual) and 'The Girl from Rio' (dual) and with Ross-Armstrong (light pictures added, okay \$7,200.

60-'You and Me' (Par) and 'Make a Night of It' (dual). Holding up okay, \$6,200. Last week 'Josette' (dual) and 'The Girl from Rio' (dual) and with Ross-Armstrong (light pictures added, okay \$7,200.

61-'You and Me' (Par) and 'Make a Night of It' (dual). Holding up okay, \$6,200. Last week 'Josette' (dual) and 'The Girl from Rio' (dual) and with Ross-Armstrong (light pictures added, okay \$7,200.

62-'You and Me' (Par) and 'Make a Night of It' (dual). Holding up okay, \$6,200. Last week 'Josette' (dual) and 'The Girl from Rio' (dual) and with Ross-Armstrong (light pictures added, okay \$7,200.

63-'You and Me' (Par) and 'Make a Night of It' (dual). Holding up okay, \$6,200. Last week 'Josette' (dual) and 'The Girl from Rio' (dual) and with Ross-Armstrong (light pictures added, okay \$7,200.

64-'You and Me' (Par) and 'Make a Night of It' (dual). Holding up okay, \$6,200. Last week 'Josette' (dual) and 'The Girl from Rio' (dual) and with Ross-Armstrong (light pictures added, okay \$7,200.

Mpls. Skids, 'Comrades Best, 30,000; Ritzes \$3,700, 'Always a Woman' 2G

Minnneapolis, June 14. Takings have been sinking to extreme depths here for some time, but currently they promise to drop into still lower ground. Total income for first two runs is reported to be the smallest for any revenue-day in recent years.

Roller skating, draw from 5,000 to 9,000 people nightly, is plenty hot enough for the showhouses.

Estimates for This Week

As (Par-Singer) (10:25-12:35) and 'Battle of Broadway' (20th) and 'Iceland in Sky' (20th), fair \$1,200 indicated. Last week, 'Wide Open Spaces' (Col) and 'Hawaii' (Cine) (RKO), dual first runs, \$1,400, pretty fair.

Monday (Par-Singer) (10:00; 25:35-40)—'Always a Woman' (Col), 'Always lucky to be poor' \$2,000. Last week, 'Stolen Heaven' (Par), bad \$2,200.

'Lucky' (Mirray) (C; 20:40)—'Great John Ericsson' (Swedish), heavily plugged and highly booked, will box only \$2,000, mild.

Minnesota (Par-Singer) (4:20; 25:35)—'Toy Wife' (WB) (2d), \$1,200. Adverse reviews; but may reach light \$3,500. Last week, 'Kidnaped' (20th), bad \$2,000.

Orpheum (Par-Singer) (2:00; 25:35)—'Gone with the Wind' (20th), \$1,500. Light 700 indicated. Last week, 'Gold Diggers' (WB), fair \$2,000.

Slate (Par-Singer) (2:00; 25:35)—'Three Comrades' (M-G) (2d), \$1,500. Last week, 'Robin Hood' (WB) (2d) week \$4,500, mild after \$3-4,000 first week.

Time (Heger) (10:15-12:35)—'It's a Wonderful Life' (WB) (2d), moderate pace, light \$600 in prospect. Last week, 'Bang Bang' (Lancer) (reissue), light \$500.

Uptown (Par) (1:20; 25:35)—'Why We Live' (WB), good; neighborhood showing, light \$2,200 indicated. Last week, 'Old Chatterbox' (20th), bad \$700.

World (Steffes) (3:05; 25:35-40:55)—'Divorced Wife' (WB), good; \$1,000. Slumping to \$900. Last week, 'Nice \$2,200.

HOLIDAY CHERFUL \$10,000 IN BUFFALO

Buffalo, June 14. 'Holiday' looks the best currently among the week's grosses.

'Comrades' turning neat trick at the Buffalo for Saturday. Figures are slumped but figures elsewhere are of slump proportions.

Estimates for This Week

Buffalo (Shea) (3:00; 30:35-50)—'Three Comrades' (M-G), rave review and looks good for \$4,000. Last week 'Hold That Kid' (M-G) was lowest unit, and drew last week's business to best figure in weeks at \$15,200.

Century (Shea) (3:00; 25:35)—'Son of Sheik' (Art) and 'Night Spot' (Revival) showing strong signs with indications for fair \$8,000. Last week 'Law of Underworld' (RKO) and 'Fighting Girl' (WB) \$4,500.

Great Lakes (RKO) (3:00; 30:35)—'Lime Green' (WB), good; showing average, evenly for over \$7,000. Last week 'Kidnaped' (20th), about as well as expected at better than \$7,000.

Hipp (Shea) (2:00; 25:40)—'Yellow Jack' (M-G) and 'One Wild Night' (20th), slight drop. Last week, \$1,000, only around \$6,000. Last week 'A Men and Their' (20th), and 'Jones Family' (20th), about \$6,500.

Lafayette (Ind.) (3:00; 25:35)—'The RKO' (WB), good; showing well, for overall figure of probably \$11,000. Last week 'RKO' (WB) 'Blonded Danger' (U), ss so \$5,000.

Teacup \$6,000, Montreal 'Moonshine' Mellow 7G

Montreal, June 14. 'Robin Hood' will still top the town at the Palace for the second week. 'Blondes' will be another big winner.

Estimates for This Week

Palace (C) (2:00; 30)—'Robin Hood' (WB), WB), with very good \$8,000 after \$11,000 last week.

Capitol (C) (2:00; 30)—'Kentucky Moonshine' (20th) and 'Iceland in Sky' (20th), \$2,200. Last week, 'Viscious Lady' (RKO) and 'Blind Alibi' (WB) \$2,000.

Teacup (U) (2:00)—'Slom in a Sloop' (U) and 'Alford on Diamond Road' (U). Doing well and may gross up to \$10,000. Last week

Geo. Stevens' 2-in-1 Pact

Hollywood, June 14. As reward for his direction 'HKO-ing' Werdenthal (7) after a long period from another megger, RKO elevated George Stevens to the dual capacity of producer-director in the lot are Gregory La Cava, Garson Kanin and Leo McCarey.

UNION MOVE TO ORG. CANDY BUTCHERS

Concerned effort to eliminate candy business will be directed against the theatre candy counters. Drive will be to insist that any theatre employee selling candies and by-products must belong to the Commercial and Industrial Union of America associated with the American Federation of Labor. Bulk of candy manufacturers have joined the union or have signified their intention of joining.

Latest indication is that theatres already have not been signed within the next 30 days may face picketing. Union supporters are predicting the drive on theatres that the sale of candy and other edibles in the theatre, while an accommodation business, is a highly profitable business for the houses. And because it, other theatre help should not have to suffer a mere dime sale because when hired for another specific duty.

Unifying effort will be directed at operations having candy counters where doorman, usher and relief cashiers serve in the theatre, and selling counter goods. They want the boy or girl at the candy booth to wear a uniform and to serve for a minimum of \$14.50 weekly. They estimate that the average theatre full time is around \$10 weekly.

Theory in all of this is that when an employee is hired for another duty, they should do nothing but sell tickets. And that if an usher, he should not do anything else. Same applies to a doorman.

Candy business in theatres has been developed largely as a complimentary service for patrons having to leave the theatre for purchases. In this respect, the candy selling, or rather candy checks from getting into the hands of those who have not paid any admission.

An old, familiar practice is due a patron (especially a juvenile) to get a candy check for 14 cents while the theatre. Often this is merely a gag because he gives the cashier, selling a candy check, which he already has viewed the show. This deprives the theatre of the admission relative which mainly why candy counters have been installed in the house.

Currently, practice is using other employees in a field candy counter is most prevalent in New York, Massachusetts, Georgia and southern states. To use unlicensed candy sales folk is expected to be directed against numerous industries, as well as circuses.

London Okays 'Yonon'

London, June 15. After withhold it for three weeks, the film censor here has given a clear certificate for the showing of 'Yonon' (WB) (2d run). The delay was caused by the Royal Society for Prevention of Cruelty to Animals, which has been particularly vigilant in its view toward utilization of bears in pictures.

'Cheering' (Col) (2d run), second half, after first half's 'Jack Dool' (WB) (2d run) and 'Blondes and Blondes' (WB) (2d run). Last week, 'Yonon' (WB) (2d run), with a \$100,000 box office, has been particularly diligent in its view toward utilization of bears in pictures.

IAATSE's Picture Aims

(Continued from page 7)

ing of Junior Guild June 18 at the Hollywood Athletic Club.

Cleveland, June 14. IAATSE's 34th convention here last week in the city has set the record for internal labor harmony, with only one controversial outburst, disbanding the peace during the afternoon break.

Jeff Kire, an avowed press critic, set off the single firecracker last week when he called for a one-day (no day) by proposing a resolution to restore audio to the studio locals, which have been established in trustfulness since the '33 strike. When Irwin Hentschel a Hollywood delegate, charged, he had been misled by union officials because of its propaganda work, he was nearly bowled over. Officers not only denied his responsibility but re-tweeted that he had CIO leani Grippes and film machine men as pointed out, including Hentschel's proposal.

Protest against inclusion of high-salaried producers, such as screenwriters and writers, as labor organizations, under the National Labor Relations act, was also the subject of a long problem of jurisdiction when it was adopted in a resolution. Convention also voted to weaken our faith in our democracy.

Insists interpreted the letter as a bid at the so-called 'prior-union' policy by which some studios are attempting to influence film production in favor of communistic ideas. Convention also voted to go all day to finish uncompleted business.

Frexy George E. Browne's annual address to 20 studios has been policy from the president's report committee. Pointed out its rise to the highest level, it has added 40,000 members and less than 15% unemployment in last two years. He mentioned the names of Maurice Chevalier, Holmden and William Bilt in getting closed-up agreements for four years.

Formal protest against screen actors, and was believed to be result of a general executive board directors and CIO leaders who attempted to blacken the IA through the Screen Actors Guild. It was not accepted, despite its exonerated. Answering kicks that the union has a lot of new classifications, which he said was untrue, he enumerated how he had been in the normal, dispatches, soundmen, lab workers cameramen in getting huge retro-activity for his job.

Also adopted was Browne's suggested appointment of committee of 5-7 men by general executive board to visit studio memberships, studying conditions periodically. Originally was it to determine ability of restoring autonomy, but it was killed by resolutions committee. It was expected that committee would have been able to make a more flexible, complying agreements through peaceful mediators and negotiating, got a strong okay from the members.

Film production costs during the past season, which were submitted by the National Guild, were not chief of the motion picture division of the U. S. Department of Commerce. The acting president is asking for two men in a booth. Delegates voted that figures should be accepted by the union's general executive board. Golden, former Cleveland who still retains a position in the new newly appointed general secretary-treasurer reported that organization's treasury took in \$140,000 higher, two years. Figure for 1937 was \$120,000. Increase over 10% higher, due to cut in operating expenses.

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# B&K May Shutter Roosevelt, Chi; Par Dumping White-Elephant Minn.

Chicago, June 14. Balaban & Katz is discussing the possibility of closing down the house on State street. The house has developed into a headache for the circuit, its small capacity of 1,800 seats, and the coin chances on top pictures and yet not pulling in enough to pay the bills on the pool.

B. & K. has been trying to get rid of the Roosevelt for some time and understood to have set a price of \$1,300,000 on the property, with the stipulation that the property be converted into a mercantile establishment on the transfer of the house. B. & K. however, would not turn the house over to anyone and permit it to continue as a theatre since it is intent on making a competition out of the loop as much as possible on pictures as prices.

B. & K. it is understood, would like to shift the straight picture policy to the Orpheum which has a seating strength of 3,200; and it would not make such a move until it found some suitable replacement program. Oriental remains dark at this time though B. & K. is planning to work out a deal of deal with the house owners for new setup on the theatre.

### Consolidated Tops M.P. Baseball League

N. Y. Motion Picture Baseball League was a pushover for the Consolidated Film Industries nine in the first half of the league's schedule just completed. Composed of seven outfits representing CFI, Low-MGM, M-G-M, Columbia, RKO, Stokas, and International Projectors, league goes into its second half with a clean slate.

CFI grabbed the honors for the final section by knocking off all rivals and winding up with a perfect average, winning six and dropping none. NBC followed Low-MGM last week to force a triple tie for second slot between itself, etro and NBC, each splitting three and three. Stokas and RKO wound up 'neck 'n' neck for third or last place, two winning-two and bowing in last.

Last week, CFI doubled Projectors, handily and Low-MGM dropped a close one to Stokas, 2-1.

## EXHIBITS MAKE PEACE, BUT NOW WB STEPS IN

Philadelphia, June 14. The peace pact inked only one week between Leo Poel and Dave Shapiro has been broken. Poel has entered their private feud. Understated Warner Bros. set to operate their new house in the territory over which Poel and Shapiro were battling.

Trouble all started when Shapiro announced he would build in opposition to Poel's Reg. Poel then announced an additional new house in the same territory, making three there only one existed before. After much bitterness and name-calling, exhibits got together and Shapiro was given one month to vacate his neighborhood. Poel continued to build his second house.

Warner Bros. when suddenly this week it was reported that a third house will be built after all. Only instead of Shapiro operating, it is understood WB will ease in.

## U's Fight Film Abroad

Louis-Schmeling fight pictures in region outside of the U. S., were Joe Stokas' idea. According to statement made by Joe Seidelman, foreign chief for U. Company, film rights are being sold to foreign agencies within 24 hours after conclusion of battle.

## Balto's No. 19 Tent

Baltimore, June 14. Newly formed local tent of Variety Club with headquarters in Belvedere Hotel is looking for Red Fox territory week into the national organization by National Chief Barker. John Barker, who broke up the tent, is the local Chief Barker and William K. Sexton and Izzy Rappoport, Baltimore's first bear charter national setup.

## Troop Locates Hollywood, June 14

Headed by George O'Brien, RKO 'Painted Desert' troupe got to location in Red Fox Canyon, under direct eye of David Howarth. Screenplay was written by 'live' and 'dead' and the 'live' member lead is still to be selected.

Annex 'The Heart of the North' will be under production this week with George Brent in the top role. Exteriors will be shot in this Bear region with Reg. Lester in

## Spielgel-Mrs. Byfield to Wed

Chicago, June 14. Sidney Spielgel, Jr., one of the three partners of the Elythe Mrs. Killy Reid Byfield, former wife of Ernest Byfield of the Hotel Sherman company, last week announced a marriage license. Couple scheduled to marry some time this week.

## TWO BITNABES TRIP AS BIG BUSINESS OFF

That price is a 'prime item' in the present show biz setup is seen in the comparatively poor business being turned 'up' by the houses retailing picture rental in Chicago, 42c and 25c. In competition to the houses charging 30c and more.

These 'small time' houses are getting a heavy share of the general trade, with the two-bits theatre, reporting that they are getting people in their houses who haven't been around since 1932. 'People who have been plunking down up to 75c, are back in the two-bit class, seemingly waiting for the pictures to hit the market. Small run houses are reporting a decrease in business only being sustained under the normal grosses while the bigger houses with higher admissions are lining up gross slices running high as 50% of normal.

June 14. Cash in morning advance prices at most downtown theatres. Before Warner Bros. on Friday to bolster early box. The three deluxes are taking in 42c, 37c and 37c, after dropping to 42c, until 1 p.m. This has been cut to 37c. Fee of 57c, from 1 p.m. to 8 p.m., and 42c, after that remains.

At the first-run action Starlon, and Reg. until 1 p.m., after dropping from 37c to 28c. No change in 42c, 42c until 8 p.m. and 57c, later than that.

Admission at the two continued run houses—Karlton and Keith—is reported from 42c to 37c before 1 p.m. Sticks at 42c, and 57c, after that. Similar minor cuts on Saturday in some houses.

## CLEVELAND MANAGER TAKEN FOR A RIDE

St. Louis, June 14. It is swinging back to the old days of kidnaping managers for a change. In the safe side. Two of them jumped Eugene 'Tommy' Flannery, manager of the Stok, in front of his house and forced him to take a hazy trip.

After Flannery drove he pushed him out after first term of \$152, the day's receipts, from his pockets. He was four or five days later, but Roosevelt was unable to give any descriptions.

Canadian Sitok London, June 14. Safe-crackers raided safe-crackers early Friday morning (5), chopped a hole in the theatre safe and took out \$210 net. The raid was discovered later in the day when the staff entered the building and found the safe broken open and heavy tools scattered on the floor. Officers reported the safe-crackers worked for hours after midnight pounding and cutting their way into the safe.

The rat was evidently well planned as it was made at a time when the theatre had reduced its two days. The manager, James McDonagh, had been unable to put the picture on Wednesday in the bank on Thursday as it was being held by detectives believe that it had been taken from three men participating in the robbery. The safe was carried to the office near the main stage without a hitch being left on the aisle carpets.

## Allied's Usual Battle or Cut Pix Deals; Mpls. Exchanges Admit Checking Labels and Find Biz NSB

Chicago, June 14. Allied is making her in conventional way to map out a new fight against picture rental. The picture rental exchanges in accordance with lower boxoffice income, Northwest Allied States faces the prospect of having its hands fuller than it expected. In their part, local exchanges are letting it be known that they not only are in no mood to consider cutting film prices, but actually will press for boosts in many situations. Accordingly, a hot battle seems in prospect.

Branch managers here insist that Twin City neighborhood and suburban houses and smaller-town theatre cities in Minnesota, St. Paul, have been nearly so hard hit by the depression as the first-runs in the larger cities. Minneapolis, St. Paul, Duluth, etc. They declare it will devolve upon the neighborhood, suburban and small-town situations to supply a larger share of the exchanges' income and help to offset the losses being taken in the first-run spots in the larger cities where pictures are played on outside-theatre run houses. Before the picture rental exchanges have been dropping.

At least one of the major exchangers is making no bones about the fact that he has been clocking the independent neighborhood and suburban theatres who are getting their pictures from the home office. And the manager of this exchange declares that he has been holding up his hands by crying the loudest have absolutely no cause for complaint and are being left out of the picture rental deal. He claims he has an accurate line on the takin' of practically all the houses downtown.

## Would Up the Nables

The branch manager of another, one of the largest major exchanges here is making no bones about the fact that he has been clocking the independent neighborhood and suburban houses in the larger cities and many of the small town situations have been paying anywhere nearly their proportion for films, as compared to the first-run picture rental exchange 'from now on they'll have to start to stand their just share.'

This picture rental exchange is placing its bet on percentage of the Paramount uptown and suburban houses. It is in position to lose out on spots during the depression, as compared to the first-run picture rental exchange. 'A' films have been doing better business uptown and in the suburbs, but more downtown this year, compared with 1937, it claims. 'A' and lower classification pictures have been holding their own this year in the neighborhood and suburbs, compared with last year, while they're dropping in downtown.

Many of the neighborhood houses are making some moderate gains in downtown theatres, it's pointed out. 'They have the finest air-conditioning and the most comfortable seats. They provide free parking facilities, savings on transportation, plus cash and ticket inducements. In depressed periods particularly, and when there's no stage entertainment downtown, their ever admission and other savings are an important factor in causing people to flock to them. The picture rental exchanges, the branch managers are content now.

Independent neighborhood, suburban and small-town exhibitors attending the Northwest Allied convention here are being urged by those that they're suffering plenty from the depression—proportionally just as much as the big downtown picture rental theatres in the larger cities. They state their income has been falling and their expenses are rising. They are counting and they have been unable to raise admissions, they declare. They are unable to obtain relief in the form of lower film rentals and all inclusion of all percentage deals, they are being urged to file, it is asserted.

President W. C. M. of North-

west is making no percentage deals with her. He pointed out that 'Twin City independent exhibitors bought all their last year's product first, with the exception of several Metro pictures and a few individual deals—'Snow White' and 'The Baby'—and that, as Twin City independents are concerned, there'll not be a single 1938-39 percentage deal—not even M-G.

In the case of M-G a showdown is predicted to be unable to make its percentage deal with the independent. Metro has indicated it will pass up its offer to entirely and play its pictures for longer runs in the Paramount uptowns and neighborhood and suburban houses. The local trade, it will watch the outcome, it has keen interest.

Members attending the convention were told that the percentage system is manifestly unfair and that it applies all along the line to every picture bought and the amount of the percentage varies according to each individual situation. Exhibitors declared they participated in the picture rental deal and are out of the industry, act as checkers and know all about their business, and they are not going to let the competitors and to the world generally. Feeling at the convention was that, with much advertising and the picture rental monopoly within the industry threatening and with a conciliatory attitude in reference the part of distributors and independent exhibitors, the major distributors this year will see the light and be reasonable and fair in the matter of rentals, making non-percentage deals and lower picture rental conditions warranted.

Exhibitors expressed the utmost confidence in the North Dakota divorce law which will be held for a period of time, but eventually will be passed in all other states and that the Neely bill will be passed by Congress. It was killed at this session. It was pointed out at the same time, he is optimistic regarding the picture rental deal. He said the industry settle all differences peacefully at round-table conferences, without the aid of legislative law court suits and government regulation.

## F-W GOES GIMMICK IN L.A. FIRST RUN

Los Angeles, June 14. Fox-Went Co. is restoring to a giveaway racket in four of its first-run houses here, the company's first rental of that kind to date. The 'Combination giveaway of a \$15,000 auto has been set for June 30 at the Metropolitan State, Wilshire and United Artists.

## Luntzel's Special Bally For Metro's 'Boys Town'

Chicago, June 14. Film Luntzel, who has been handling the picture rental business for Balaban & Katz staff, has been handed over to Metro. He will be on public and exploit for the coming activities of Flier Flanagan's 'Boys Town' in Nebraska. He also in line with Metro flicker based on Boys Town.

How goes publicity setup and Luntzel will work out of the Mayco office.

## Roxy Wants Tax Cut

Roxy Theatre Circuit through W. C. Mitchell, vice-president, will ask U. S. Supreme Court Justice Peter Sweeney to grant a 'stay' for the circuit directing the U. S. Commission to answer suit or reduction of the assessed valuation of the Roxy Theatre Circuit. Mitchell also in favor of emmission. The decision of the commission, which was made on June 14, has the valuation of \$1,100,000 fixed by the commission for 1938, an first half of 1939 cut to \$5,125.

### 4,200-Seal While Elephant

Minneapolis, June 14. After another week of picture rental will lessen its 4,200-seat Minnesota theatre headspace by closing the permanent picture rental. February it will pass the headspace along to the theatre's bondholders by selling back the picture rental. What the latter will do with the \$2,000,000 de luxe showpiece is a deep-dyed mystery. In recent weeks, the Minnesota has been grossing \$4,000, or less, a week, but takings hitting an all-time new low of \$2,800 several weeks ago, and losses running anywhere from \$4,000 to \$6,000 a week or more.

During the first few weeks of its operation the Minnesota grossed high to \$45,000 a week with stage attractions in addition to pictures and averaged \$30,000 a week without showing much profit. Then in the 1929 cash, takings dropped as low as \$6,000 against a \$22,000 stagehouse.

The 350-seat gross-seater only recently has been grossing nearly as much as the 4,200-seat Minnesota. Ground rental and taxes for the Minnesota alone amount to \$66,000 a year. The picture rental is the present lease, which is being terminated, provided for a rental of 17 1/2% of the gross receipts against a \$75,000 guarantee, with a provision the house must be kept open at least six months a year and that the rental would be \$1,500 a week when it was shuttered. Under a former lease rental was as high as \$208,000 a year.

There are two issues of bonds, aggregating \$1,900,000, on the theatre and the bondholders have been realising just enough to meet the ground rental and tax payments.

Smartest local showmen are unable to figure out a way to operate in this profitability. The same situation applies to other huge de luxe houses built during the boom except for the very largest cities like New York and Chicago, and predictions here are that there is a wholesale closing down of \$2,000,000 and \$3,000,000 palatial showhouses to save taxes during the ensuing five years.

### W-K'S SCREEN ADS

Spaulding, S. C., June 14. Our Billy-Kinney will resume commercial screen advertising soon, City Manager Bob Bell has announced. The picture rentals were dropped when councilmen liked licenses to \$200 per house and cut to \$125 per house yearly for ads.

During past year only screen advertising carried was civic give-aways.

### June 14 shooting list

shooting list the cameras a Pete

### Film Council Named in London; To Administer New Anglo Quota

London, June 14. Membership of Film Council, body appointed by the Board of Trade to administer the new quota law, was set today. Ten were named to represent the trade. For the producers, Richard Norton and John Grierson; for exhibitors, D. E. Griffiths and F. W. Baker; for A. M. Crikett and George Eivi; exhibitors, The Photographic, Arthur Farrar, A. B. King and C. P. Kellett.

### GROUPS PONDER AGENT EXCESS IN LONDON

London, June 14. Agents Asm. and Variety Artists Federation holding meetings to discuss problems of an alleged overplus of agents.

### LILY PONS WINS TAX REFUND IN ARGENTINE

Buenos Aires, June 14. Lily Pons has obtained a particularly favorable verdict in suit in the Argentine for the return of allegedly unpaid income taxes.

### Deval Signs Jane Marnac To Star in 'Women, Paris'

Paris, June 6. Jane Marnac is going to star in Cecil De Mille's 'Women, Paris' which will be presented at the Theatre Pigalle.

### MAX WALL BOWED OUT

London, June 3. Max Wall denies the allegation he was paid off after one performance at the Paradise Club.

### Moss Empires Renews Gillespie for 5 Years

London, June 6. R. H. Gillespie, for years managing director of Moss Empires, whose contract expires on June 6, has just been renewed for another five years.

### U. S. May Build More Theatres In South Africa

Plans of 20th Century-Fox to build its own theatre in Johannesburg, South Africa, this week...

### MERLE OBERON SUED IN 'ALLAH' SETTLEMENT

London, June 6. E. Lyle Rucker, a lawyer, has brought suit against Merle Oberon for \$5,000, which he claims is balance due him for a film star.

### SHIRLEY, BREEN, 'SAWYER' Big Kid Row in Sydney

Sydney, May 28. With school vacations, mad big doing (20th), 'Tom Sawyer' (14) and 'Hawaii Calls' (RKO).

### Deval Signs Jane Marnac To Star in 'Women, Paris'

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### Auten Due in N. Y.

Capt. Harold Auten, New York representative for Greater Union pictures, who operated in London for the last five years, is due back in New York from Australia this week.

### 5 NEW LONDON PLAYS; 2 CLOCKS

'Lots' life, an amusing comedy, opened at the Whitehall theatre last Friday (10) and was well received.

### ARGENTINA AT THE FAIR

Buenos Aires, June 8. Special committees have been appointed by the Argentine ministry of agriculture to take charge of Argentine participation in the New York and San Francisco fairs.

### LONDON TO N. Y.

London, June 8. Ambassador Joseph P. Kennedy, former film tycoon, sails for New York tomorrow (Wednesday).

### ALEXANDRIA, MEY

Pictures in Alexandria include 'Slave in Bondage' and 'The Sea' (GN), at the Majestic; 'Every Day a Holiday' (P&M).

### British Parley on New Product Continues Despite Near Rupture

Charles Trenet, local baritone, who writes his own music, will start his first picture on June 22. He recently made his vaude debut at the A.B.C. and was held over for a second fortnight.

### Czechs Promise Full Accord to American Films

Washington, June 14. Barriers in the way of film imports to Czechoslovakia were materially lowered last week by new trade agreement supplementing the Yankee bargain pact between the U. S. and the Czechs.

### Continue Film Melbourne, May 27.

Dick Harwood is heading a production unit of New South Wales pictures which will move into New South Wales to continue production of 'Up Baby' (RKO).

### Films in Egypt

Cairo, May 28. Pictures in Cairo include 'The Wide and Handful of Stars' (M&M); 'Merry Go Round of 1938' (U).

### Current London Shows (with Dates When Opened)

- 'The Artist's Wife' (M&M), June 21. 'The Artist's Wife' (M&M), June 21. 'The Artist's Wife' (M&M), June 21.

Somewhere near close to wrecking relations between distributors and exhibitors, following the inauguration of new grading...

### LONDON SHOW BIZ TAKES A DIVE

London, June 14. The entire West End show field has taken a terrific dive during the summer exhibition...

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# Egyptian Co. to Go After 120,000,000 Arab Audience in New Production Drive

**y ARTHUR STEBEL**  
Cairo, June 1.  
The powerful fir Film Co. has just awakened to the fact that it has a monopoly on one of the richest and least exploited of world film markets: the Arabic-speaking world, which stretches over a dozen nations with a total population of 120,000,000. The Mir's bankroller, Bank Mistr, which has mastered a whole string of all-Egyptian enterprises, has been for 15 years more or less a sugar daddy with the cinema game. Bank has money to burn and is always glad to spend it on homegrown industries though they may be on the red side of the ledger perennially. Mir had the coin rolling into its lap, being protected with a well-equipped studio and a vast market. Only recently have the filmagnats started sniffing the hinterland.

Internal troubles and intrigue gave fir Films 14 managers in a dozen years, the longest of which was Ahmed Selim, British-trained aviator, who was a tyro when he took over. Under Selim's watch, the company turned out a couple of moneymakers, but this wasn't a year's Last week, however, was retained a tourist office in Paris and Mir Bank employees succeeded Selim, Mir Bank's wisest and most energetic. Fritz Krampf, German adviser, who is not just an asset to the firm but the whole work.

With a Krampf-Egypt-warded three years ago, he found a study packed Arabians who don't know little about making films. Others failed to cooperate. On top of everything, Selim himself could not do a word of Arabic. So he invented a system of dummy talk, which is in the real script and falls into act-out pictures. Stranger still, the pictures made money, and which took five months to roll, made upwards of \$100,000, and is still being sold in the hickville towns along Arabian deserts.

The first goods were made in Palestine, Trans-Jordan, Syria, Iraq, Morocco, Sudan, Arabia. Yez, which is still in full force, for a part, the player takes off five hours out of eight to sleep. It's the luck he does it.

Many improvements have been made under Krampf's supervisory hand, but he's still a long way before he will come up to European standard. The thing that whips Krampf and his people is not so much the desire to improve it as the knowledge that there is a vast untouched market waiting to be exploited in Arabic-speaking picture people.

There is, of course, the Hollywood crowd but Arabians do not see it because they're nothing else. Of American films, 7% are not understood in certain parts of this huge zone, and collectively as Arabians. Thirty out

## LE BARON'S EYE TO THE FOREIGN MARKET

San Francisco, June 14.  
"Foreign stars are increasing, and the decrease in secure American market is off and the foreign market isn't illiam Le Baron, Paramount chief of production, stated when he was here last week for a sneak preview of 'Sing You Sinners.' He was accompanied by Adolph Zukor, Claude Binyon and Wesley Ruggles, author-director of the picture.

"Paris Newmont", on which Le Baron is now at work, combines the best of the U. S. and Europe with the Hungarian actress Francisca Gaal and is an effort to please customers, foreign and domestic. Le Baron said that in the future the public may expect a crop of pictures similarly cast. He also sounded the death knell on musicals and a definite trend toward serious drama.

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## Rose's Liaison Between London And Hollywood

Initial step in Paramount's plans to reduce the gap between the nations having quota alignments with Hollywood studio producing was a recent week when David E. Rose was appointed head of Paris's British producing activities. Rose, who resigned recently to executive aide to Sam Goldwyn, is counted on to build up an organization so that Paris can compete with Great Bri in the company wants to. However, Paramount undoubtedly will not produce any pictures itself during the first year of the British quota.

Appointment of Rose was announced by Adolph Zukor after a conference on the Coast between Rose, Zukor and John W. Hicks, Jr., head of the company's foreign department. Fred Lange, Paris's European manager, had accompanied Hicks to Hollywood. He planned back to N. Y. Friday, and is sailing back to London today (Wed.).

Hicks had planned to be back in New York the first of this week but his trip was interrupted by the serious illness of his father, who lives in Seaside, Va. Paramount's foreign chief was returning by Union Pacific steamline, when notified by home telegrams in Nebraska of his father's death.

Lange, Hicks, Zukor and William LeBaron hurried last week regarding Rose's duties.

Rose who is a business man thorough with England, will lead the business end of running production details on the British Isles. When he returns to London, he will be with units brought on from Hollywood familiar with England's operation. Rose will act as sort of coordinator for the company which is expected to make for a more economical production in England. He is not expected to leave for London until he will headquarter, for about three weeks.

While the exact number of feature films which will be produced in England to satisfy quota obligations is not known, it probably will be in the neighborhood of 50. It is possibly one or two high-budget pictures.

## Law Against U. Imports Into Great Britain

—Conversely, A American B. O. May Profit by New Measure in Importation of Improved British Product.

New British quota law in its first year of operation is going to open the door to U. S. exports of more features made in England while, conversely, the quota act promises to hit tougher than expected on American companies. The quota is expected to measure up to the intention of protecting the industry in Great Britain. That's because American film companies plan making numerous high budget features in the British Isles in hopes of making them click in the world market. If that does not occur, year of quota may be a different story.

All signs point to better box office for British-made features in this more in 1938-39.

Not only do more playdates, but greater return on most bookings are certain. Three factors contribute to such conclusion.

First, and possibly outstanding, is the terminology of the new Great Britain quota act, which makes it economically worth while for American companies to produce or purchase already finished English films with factual patronage potentialities. Probably all of the bigger British features will be brought in by major companies for show in this country.

Second factor is the improved quality of English productions all down the line.

Third development is an evidenced inclination for a better acceptance by exhibitors of the better type British production.

The number of British-made features likely to be booked in America in the coming season will be conservatively 50; may be up to 80 productions. This is approximately 50% more than came in from the British Isles during the last 12 months, according to the Hays office's eastern production code figures. These show that this department, which passes on virtually all English imports for production code rating, will be on the order of 52 English productions in the past 10 months.

While the estimate of 50 features will not top possibly one previous year, the difference is that the production code rating, which is in effect during 1938-39 will be those with assured extensive playdates. And the quality of these features, as purchased by American companies in order to fill their British quota obligations, should be of a high order, as companies to bring them to the U. S. for exhibition. To the picture industry in Great Britain this is important, because it will establish an incentive to turn out more expensive high budget features in order to live up to requirements.

This situation on the British quota law will give the industry as a whole a hopeful that the present trade pact being negotiated with England may be a successful one. English feature majors now are in this country, but the trade treaty probably will not be ready to sign until the end of the year. Understanding is that this will simplify the quota law, or it is the hope of the film business that it may be written so as to do this.

# B.B.C. Okay Sought for Television Shows Into Theatres; Successful Try

## U. S. Films OK Abroad If They're Good, Sez Hicks

Hollywood, June 14.  
Europe will continue to be a profitable field for American pictures in spite of political and economic handicaps, declared John W. Hicks, Jr., v.p. in charge of Paramount's foreign department, after a survey of England, continental Europe and Central and South America.

As long as American pictures are good, Hicks said before he left for New York, they can overcome tax and quota difficulties.

Slit competition for American picture exports abroad is promised by picture interests in France, Great Britain, Germany and Italy, according to report published in London and sent to the Department of Commerce by the office of the American Consul in Paris.

Headed 'Motion Picture War' Declared Between Europe and North America, an article in the London four papers are plotting to produce six in four languages, in an endeavor to replace Hollywood productions in the European markets.

While none of the four nations can match Hollywood's production of American film capital, advantages of quadri-lingual films are certain to upset American marketing chances abroad, as riding to report.

London, June 6.  
Although successful demonstrations of large scale television by Baird and Scophony, both active in television covering the Derby, showed possibilities of regular showings on theatres, big snag at the present time concerns what the attitude of the British Broadcasting Commission is on giving sight-sound broadcasting full approval. B. B. C. has power to refuse permission for public showings.

However, joint discussions probably will be held between the Cinematograph, the Exhibitors Assn., the B. B. C., and picture groups when this matter and problems of copyright doubtfully will be discussed. This will be to determine whether public television is within reason and both marketing and demonstration.

Estimated that television can be installed in theatres for about \$5,000, and that a showing of a movie may be feasible by B. B. C. or Performing Rights Society for use of copyright programs.

The day after the Derby, Gaumont-British announced it was prepared to offer seats for immediate theatre in London. Gaumont may demonstrate later this month.

Also reported here that the whole of the London Odéon may install the Scophony sets. Solomon Sagi, Scophony chief, says big size television sets are being ordered. Scophony is putting in equipment at new theatre, screen being six feet by six feet, but screen two measures eight by six feet, six inches.

## Quadri-Lingual European Films To Buck U.S. Pix

Washington, June 14.  
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## WB MERGING ITS 'NIS' INTO ENGLAND

London, June 7.  
Consolidation of the United Kingdom exchanges of Warners and First National is expected on this side, and when home office chiefs visit this city in September, it is said to open new Warner theatre, development, may follow fast. Although house in same building, Warners and FN operate entirely separate distributing and selling channels, but with interlocking ties. Two units share out the product both from Burbank and the British studio at Teddington, with keen rivalry between both for the key pictures.

Indication of the trend was seen in first joint product schedule. First announcement by Jerome Jacobson, First National head for production management for arners at Teddington, states that 'Warners' First National film line is for production by October.

Benj. Danil ("The Return of Carol Dean"), an Elizabeth Allan, in 'Dangerous Medicine', are already completed.

## Hummel Due Soon

Jac Hummel, Warner's new general foreign sales manager, arrives in London on June 15 on his world trip, which he will be back over to present reaching there in final sessions of the Italian sales conference in Paris. Hummel goes to Paris for two weeks, and is scheduled to sail for London on June 15.

He has been on the present tour of foreign key cities for about seven months.

THE RAGE OF PARIS

Hollywood, June 14. (National release of the new production, starring Danielle Darrieux and Henry Koloski, directed by Julien Duvivier. Released by RKO.)

Universal successfully launches Danielle Darrieux, young French stilet of unusual beauty and character, in a written-to-order story called "The Rage of Paris." Her fiery box office draw, fortifying it tied in the domestic field to the petty distribution of two French fil...

Supporting players give good account of themselves. The role of Buzzo and Peggy Condon, Lucille Ball and George Forman, and the other secret agents, which concerns the activities of two government secret agents...

With variations the yarn has been done countless times, but Henry Koster is sufficiently original and humorous in his directing to give the new new yarn a different flavor...

Supporting roles are capably handled. Miss Broderick and Auer have lively passages of bright dialog and the parts are well played. Charles Coleman, as Fairbanks' technical warden and the principal caretaker of a hunting lodge...

Many of the scenes are shot in the major studios. The settings are smooth and Joseph Valentine's photography is of high quality. In every detail the picture is a neat and reliable job. A. H. Durrieux is ditto. Fin.

Having Wonderful Time (SONGS)

Having Wonderful Time... is missing in the screen version. In their place the author, who also has written and has substituted some lively horseplay and occasional slapstick...

Having Wonderful Time... is missing in the screen version. In their place the author, who also has written and has substituted some lively horseplay and occasional slapstick...

Not that Pandro Berman produced the picture from the borscht belt to a comedy, but the result by no means lessens the interest in the play's characters. The film is so good that it is a pity that the play's characters are not so well understood as they are...

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MY BILL

My Bill is a film version of Tom Barry's play, "Courage." Jay Francis directed. It is a story of a penniless mother of four children ranging between 10 and 19 years. She doesn't look a day over 30, but the film is not the answer to the problem of shortage of first run product. It isn't, in fact, the answer to anything.

Miniature Reviews

"The Rage of Paris" (14). Smart comedy of first run cur... directed by Julien Duvivier. Released by RKO.)

"My Bill" (WB). Weakie featuring Kay Francis. Directed by Jay Francis. Released by Warner Bros. (20th). Melodramatic addition to Mr. Moto series; it forgoes the usual suspense.

Mr. Moto Takes a Chance (20th Century-Fox release of a 13th year's effort. Directed by Lewis Allen. Starring Robert Montgomery, Robert Keeshon, and Robert Montgomery. Released by Fox. (20th). June 15, 1938. Running time, 97 min.)

Newest in "Mr. Moto" series is lot melodramatic in its implausibility. However, it still will attract people who like to see a man who lives as an Oriental sleuth. But it won't win friends. Best of the series is the earlier effort...

When Were You Born? (14). Film of the same title as the play, which concerns the activities of two government secret agents. Directed by Lewis Allen. Starring Robert Montgomery, Robert Keeshon, and Robert Montgomery. Released by Fox. (20th). June 15, 1938. Running time, 97 min.)

When Were You Born? (14). Film of the same title as the play, which concerns the activities of two government secret agents. Directed by Lewis Allen. Starring Robert Montgomery, Robert Keeshon, and Robert Montgomery. Released by Fox. (20th). June 15, 1938. Running time, 97 min.)

Minor mystery meter lacking suspense. Many names or diversely spelled names are listed in most spots for which it apparently was produced. When Were You Born? is a film of the same title as the play, which concerns the activities of two government secret agents...

ground. Instead, there is endless verbiage in the chief interior scenes. The door admits a steady procession of characters and a steady stream of dramatic asides, etc., which will have been incorporated into the plot to heighten the dramatic effect. Here it merely muddies audience interest.

"A Trip to Paris" (20th). Another in the Jones family series that will satisfy. Directed by Lewis Allen. Starring Robert Montgomery, Robert Keeshon, and Robert Montgomery. Released by Fox. (20th). June 15, 1938. Running time, 97 min.)

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Cowboy from B'klyn (WITH SONGS)

Cowboy from B'klyn... starring Henry Koloski and Danielle Darrieux. Directed by Julien Duvivier. Released by RKO. (20th). June 15, 1938. Running time, 97 min.)

There's a comical idea in the film which irritates the cowboy in singers, thus poking fun at the genre which is so common and fact everything that comes over the air. Not all the opportunities for comedy are taken advantage of...

Priscilla Lane, as a young girl of the frontier, is a good character and Granville Bates has a good part. The picture is directed better than most of the recent films. This one gets a fair amount of laughs from hatched studio film.

LADIES IN DISTRESS

Shifting the Jones family to Republic Pictures release of Henry Ford's production, produced by the popular series, has above the home-people Americans into a story that contains enough amusing situations and parlor dialog to insure the Jones flock from getting in bad with the many followers of their adventures.

Bonneyville—elevation 1400 feet—is by now probably a healthy place in the history of the film. It is directed by Mayor Jose Bonney, a two-faced politician who is a lesson for some of the big names in the industry. The picture is a comedy of the same title as the play, which concerns the activities of two government secret agents...





# First Flashes from the

"With  
story  
need  
It is s

"Havi  
enou

"Filmd  
which  
ceive

"Havi  
emer

No holding back the big ones by RKO!... Here's one of the biggest of them all... Ready to pull BIG BUSINESS when the going's toughest for theatres everywhere!... Ride out the summer with Broadway's romantic laugh-and-heart hit... made into a mighty screen attraction!

# RO



**R K O**  
RADIO  
PICTURES

# Hollywood Preview!..

**Ginger Rogers and Douglas Fairbanks, Jr., at their best, riding a class A through a splendid production, 'Having Wonderful Time' is the tonic ad in this period when exhibitors are playing to too many empty seats. Sure-fire for big business with all varieties of audiences."**

**- Hollywood Variety**

**"Having Wonderful Time'... will give a wonderful time to audiences lucky enough to see it."**

**- Los Angeles Examiner**

**Com's recent swing toward the saner and more human type of comedy depends upon situation and deft characterization for its humor, represents another boost in the right direction from 'Having Wonderful Time'."**

**- Hollywood Reporter**

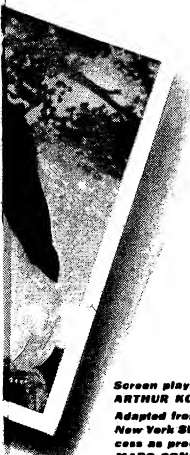
**"Having Wonderful Time' turns out to be exceptionally bright comedy... it gives as surprisingly good entertainment."**

**- Los Angeles Times**

**GINGER DOUGLAS**

**ROGERS \* FAIRBANKS Jr.**

*Having Wonderful Time*



Screen play by  
**ARTHUR KOBER**  
Adapted from his  
New York Stage suc-  
cess as produced by  
**MARC CONNELLY**

WITH

**PEGGY CONKLIN · LUCILLE BALL · LEE BOWMAN  
RICHARD (RED) SKELTON · ANN MILLER · DONALD MEEK**

**A PANDRO S. BERMAN Production**

**Directed by ALFRED SANTELL**

# Advance Production Chart

## Giannini Out

(Continued from page 3)

brought all Roach and Edward Small into the fold as producers. The board's decision is to use the director's salary and move the executive office. New York, understood the director's move to be a ruse, representing himself as Edward Small's attorney for Pickard; Charles Schwab, Chaplin's attorney; Emanuel Lasker, Harry Warner's attorney; O'Brien, attorney for Fairbanks, and one other not yet picked.

Roach's decision to limit his contract, understood Murray Silverstone will not be on the board.

Reported that with the issuance of the Hammi statement, other employees in the UA executive office here will be handed extra coin and their services dismissed with soon as affairs here can be cleaned up for the move east.

Convention Opens  
 It is believed that exhibitors have a certain responsibility to producers of good pictures, not to undersell their own services, dismissed with soon as affairs here can be cleaned up for the move east.

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Thirty on UA Program  
 The 30 features promised by UA for 1938-39, with possible extras to include a total of 40, places burden of heaviest delivery on Hal Roach, who is committed to UA's program by the late Harry Hardy contracts. Lowest contributor under promises now made is Selznick, who is thought to be committed to be delivered under his expired contract. Extras may come from Selznick, this being done on a "best effort" basis with UA. Thus, as conventions in New York and Chicago get under way, UA still must produce products the much-loved and aging "Gone With the Wind," Selznick's "Tenth" property is also not produced.

Roach's right and Selznick's doubts as to the new program. See also Goldwyn, Alexander Korda, Walter Wanger and Edward Small. UA this year is covering its UA program with UA's own sales power opened with A. W. Smith Jr., general sales manager, closing it in the Chicago market. A total of 100 executives of UA, from east to west, will be attending the convention from the field are attending the "y" gathering, while 80 will assemble in Chicago.

UA's Share  
 For the first time in years UA will release a series of shorts on release contracts for new program. See also the 12 "World's Window" subjects in color, signed by Universal and Columbia, and made up by Count F. W. Keller, exiled German.

These shorts are already on release by United Artists, under a previously negotiated deal by Murray Silverstone with the United Artists executive committee. Under that deal, six of the subjects were to be released by UA. That of course, disposes of UA's quota requirement on shorts in general.

The UA's share of the distribution of the Keller shorts was negotiated over here, on behalf of Count F. W. Keller, by Jack C. Levin, Israel, of the law firm of White & Carter, New York. The UA's share of release, acted for by the producers' association, is being negotiated by Count F. W. Keller, exiled German, in the U. S. recently.

finished or in work. Paramount, running second in 1938-39 season, next season pictures in the cutting room and fire being finished. Studios have completed 42 pictures for release, and now have 56 in the cutting rooms, as of June 8.

## Columbia

Number of Pictures	New Balance to		In Be Placed Stories in	
	Cutting	Rooms	Cuttings	Rooms
Completed	22	12	4	5
22	2	0	0	1
Total	44	12	4	6

**WEST OF CHEYENNE**, formerly titled **"SWINGING IN THE SADDLE"**, produced by Harry L. Decker for Irving Briskin unit, directed by Harry Decker; original screen play by Ed Earl Galt; photographed by Benjamin Kluge. Cast: Charles Starrett, Iris Meredith, Bob Nolan, Dick Cully, Pat Brady, Ed Selwyn, Edmund Cobb, Art Mx, Ernie Adams, John Tyrrell, Jack Rockwell, George Chesbro. **The Sons of the Pioneers.**

**"GOLD RUSH DAYS"**, produced by Larry Darmour; directed by Joseph Lovington; original screen play by Nate Carsten; photographed by James S. Brown, Jr.; Cast: Jack Luden, Beth Harris, Paul Downing, Charles Whitaker, Hal Taliferro, Jack Ingram, Tex Palmer, Bus Barton, Art Davis, Marlin Sais, Lida McKee, Tuffy Cannon.

**"SOUTH OF ARIZONA"**, formerly titled **"SINGING GUNS"**, produced by Larry Darmour; directed by Joseph Lovington; original screen play by Bennett Cohen; photographed by Benjamin Kluge. Cast: Charles Starrett, Iris Meredith, Bob Nolan, Pat Brady, Ernie Adams, John Tyrrell, Jack Rockwell, George Chesbro. **The Sons of the Pioneers.** Edited by Cobb, Art Mx, John Tyrrell, Ruffa Fick.

**"TOMBIE TRAIL"**, formerly titled **"VALLEY OF VIOLENCE"**, produced by Larry Darmour; directed by Joseph Lovington; original screen play by Nat Gertzel; photographed by James S. Brown, Jr.; Cast: Jack Luden, John Barclay, Dick Sottiller, Tuffy Cannon, Sil Hal Taliferro, Leon Barbor.

**"CITY STREETS"**, formerly titled **"CITY SHADOWS"**, formerly titled **"NO GREATER LOVE"**, produced by Wallace MacDonald for the Irving Briskin unit, directed by Harry Decker; photographed by James S. Brown, Jr.; original story by I. Bernstein; photographed by Alan Seiger. Cast: Leo Hartley, Eddie Feltus, Helen Jerome Eddy, Tommy Bond, Mary Gordon, Arthur Loft, Joseph King, Grace Goddard, George Humbert, Margaret Fellows, Minerva Uraly.

**"REFORMATORY"**, formerly titled **"ORPHANS OF THE LAW"**, produced by Larry Darmour; directed by Lewis D. Collins; original story and screen play by Gordon Hayer; photographed by James S. Brown, Jr.; original story by Charlotte Winters, Frankie Darro, Bobby Jordan, Tommy Bupp, Tommie Harty, George E. Stone, Monte Blue, Donald Haines, Donald Haines, Robert Emmet Keane, Vernon Dent, Greta Garbo, Guy Usher, Hal Bridge, John Tracy.

## Colpix

**"YOU CAN'T TAKE IT WITH YOU"**, produced and directed by Frank Capra; original play by George S. Kaufman and Moss Hart; screen play by Robert Riskin; photographed by Harry West. Cast: Jean Arthur, James Stewart, Lionel Barrymore, Edward Arnold, Misha Auer, Spring Byington, Ann Ruyter, Bob Taylor, Clarence H. Wilson, Mary For, Donald Meek, Sammie S. Hinds, Harry Benning, Edward Anderson, Lillian Yarbo.

**"THE GLADIATOR"**, produced by David L. Wilson, associate producer. Original story by Elia Kazan; screenplay based on novel by Philip Barrie; photographed by King Lee, Joe L. Rose, John W. Breen, Walter Robert Kent, Dickie Moore, Lucien Littlefield, Ethel Wales, Don Douglas, Monte Blue.

**"OUTSIDE THE LAW"**, produced by Everett Riskin; directed by Alexander Hall; original screen play by Swerling; photographed by Alex. Freulich. Cast: Edward G. Robinson, Wendy Barrie, Lillian Yarbo, Hal Arthur, Lou Douglas, Charles Hall, Emory Parnell, Gene Moran, Robert Middleton, Mary Foulger, Anthony Hughes, Walter Smailley, Scott Colton, Gaylord Pendleton, Marshall King, Nick Lukats.

**"WILD BILL HICKOK"** (serial), produced by Harry West; directed by Mack Wright and Sam Nelson; screen play: George Rosener, Charles Powell, Dallas Fitzgerald, Tom Gibson, G. A. Duncan; photographed by Benny Kline. Cast: Gordon Elliott, Carlo Wayne, Monte Blue, Frank Maynard, Renee Asta, Frankie Darro, Dickie Jones, Sammy McKim, Mala, Monte Collie, Chief Tonno.

## Grand National

Number of Pictures	New Balance to		In Be Placed Stories in	
	Cutting	Rooms	Cuttings	Rooms
Completed	2	2	2	2
2	0	0	0	0
Total	2	2	2	2

**"REVENGE RIDES"**, produced by Criterion Pictures; associate producer, Philip N. Kraus; directed by Herizon; no writer credits as yet released; photographed by Irving Moran. Cast: James Newill, Tuffy Walker, Silveria Cannon, Gene Raymond, Hugh Perceval and Edmond Greville from adaptation of Paul Desantis' *Colonne's "Secret Lives"*; photographed by Otto Heller. Cast: Neil Hamilton, Brit Norel, Henry Bell, Robert Polce.

**"HIGH COMMISSION"**, produced in England by Associated British Film Distributors and cut here; associate producer, Hugh Perceval; directed by Edmund Greville; screen play by Richard Masson; photographed by Edmond Greville from adaptation of Paul Desantis' *Colonne's "Secret Lives"*; photographed by Otto Heller. Cast: Neil Hamilton, Brit Norel, Henry Bell, Robert Polce.

**"MARRIED A S.P."**, produced in England by Associated British Film Distributors and cut here; associate producer, Hugh Perceval; directed by Edmund Greville; screen play by Richard Masson; photographed by Edmond Greville from adaptation of Paul Desantis' *Colonne's "Secret Lives"*; photographed by Otto Heller. Cast: Neil Hamilton, Brit Norel, Henry Bell, Robert Polce.

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## Metro

Number of Pictures	New Balance to		In Be Placed Stories in	
	Cutting	Rooms	Cuttings	Rooms
Completed	6	7	7	7
6	0	0	0	0
Total	6	7	7	7

**"MARIE ANTOINETTE"** (for 1938-39 season), produced by Hunt Romo; directed by V. S. Van Dyke; screen play by Claudine West, "nest" a. Donald Ogden Stewart, based in part on book by Stefan Zweig; con-

tributor to dialog, Talbot Jennings; photographed by William Daniels. Cast: Norma Shearer, Lyone Rover, Robert Montey, Anita Louise, Gladys George, Melvyn Douglas, Joseph Calleia, Coco Wherppolung, Shepherd Smith, Richard Widmark, Patricia Bartlett, Robert Casper, Harry Stephenson, Ruth Hussey, Olga Hyten, Helen Hills, Jack George, Brville Anderson, Duke Lee, Grella Grinstein, Ann Evans, Ocean Bonaparte, Charles O'Connell, Frances Miller, Dorothy Chirly, Guy Bates Post, Corbet Morris, Charles B. Clary, Harvey D'Arcy, Robert Keane, Henry Danow, Harry Sams, Henry Allen, Helene Hillard, Darin Pazzo, Biallie Jay, George Smith, Frank Swails, Broderick Farrell, Melvyn Waller, Harry Dauris, Elin Mitchell, John Barrymore, Joseph Schildkraut, Albert Van Decker, Anthony Ward, Lyons Wickland, George Houston, "Bliss" Wyrick, E. Mason Hopper, Howard Brent, Sorenson, Charles Waldron, Peter Bull, Esther Howard, Al J. Krueger, George Meeker, Leonard Penn, Victor Kizil, John Burke, William Crain, John Merton, Moroni Olson, Edward Blinn, Carl Stockdale, Herbert Rawlinson, Ivan Simpson, Jack Smart.

**"SINCE YOU WERE A BOY"**, produced by Joseph Mankiewicz; directed by H. C. Potter; screen play by Waldo Salt; photographed by Joe Ruttenberg. Cast: Margaret Sulavan, James Stewart, Walter Pidgeon, Jack Hutchinson, Regine Moon, Ava Grey, Joe La Cava, Bill Baily, Art Howard, H. Allen, Franella Lawson, Hudson Stovall, Harry Tyler, George Chandler, Jack Hutchinson, Bill Fisher, Brent Sorenson, Oscar Foyeur, Dick Paxon, Harry Adams, Eugene Taylor, Hatlie McDaniel, Jack Phlips, Harry Warren, Frank McElvyn, Jr., Dorothy Kofer, Sam Levene, Charley Kress, Margaret Clough, Joseph Schildkraut, John Merton, Moroni Olson, Edward Keane, Nat Pendleton, Julie Gibson, Robert Wells, Willard Shuman, Iris Lee, Lee Ford, George Oves, Arthur Mullen, Walter Taylor, George Lee, Jack Woodside, Art Howard, Ray Crane, Jack Sterling, Ross Murray.

**"WOMAN AGAINST WOMAN"**, formerly titled **"ONE WOMAN'S ANGER"**, formerly titled **"EXEMY TERRITORY"**, produced by Edward Chodorov; directed by Robert Siodmak; screen play by Eduard Chodorov; story by Margaret Clough, Robert Ray, John Merton, Moroni Olson, Edward Keane, Nat Pendleton, Julie Gibson, Robert Wells, Willard Shuman, Iris Lee, Lee Ford, George Oves, Arthur Mullen, Walter Taylor, George Lee, Jack Woodside, Art Howard, Ray Crane, Jack Sterling, Ross Murray.

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## Monogram

Number of Pictures	New Balance to		In Be Placed Stories in	
	Cutting	Rooms	Cuttings	Rooms
Completed	26	25	1	2
26	14	0	1	0
Total	42	25	2	2

**"ROMANCE OF THE LIMBERLOST"**, front office production; directed by William Hill; screen play by Marion Orth from novel by Gene Strattner; photographed by Harry West. Cast: John Wayne, Cathy N. Davidson, Linden, Jean O'Neill, Betty Blythe, Edward Pevly, Marjorie Mann, Hildy Parks, Edith Roberts, photographed by Len Smith. Cast: Lewis Stone, Mickey Rourke, Judy Garland, Cecilia Parker, Fay Holden, Ann Rutherford, George C. Scott, Lana Turner, Douglas McPhail.

**"BOYS TOWN"**, produced by John Company, Jr.; directed by Norman Taurog; original screen play by John Meehan; photographed by Sid Wagner; director of photography by John Company, Jr.; cast: Bob Watson, Frankie Thomas, Jackie Morrow.

**"THE REBUS"**, produced by Hal Roach; associate producer, Hal Roach; directed by Hal Roach; screen play by Felix Adler, James Parrott and Harry L. Corning; photographed by Art Lloyd. Cast: Les Laurel, Elvyn Hardy, Patricia Ellis, Billy Gilbert.

**"BAREFOOT BOY"**, produced by E. B. Derr; directed by Karl screen play by John T. Neville; photographed by Gilbert Warrenton. Cast: Robert Montgomery, Fred Astaire, Robert Taylor, Ralph Brown, Kenneth, Matty Fann, Frank Puglia, Edward Pawley, John Morris, etc. et al., George Cleveland.

## Paramount

Number of Pictures	New Balance to		In Be Placed Stories in	
	Cutting	Rooms	Cuttings	Rooms
Completed	57	50	8	7
57	0	0	0	0
Total	57	50	8	7

**"PROFESSOR BURNHAM"**, produced by Harold Lloyd; directed by Elton Reed; original screen play by Jeffrey Green, Harry Brown, Charles C. Clarke and Clyde Bruckman; original by Clampton Harris and Francis M. and Noyce; photographed by Robert Powell. Cast: George Raft, Lewis Stone, Phyllis White, Raymond Walburn, Sterling Holloway, Lionel Stander, Arthur Lederer, Guinn 'Big Boy' Williams, Ward Bond, Spencer Tracy, Charles B. Clary, Harry D'Arcy, John Barrymore, Charles E. Clary, Charles, Montague Love, Elinore Ginnard, Christian Ruf, Right Kanner.

FILM BOOKING CHART

(For information of theatre and film exchange book. VARIETY presents a complete chart of feature releases of all the American distri companies for the current quarterly period. Date of the reviews as given in VARIETY and the running time of prints are included.)

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Table with columns: WEEK OF RELEASE, TITLE, Author, Director, Genre, Studio, and TIME REVIEWED. Contains detailed listings for various films from 1938, including titles like 'LONE WOLF IN PARIS', 'WHEN G-MEN STEP IN', 'THE MAIN EVENT', and 'HIGHWAY PATROL'.

The NEW DEAL is for him—

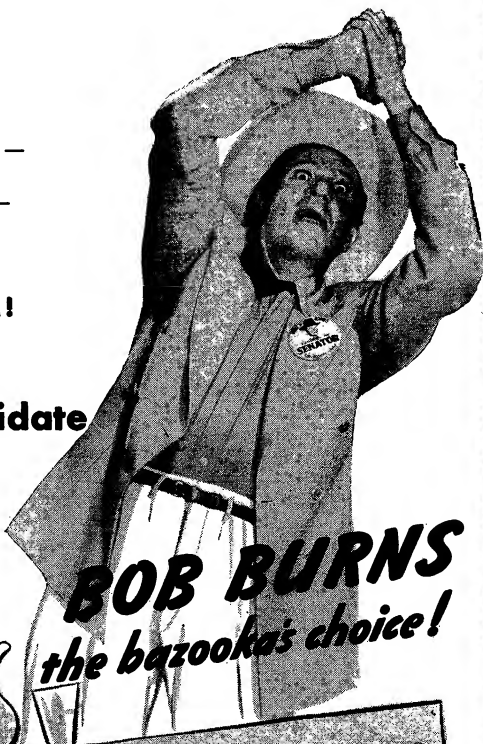
The OLD DEAL is for him—

The W. P. A. is for him—

The PUBLIC IS FOR HIM!

**WHO?**

Paramount's Candidate  
for Senator on the  
"TROPIC HOLIDAY"  
ticket ...



**BOB BURNS**  
*the bazooka's choice!*

**"TROPIC HOLIDAY"**

A Paramount Picture with

**BOB BURNS · MARTHA RAYE**  
**DOROTHY LAMOUR · RAY MILLAND**  
**BINNIE BARNES · TITO GUIZAR**

Directed by **THEODORE REED**

Screen Play by Dan Hartman and Frank Butler  
John C. Moffitt and Duke Atterberry





**"MAGNIFICENT  
OBSESSION"**

1936

THE BRILLIANT AUTHOR WHO TWICE  
THRILLED ALL THE WORLD NOW GIVES  
YOU HIS GREATEST MASTERPIECE!

1937

**"WHITE  
BANNERS"**

1938

**Warner  
Bros**

Make It your Big-Show  
Follow-Up for  
'Robin Hood'  
'Crime School'  
'Gold Diggers in Paris'

**LLOYD C. DOUGLAS'**

Best-Seller and Cosmopolitan Magazine Serial

with **CLAUDE RAINS · FAY BANTER**  
**JACKIE COOPER · BONITA GRANVILLE**

**HENRY O'NEILL · KAY JOHNSON · JAMES STEPHENSON**

Directed by Edmund Goulding · Music by Max Steiner

Screen Play by Lenore Coffee, Cameron Rogers, Abem Finkel

A COSMOPOLITAN PRODUCTION





Advance Production Chart

(Continued from page 18)

George Humbert, Leonid Kinskey, Charlotte Winger, Charles Lane, James Dinslow, Tom Herbert, Bruce King, Frank McKinney...

"YOU SING" (for 1938 season) produced and directed by Wesley Ruggles; original screen play by Claude Blynn...

"GOLD MINE IN THE SKY" produced by Charles A. Funt; directed by Jack Neltord...

"AS YOU WERE" produced by John Auer; directed by John Auer; original screen play by...

"PRIDE OF THE WEST" formerly titled "WENETA WESTERN SACKS" (for 1938 season) produced by Harry Sherman...

"DEKANS" formerly titled "MARK TWAIN" (for 1938 season) produced by Lucien Hubbard...

"RETURN OF THE FOX" (for the 1938-39 season) produced by Harry Sherman...

"SPAWN OF THE NORTH" produced by Albert Lewis; directed by Henry Hathaway...

"MEN WITH WINGS" (in Technicolor—for 1938-39 season) produced and directed by William Wellman...

"GIVE ME A SAILOR" produced by Jeff Lazarus; associate producer, Arthur Hornblow...

"ARTISTS AND MODELS ABOARD" (for 1938-39 season) produced by Arthur Hornblow...

"IF I WERE KING" (for 1938-39 season) produced by Frank Tuttle; original screen play by...

"BULLDOG BROMBIDION IN AFRICA" (for 1938-39 season) produced by Harry Sherman...

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"BULLDOG BROMBIDION IN AFRICA" (for 1938-39 season) produced by Harry Sherman...

Betty Burbridge; original story by Betty Burbridge and Bernard McConville...

"ARMY GIRL" produced by Arthur Schofer; directed by George Nichols Jr.; screen play by Barry Trivers...

"GOLD MINE IN THE SKY" produced by Charles A. Funt; directed by Jack Neltord...

"AS YOU WERE" produced by John Auer; directed by John Auer; original screen play by...

RKO-Radio

New Balance to Be Placed Stories in Cutting Before Preparation of Camera Film

Table with 4 columns: Studio, Color, Solder, Wait Disney. Rows for Studio, Color, Solder, Wait Disney, Total.

Pictures now in the cutting rooms or awaiting previews

"HAVING WONDERFUL TIME" produced by Pandro S. Berman; directed by Fred S. Seely...

"NORTHERN ELIGHT" formerly titled "GROUND SWIRL" produced by Robert Sisk; directed by Lou Landers...

"CRIME RING" formerly titled "CHEATING THE STARS" produced by Cliff Reid; directed by Les Goodwin...

"MOTHER CARP'S CHICKENS" produced by Pauldo Berman; directed by Fred S. Seely...

"BORDER G-MAN" produced by Bert Glynn; directed by David Howard; screen play by...

"MOTHER CARP'S CHICKENS" produced by Pauldo Berman; directed by Fred S. Seely...

RKO-Radio Pictures Now in Production

"BAMBI" being prepared by Walt Disney for release on RKO 1938-39 schedule...

"FROM THE ICE" produced by Sol Lesser; directed by Eddie Cline; screen play by...

"FROM THE CITY" produced by William Sietman; directed by Ben Holmes; screen play by...

"AFFAIRS OF ANDEL" formerly titled "MENIAL STAR" produced by Lou Luyck; directed by Ben Sletton...

20th Century-Fox

New Balance to Be Placed Stories in Cutting Before Preparation of Camera Film

Table with 4 columns: Number, Color, Promoted, Solder. Rows for Number, Color, Promoted, Solder, Total.

Pictures in the cutting rooms or awaiting previews are:

"PANAMINT'S BAD MAN" produced by Sol Lesser; directed by Ray Taylor; screen play by...

"ALWAYS GOOD-BYE" produced by Raymond Griffith; directed by Irving Landau; screen play by...

"LITTLE MISS BROADWAY" produced by David Hempstead; directed by Irving Cummings...

"LIVE A MILLION" produced by Kenneth Selmans; directed by Walter Lang; screen play by...

(Untitled Shirley Temple starrer) (for 193-39 season) produced by David Hempstead...

"DIRECTION 1-1131" (for 1938-39 season) produced by H. P. McElroy and Albert...

(Continued on page 22)

RKO Reorg

(Continued from page 31)

for liquidation (Casel & Co.) also is authorized to sue for liquidation and violation of the 7th provision of the new reorganization act.

Under the new reorganization act, a constitutional question was raised and disposed of. However, in the new reorganization act, the representative of the U. S. attorney to sit in on the hearings before the court.

Indic stockholders argue prerogative right to purchase stock.

Peter Rathvon, O. R. McMahon, William Mallard, William Merrill and O. Dearing, counsel to trustee, were witnesses at RKO's reorganization hearing yesterday.

Rathvon also told how Spitz's law practice was so large that even the combined assets of the debenture holders of under \$200,000 of these debentures is objecting to the plan.

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Republic

New Balance to Be Placed Stories in Cutting Before Preparation of Camera Film

Table with 4 columns: Number, Color, Promoted, Solder. Rows for Number, Color, Promoted, Solder, Total.

Pictures in the cutting rooms or awaiting previews:

"FIGHTING BIRD DOGS" (serial) produced by Robert Bechtel; directed by Frank Tuttle; original screen play by...

"THE BLACK HILLS" (Three Mesquites series) produced by William Bechtel; George Sherman; screen play by...

"Margaret Sullivan gives a truly great performance. Must be considered one of our greatest actresses."  
—DANA, *Herald-Tribune*

"Miss Sullivan gives a performance of real and poignant power."  
—MISHKIN, *Telegraph*

"Margaret Sullivan gives a magnificent performance."  
—COHEN, *Brooklyn Eagle*



"Margaret Sullivan brilliantly effective."  
—JOHANESON, *Mirror*

"Margaret Sullivan's is a shimmering, almost unendurably lovely performance."  
—NUGENT, *Times*

"Margaret Sullivan's performance is outstanding, possibly the best dramatic performance of her career."  
—HALE, *News*

# AN OLD M-G-M CUSTOM!

**SALUTE** Margaret Sullivan!

**LOVELY** lady, newest M-G-M star!

**INTRODUCED** to M-G-M audiences with

**ROBERT TAYLOR** as her escort in "Three Comrades"

**HUZZAHS** from Coast to Coast because:

**ONE:** it's a hold-over hit!

**TWO:** it tops Bob's "Yank at Oxford"

**THREE:** it launches Margaret Sullivan!

**LEO** of M-G-M sticks to his success-policy!

**STARS!** Stars! Stars!

**THAT'S** why M-G-M's the success-company!

(By the way, watch for Margaret Sullivan with James Stewart in "The Shopworn Angel.")



HELD OVER SECOND BIG WEEK  
CRITERION THEATRE, N.Y.

# GANGS OF NEW YORK

G-MEN SMOKE OUT 'HIGHER UPS' IN RACKET WAR

**VARIETY**

**N. Y. Upbeat;  
'Gangs N.Y.' 13G,**

Criterion 1,662, 25-40-55.—"Gangs of New York" (Rep.). House goes away up in the coin this week, probably \$13,000 Big and holds.

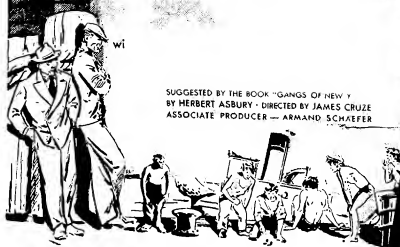
**VARIETY Predicted Big Business**

Herbert Asbury's book "Gangs of New York," has been transformed into a first-rate gangster melodrama by Republic—Suspense has been built neatly—James Cruze's direction is A-1 throughout—Dialogue is punchy



**CHARLES BICKFORD** ★ **ANN DVORAK**  
**ALAN BAXTER** **WYNNE GIBSON**  
**HAROLD HUBER**

# Republic



SUGGESTED BY THE BOOK "GANGS OF NEW YORK" BY HERBERT ASBURY—DIRECTED BY JAMES CRUZE ASSOCIATE PRODUCER—ARMAND SCHAEFER

EXPLOITATION

By Eges W. Sargent

Silhouette

Howard Waugh, one of the better theatre Memphis, got off the wagon track for 'Gold Diggers in Paris'...

Celling 'School'

Dusty Rhodes, the Columbia publicity-minded manager, is at it again. Not long ago he brought...

layed Local Angle

A street ballroom stunt on the picture 'Toy Wife'... Since 'Toy Wife' is a story of romance...

WB Air Coverage

Joe Feldman, advertising director for WB, has produced a staff hour of free time on station WWSW...

WALTER

WALTER W. WALKER... TOMMY LYMAN... THE OAKS

Herb MacIntyre's Div.

Creating a new sales district for the northeast, taking in the Albany, New Haven and Boston branch territories...

Theatres-Exchanges

Minnie Lusk theatre, 500-seeers, and key suburban house on Omaha's north side, was sold last week to C. C. Durango...

L. C. Snyder will open the Gem theatre at Durango, Colo. Joseph Skirball here for several days...

'Maestic,' one of this city's oldest houses, famous as a vaude stand for 20 theatres in this territory...

Dwight Van Meter, Pottsville, Pa. addition to the William Goldman staff, has been named city manager...

George French has resigned as manager of the Keith-Boston, and position will be filled during summer white house operates...

Los Angeles. Fox West Coast academy... New York theatre being built by Fox West Coast...

Loric theatre in Monrovia, operated by Fox West Coast in association with Sims Incorporated...

TITLE CHANGES

Hollywood, June 14. Metro switched 'Marshall Ney' to 'The Sign of the Cross'...

Advance Production Chart

(Continued from page 25) James Stephenson, Humphrey Bogart, John Eldre, Carlos Foy, Joe Devell, Jiny Singleton...

Inside Stuff—Pictures

Following the Middletown, N. Y., date of Vote-Visi... Joe Weber, president of AFM, sent through an order forbidding union members from making any additional recordings...

Chinese newspaper tangle caused the production of Universal's cliffhanger, 'Red Barry'... to be delayed more than an hour last week...

RKO had a float ready but almost missed the parade in the window of the Shrine Boulevard at the L. A. Coliseum last Thursday...

Ruling of Screen Actors Guild deprived Paramount studio of a double-truck picture layout in Los Angeles...

Bubbers sent up to shoot the first test flight of the giant airliner, DC-4, built by Douglas at Santa Monica...

Major studio factories are indulging in a major peevish over the snooty attitude of a femme columnist and feature writer for a national syndicate...

Memo went out last week to everyone on the Hal Roach studio payroll to keep an eye open for a suitable story to fit the talents of Ronald Colman...

To cut down expenses on possible retake, Hal Roach has a special crew making process shots of every scene in 'There Goes My Heart' taken on Catalina island location...

Grad Sears, who never got to the Fargo, N. D., chain-divorcement trial but came to west as Chicago, and is back at the home office, has indefinitely postponed a trip to the Warner Studios...

New top machine, designed by Metro technicians to create artificial mist, is working successfully on the sets of 'The Great Waltz'...

New York Theatres. There's a Better Show at the CAPITOL. 'THREE COMRADES'... 'THE TOY WIFE'...

PARAMOUNT THEATRE. 'Cocoanut Grove'... 'Red' Norvo... 'Blind Mice'... 'BLOCKADE'...

**D**uring the months of July, August and September, United Artists will present an entire season's product. Yet these are only the forerunners of a line-up that promises six pictures; weigh carefully their possibilities. No amount of words can be so

**B**ig name casts in stories with a new freshness—backed by powerful national advertising. **SHOWMANSHIP.** That's the keynote of United Artists' entertainment program for

<b>JULY 22</b>	<i>Walter Wanger presents</i>	<b>ALGIERS</b>	<b>SEPT. 16</b>	<i>Selznick International presents</i>	<b>MADE IN U.S.A.</b>
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starring  
**CHARLES BOYER • SIGRID GURIE • HEDY LAMARR**  
 with Joseph Calleia, Alan Hale, Gene Lockhart, Mme. Nina Koshetz  
*Directed by John Cromwell • Story by Detective Ashbel*  
*Screenplay by John Howard Lawson*  
*Additional dialogue by James M. Cain*  
 Selected by "Redbook" magazine the picture of the month

starring  
**CAROLE LOMBARD**  
*From the novel by Ross MacKenzie*  
*Screenplay by Jo Swickard*  
 Produced by David O. Selznick

<b>JULY 29</b>	<i>Selznick International presents</i>	<b>The YOUNG IN HEART</b>	<b>SEPT. 23</b>	<i>Alexander Korda presents</i>	<b>DRUMS ALONG THE RHINE</b>
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starring  
**JANET GAYNOR • DOUGLAS FAIRBANKS, Jr. • PAULETTE GODDARD**  
 with Roland Young, Billie Burke, Richard Carlson  
*Adapted from the Saturday Evening Post serial, "The Gay Benditti", by I. A. R. Wylie*  
*Screenplay by Paul Osborn and Charles Bennett*  
*Directed by Richard Wallace*  
 Produced by David O. Selznick

with  
**SABU • RAYMOND HAYES • VALERIE HOBSON**  
*Directed by Zoltan Korda*  
 From the novel by A. J. Cronin

<b>AUGUST 26</b>	<i>Hal Roach presents</i>	<b>THERE GOES MY HEART</b>	<b>SEPT. 30</b>	<i>Samuel Goldwyn presents</i>	<b>The LAUREL</b>
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starring  
**FREDRIC MARCH and VIRGINIA BRUCE**  
 with Patsy Kelly, Alan Mowbray, Nancy Carroll, Claude Gillingwater, Arthur Lake  
*Directed by Norman Z. McLeod*  
 Screenplay by Eddie Moran and Jack Jerne

starring  
**GARY COOPER**  
 with David Niven, William Powell  
*Directed by William Wyler*  
 Produced by Samuel Goldwyn

No wonder the industry is humming with the news: **THIS YEAR'S NEW**

release six pictures that any company would be proud to present as the cream of  
 as to be by far the strongest in our history. Read closely the cast of each of the  
 as the facts themselves.

Sincerely yours,



GEORGE J. SCHAEFER

ing and exploitation . . . in a word,  
 1938-1939. —And here's the proof!

al presents

**FOR EACH OTHER**

AMES STEWART

resents

**(IN TECHNICOLOR)**

EY • ROGER LIVESEY

son

events

**and the COWBOY**

LE OBERON  
 n, Thomoi Mitchell

McCreey and Fr

and in addition . . . watch for these  
 future hits from United Artists!

**FROM SAMUEL GOLDWYN**

THE DARING AGE, starring Jascha Heifetz, Joel McCrea, Sigrid  
 Gurie, Adolphe Menjou • WUTHERING HEIGHTS, starring  
 Merle Oberon • THE LAST FRONTIER, starring Gary Cooper and  
 Andrea Leeds

**FROM ALEXANDER KORDA**

PRISON WITHOUT BARS • FOUR FEATHERS (in Technicolor)  
 THE THIEF OF BAGDAD (in Technicolor) with Sabu  
 OVER THE MOON (in Technicolor) starring Merle Oberon

**FROM WALTER WANGER**

PERSONAL HISTORY • STAGECOACH, a John Ford production  
 WINTER CARNIVAL • A MAN AND HIS WOMEN, starring  
 Charles Boyer.

**FROM EDWARD SMALL**

THE DUKE OF WEST POINT, starring Jack Dunn and Tom  
 Brown • THE MAN IN THE IRON MASK, by Alexandre Dumas  
 KIT CARSON, AVENGER, starring Joel McCrea • KING OF  
 THE TURF, starring Adolphe Menjou • A romantic South Sea  
 story, starring Jon Hall and Sigrid Gurie.

**FROM HAL ROACH**

TOPPER TAKES A TRIP, starring Constance Bennett, with  
 Roland Young and Billie Burke • ROBBERY UNDER ARMS,  
 starring Margaret Sullivan and Brian Aherne with Alan  
 Mowbray, Patsy Kelly • THE WATER GIPSIES, starring Jean  
 Arthur • Four Laurel and Hardy productions.

*Again*

**NEW PICTURES WILL BE Released thru UNITED ARTISTS**

# COPIES NEW CONTRACTS REDEFINES HOURS

### Network Gets 50 Unit Hours Weekly from Stations Under New Deal—Local Exemption Not Specifically Provided—Public Service Priority

Columbia stations are under obligation to remove, on request, all chautauque announcements preceding or following local advertising contracts which the network has begun to submit to its affiliates. The new form differs also from the old one in that it puts a ceiling on the number of hours that an affiliate's station must make available to the network, specifies how much time must be required to deliver to its affiliates and extends to the station the right to drop a network commercial in order to carry a local civic or state program.

Number of hours which CBS stands committed under this new agreement to deliver to an affiliate, is set at 60, while the stipulated time that the latter must furnish for network commercials is 50 unit hours a week. Since 5% of the broadcast periods are daytime, a minimum when figured from the basis of covered hours (two daytime hours and one nighttime hour) can mean a minimum of 80 commercial hours per week. Guidelines for the associated and sustaining programs.

No provision is made in the new contract for a site exempt time for optional use, as revealed by the contract between NBC and its affiliates. Columbia feels that the setting of local option does not constitute a major problem. Network has anticipated the probe by the Federal Communications Commission of existing agreements between stations and their webs by inserting the clause which permits the elimination of a network commercial for a civic or state event broadcast.

CBS worked on the revised contract form for over six months. Columbia says that in a recent survey it found that CBS commercial programs did not represent more than 25% of the average affiliate's schedule and two-thirds of most of the average affiliate's revenue derives from other than network sources.

## CEP'S NBC PUBS CLAIM

John Royal, NBC program chief, will be asked this week by a delegation of music publishers' professional managers to explain the situation prevailing in the network's Philadelphia and Boston studios. The publishers are asking the network to take care of friends and subordinates of staff bionists before they turn their numbers included in a sustaining program.

Punk is complaining that the present Philadelphia situation has become particularly onerous and that they see to reason why a singer or leader makes it necessary for publishers to take care of friends and subordinates of staff bionists before they turn their numbers included in a sustaining program.

## BERGEN FROM N. Y. FOUR WEEKS IN JULY

Hollywood, June 14. Eric Bergen and the guest dramatic play on Chase & Sarabon programs will be broadcast in New York on four Sundays during July. Remainder of the show continues to be broadcast in New York on the east for that period is responsible for the double origination. Stage plays will be used in the dramatic spots.

Four round ended the jaw-slashing fight which will be an Ameluc vacuuous abroad.

## Philly Talent Rife

Philadelphia, June 14. The arrival of Arthur Simon as new head of WFPH, the musical station has started a campaign of sniping for English talent on WDBS. Last week took Elaine McCurley, sports editor of the Daily News, from its archival to do his daily radio column. This week nabbed Van Wallen, dramatic school coach.

## WFIL's Elaborate Rally to Celebrate New Studios' Prem

Philadelphia, June 14. Sound to outdo CYW, which opened its new studios with much ceremony last month, WFIL has invited more than 3,500 people to an introductory reception Friday night for the new studios. The event includes Arcadia-International niter for the occasion. This is in same spirit as the new studios of elevators will carry visitors from drinks to kilowatts.

Among bally stunts being used are release of 25,000 balloons with prizes attached, town crier pounding pavements, sound trucks and mailing pieces stuck in telephone camera bins. Twenty bands will run the station for two hours on Friday afternoon. And every candid camera bug in Philly has an invited to take and take six of them doing it.

## Nehi Bottling Aiming ET Series for South

Nehi Bottling is preparing a waded program for spreading over southern and southwestern stations this summer. ET, western station is an ad campaign to live show which rides NBC-blue on Fridays, 9-30 p.m. Doug Connah, N. Y. rep and radio man for the James E. Nesbitt Agency of Atlanta, which handles Nehi, has gone to firm's headquarters for a contract on the description series. At present the soft-drink is being plugged through the south via local spots resumes on small stations outside the network coverage.

Meanwhile the web show is slated to continue, with the account now trying to get a different time from NBC for autumn.

Charles Bruce Millholland, author, in Indianapolis is to give a summer course in writing for publishers writing at the Arthur Jordan Conservatory of Music.

## WKWB Squares Ohio State U's Complaint on Anti-Vivisection

Buffalo, June 14. F.C.C. has renewed the license of WKWB without a hearing. The commission had on April 20 designated the application for a hearing, but reconsidered. The hearing has been scheduled after Ohio State University complained about certain broadcasts being carried on the anti-vivisection society which, it was asserted, reflected on the university's medical policies.

On the university's complaint, station had withdrawn the anti-vivisection series. The hearing has been published an advertisement regarding the alleged derogatory statements. University has not received complaint or assurance that the statements were accidental and withdrawn in good faith, intent on the part of the station.

## THE BOSS GETS THE NOISE

KFSO New Offices and paper Rumpos Upsets

San Francisco, June 14. Proposed attempt of KFSO manager to add a truck to the city of Jessie—the street (or alley) on which the new KFSO and Columbia Broadcast System office in the Palace hotel face—may develop into a bit of a controversy between the station and the Call-Bulletin. The station daily, which occupies the building on the opposite side of Jessie street, already has delivery trucks across from the entrance to the studio, which will be completed shortly. The Call-Bulletin, which occupies the building on the opposite side of Jessie street, already has delivery trucks across from the entrance to the studio, which will be completed shortly. The station daily, which occupies the building on the opposite side of Jessie street, already has delivery trucks across from the entrance to the studio, which will be completed shortly.

When CBS execs recently moved into their new offices, they were covered in their sorrow that the lesser execs had the choice offices—the Palace, Room 1000—while the biggies of Radio-News, who are in the office windows opened on noisy Jessie street, have to take the Call-Bulletin, recess clearly audible.

## STAFF WINS OWN CONTEST; TWO SPLIT \$5

WNEW N. Y., had to call upon some of its staff to become participants in the quiz program. The staff members who were scheduled to participate failed to show at the station for the question contest. The program was directed by Bill McGrath, stenog James Gregg and Esther Sandson, chief engineer Max Weiner and chief announcer John Jaeger. Group matched wits with George Mages, the announcer for the program.

Weiner and McGrath split the \$5 prize, tying for top score. Stenog came next, with Jaeger fifth.

## Gosch Auditions 4

Hollywood, June 14. Martin Gosch, dispatcher here, by Bill Lewis, CBS production chief, to frame four shows for commercial audition, is interviewing talent and writers. One of the programs will have a Hollywood picture slant, with Gosch making the industry connections. Cigie account is said to be interested.

Gosch will stick around for a month to personally handle the auditions and take them east on w when he returns.

## Whiteman for Kosty

Hesterfield ciggie shifts its CBS program starring Paul Whiteman from its present Friday slot to Wednesday on July 13. Andre Kostelanetz takes off the web on Wednesday 9-30 p.m. niche the week before. Whiteman will be replaced with a replacement of \$39.

Account will not fill the vacated Friday spot until Burns and Allen take over. The program for cigie in the Autumn. It is not definitely Kostelanetz will return.

Jeff Keen, radio ed of Philly Daily News, in secret contacts with program apartment execs at WFIL.

## Kids' Funny Fam Mail

It is ask, who directs the 'Let's Pretend' juv program for receives an odd assortment of fan mail from the moppets.

Request came this week for 'tickets for my three baby sisters which are twins.' One letter stated: 'Will you please dramatize the 'Crystal Coffin.' If you don't know what that is, it's a play. Another was an order which wanted the next broadcast on Tuesday instead of Thursday, as I take my music on Thursday.'

And one requested that the story of 'Twelve Dancing Princesses' be done on the 'Fun,' as 'Am me' is going to be a radio play. A classic was, 'Please send me free a fairy.'

## AFRA Expected to Reach Accord By Next Week with CBS and NBC; Substantial Employee Gains Set

American Federation of Radio Artists is expected to sign a contract with NBC and CBS next week. Tentative verbal agreement between the networks and the union was reached last week. The agreement is being formally drawn up by the networks. Unless some unforeseen developments occur, it should be completed by the beginning of the week and submitted for final approval and signing.

Understood the deal, as verbally reached last week, was much further-reaching than had been expected. It will include recognition, additional pay for overtime increases, uniform pay for all network shows regardless of origination point, additional pay for overnights, rehearsals and numerous other terms. Negotiating committees for the networks and AFRA met on preliminary terms last week and a draft of the agreement was turned over to the networks to put into legal form. Sidney Kaye is representing CBS, while E. Gardner Prime is acting for NBC and Henry Jaffe is the attorney for AFRA. Laurence Beleson, legal rep for the Coast and Empire AFRA branch in New York this morning (Wednesday) will immediately huddle with the other AFRA branches to determine what to remain east until the pact is formally signed, also will attend a session of the executive committee of American constitutional revision committee and next Tuesday's (21st) meeting of the AFRA National Screen Actors Guild. He is expected to return to Hollywood about the middle of next week with Kenneth Thomson, SAG executive secretary, who is already east on Fox's affairs.

When the contracts with the networks are signed, AFRA will concentrate on its negotiations with the advertising agencies, represented by the American Association of Advertising Agencies. Huddle with the AAAA committee have been going on for about six months. AFRA has not made a strong effort to bring about an agreement with the agencies. In the meantime, the union is preparing to center all its attention on the ad agencies.

AFRA began negotiations with the networks in January of this year, after an organizing campaign failed from a little more than a year ago, when radio performers in New York and Los Angeles first formed associations. The union now has 5,000 members of somewhat over 2,000 with chapters in New York, Los Angeles, San Francisco, Chicago and New Orleans. Negotiations for contracts with local stations already being carried on by various of the stations. Such contracts will be subject to approval of the national board.

## AIR FEATURES SLICES STAFF, NOT REPLACING

Air Features, Inc., which produces the Blackett-Sample-Hummert shows airing from New York, is not replacing Kelly, who is leaving the Office staff will handle the pushing out of praisery.

Features permit which has been in the production department of Features since its formation, has been let go with replacement. Miss Vermillion was with Janet Sauter when he worked with the National National radio during the 36th presidential campaign. Radio publicity.

Features will not fill spot left vacant when Murray Jacobs was dropped a while back. He, too, was with Sauter and the Democrats.

How, Are They Mad

## PHIL LORD SCORES POINT IN PATHE SUIT

Phillips H. Lord (Seth Parker of radio) was granted a new trial Monday (13) by the N. Y. Federal Circuit Court in the suit over the \$50,000 damages against Pathe News, Inc., which reversed the findings of Judge Charles Gandy, who issued the action after trial last November. The suit alleges breach of contract. Judge Gandy tossed the case out of court on the ground that the complaint was vague and indefinite as to details concerning the contract, which Lord negotiated through Courtland Smith, then president of Pathe.

Under the agreement which was made in 1943, Lord was to make a minimum of 10 shorts and one feature picture during his planned trip around the world in his yacht. Pathe was to furnish a director, cameramen and a sound technician. Both agreed to 50-50 the expenses and the profits. Lord was not ready and Pathe called off the agreement. The radio man in his suit demanded technicians, picture and sound equipment and proceeded on the trip. He made several pictures but they proved to be flops.

The trip wound up in the South Seas, apparently a dismal failure as far as pictures were concerned. However, Lord had been sponsored on the radio during the trip and this paid for part of the expenses. The suit he brings is for the expenses he was put to in hiring the equipment after Pathe had called the whole thing off. He contends that his concern should be ruling after he was paid for his trouble. In the 9th year during the long case, the Circuit Court ruled:

"I do not hold that the contract as it was made was so defective as to be capable of enforcement. . . We shall not now decide whether or not the plaintiff may recover the cost of making unsuccessful pictures, which is the chief element sued for."

## EARI MCGILL'S IOWA GUEST PROFESSORSHIP

Earl McGill, casting director of ABC, has gone to Iowa City to give a two-week guest professorship in radio production at Iowa State University. Will work out programs with 5000 WOI in New York. Earl McGill will also sanction in two lectures in Chicago June 18 and 19 and in Los Angeles Tuesday. He is the Midwest School Broadcast Conference.

He will return to New York (27th) to direct 'Aron's Luck of Public' series for actor's Chloepod starting July 17.



# AGENCY'S

## The Sergeant Kicked the Corporal

Back in the old Prussian military system the legend was that the sergeant kicked the corporal because he (the sergeant) was kicked by the private. Judging by the downright rudeness which is typical of many advertising agency scoutmasters in their dealings with salesmen—and at all kinds—the ego of the scoutmasters must be taking a bad pummeling from above.

Agency in the aggregate. With few exceptions, could audit their good will at \$1 and get change. The way they treat, or rather mistreat, persons who have a legitimate claim for attention is not only tops for this kind of crude rudeness in the business world but piles up an animosity that expresses itself in a year or two's time. Not just for idle mischief-makers do so many people store up and spill over the first time they get a sponsor's ear.

Agencies never hesitate to tell advertisers that they (the advertisers) are taking the wrong public relations attitude. The agencies should look in the mirror. Their popularity rating is L-T.

## REMOTES MAY BE BANNED IN PITTSBURGH

Pittsburgh, June 14. Remote control broadcasts from hotels, night clubs and theatres, unless musicians are paid extra, likely to come to an end July 1 if the board of the Pittsburgh Musical Society Local 60, adopts a proposed ban, under consideration. Managers of KDKA and WCAE, only two stations fits airing bands on the outside, have already been advised of plan. It is the same as in other cities. Local took some months ago, which has removed all remotes from stations in that city. Pittsburgh union has called for a conference with representatives of William Penn Hotel, Ill. Hotel, Elmer Show Boat, illows and other night operations none with radio lines, but over the week-end no agreement had been arrived at. Decision is that condition of business at present in the cafes and hotels, there's little chance of an accord. WCAE and WCAE carry a few band remotes but bulk goes out over WCAE and KDKA.

## WILSON CUTS STATION LIST TO 14, ADDS ONE

Chicago, June 14. Howard H. Wilson Co. station rep firm, has severed a string of 15 rural stations and made one new addition. List ripped has been pruned to 14 broadcasters. Added station is WKBH, La Crosse, Wis., a 1,000-watt and CBS outlet; formerly served Small & Bueche. Off the Wilson lineup are KMPC, Beverly Hills, Cal.; KSPG, Long Beach, Cal.; WTXK, Springfield, Ill.; KUOA, Hills, Cal.; KGNF, North WAAW, Omaha; KGNF, North West, Neb.; KWJL, Portland, Ore.; and KGGF, Colleyville, Kans. None of these stations has as yet linked up with another rep except KGGF, which E. Katz has taken.

## Lolly Seeks New Spot

Jimmy Saphier is working on several network possibilities for Louella Parsons, who has been recruited for the "Hotelwood Hotel" stanzina. Columnist's last date on the Campbell Soup payroll is June 24, when the show goes off CBS for nine weeks. Raymond Paige has not been needed for a full return, but since Langford has had her option picked up.

## 'Bobby Hayes' Mutual Fed

Baltimore, June 14. Bobby Hayes' six orch. sidemen at Spanish Villa atop Southern hotel, will be fed to the Mutual network on Wed., Monday, Wednesday and Friday evenings at 7:45 EDST, well on Wednesday from 4 p.m. Monday airing will not receive local outlet.

## THE WINNAB

CBS Beats the Field - Golf-That Helffl Man Helped

Team representing CBS stroked its way to the golf championship of the New York radio row Friday (10) at the River Vale Country Club in New Jersey. Third consecutive win gave Colu a permanent possession of the title. Match pretty hard fought, with victory of CBS, with an 87. Runner-up was WOR-Mutual and WHN trailed the CBS by 10.

## Raymer Shares Wilder's Stations With Transamerik

Transamerican Broadcasting & Television Corp. has become the national rep for the Harry Wilder group of stations, namely WSYR, Syracuse, WTN, Jamestown, N. Y., and WBBX, Springfield, Mo. The arrangement is not an exclusive one. Paul Raymer & Co. has maintained the familiar relationship with the Wilder stations.

## VETS VS. BETHROTTED IN WLW QUIZ STUNT

Cincinnati, June 14. Latest WLW quiz show has a boxing stunt twist. It's called Twentieth Century Fight and will air Wednesday (13) night for half-hour marriage. Contestants, two married couples, and an engaged pair are placed in miniature fight rings in studio. Announcers, one to a ring, serve referees. Wrong answer get the gong. Initial show was worked by Felix Grami, Jimmy Lentz and Sam Fuchs. Novelty idea, that of Robert G. Novinsky, WLW-WSAI sales manager and program director, is protected by copyright.

## Graham Robertson Quits

Graham Robertson has gone out of the station rep. Had three stations, and a Texas director, is now closing office doors. Formerly partnered with Howard H. Wilson in Chicago. Robertson when out on own owned a year ago. Came to New York, which he made operating bar, while working up with former partner in New York end.

## Penner Stays

Joe Penner has adjusted his difference with the Rockwell-O'Connor office and signed a new management agreement.

## GURLEIGH RIZ S. RESERVED

## Radio Station Reps Grumble at the Incourtesies and Indignities Heaped on Them by New York

Radio station sales representatives New York are bitter among themselves over the increasing discourtesy they experience in advertising agencies. What burns many of the sales reps is the bad manners of many agency execs. Some of these latter reps rate as office boys with elephantiasis of the skull.

Certain agencies curiously refuse to talk to reps all. When they do of patience and a lucky break a telephone call gets through, there have been several reported cases of slapping down the receiver. Reps are outspoken in their resentment of such courtesies.

There was melancholy last week when Benton & Bowles let out Dick Dunlop, one of the few time buyers in the biz who ever showed any common courtesy to the sales reps. Dunkel's foibles predicted which last year netted the versatile time-buyer a reputed \$30,000.

Welcome mat for station representatives was pulled in by Benton & Bowles, which agency revised its attitude toward office contacting. Dunlop's system rep was discouraged from calling on the agency unless they have a specific service problem to discuss. If the agency wants to see a station rep, it will let him know by phone or letter.

Decision to overhaul the agency's policy on time negotiating is reported to have been made after Chief Bowles, B&B chairman of the board, had returned from a yachting trip. It is understood that he also ordered that the agency's activity in radio research be substantially repressed. Impression in the trade is that both are economy moves and that the old order of things in the agency may return with a pickup in business.

Dave Carter, formerly pay for KNX, Hollywood, has joined Major Bowles' battery.

## Foresee New Spot-Placing Setup: 20-30 Keys to Cover 75-90% of U. S., General Promotion on Joint Basis

## Kiddi Variety

Variety was mentioned twice on NBC last week. Fred Allen supposed that a song was so low on the popularity rating list that it was flown among the advertisements, and Variety wanted to be paid space rates for mentioning it.

## Chicago

Last night (Monday) G. Rambeau started out on a tour of several key cities to visit station owners and managers. Trip is a follow-up of the special meeting which he held with some 18 major station operators in Washington last fall for the formation of a new stali representation setup on a new plan of operation.

## Newcomer Finds Portland Kinda 'Hurrah for Us'

Portland, Ore., June 14. Tom Symonds of Spokane, who has taken over and improved Station KCL, is reported encouraging that well-known Portland advertiser newcomers. This town, tightly held old faces and old ways. It often welcomes new blood with the same kind of enthusiasm the Indians carved on the totem poles.

Anyhow, it's complicating and local agencies are amping that dealing with the new system rep of KCL. Resignation of Dave Runyan last week as sales manager may not be significant.

Known as the plan for a new Market Spot (lions), it proposes setup of from 20 to 30 stations in key markets for a coverage of 75% to 90% of the country. Rambeau's basic plan is to sell the 50,000-watt and the 10,000-watt spots and concentrates primarily on regional power stations in key markets.

Standardization and general spot promotion is the crux of the set-up, with Rambeau endeavoring to establish a formula rule in arranging maps of the country, etc., etc., so that agencies and advertisers will be able to judge various stations according to a single standard instead of being faced with a variety of standards of station qualifications.

General promotion of the spot field as an advertising medium will be done for joint by the stations and Rambeau, with the latter contributing 2/4 of his gross receipts and the stations paying 2/4 of the receipts from national spot biz for the national plugging of spot radio.

In his recent address to the stations Rambeau stated that of the national advertising dollar spot radio was getting 4/5. This compares with 2/5 for newspapers, 2/5 for direct mail, 2/5 for magazines, 1/5 for networks, 1/5 for outdoor advertising, 2/5 for trade publications and 1/5 each for motion pictures and public relations advertising, for TV, for souvenirs and contests, for writing, etc.

## PROGRAM BEAMED AT TOURISTS IN AUTOS

Tulsa, June 14. "Calling All Tourist Cars," KVOO program which last year won the Certificate of Merit award of the National Research Bureau, is back on the air for June, July and August. Hears Monday to Friday.

rambly will consist of advertising spots of 15 seconds, with Rambeau stipulating that he will make an accounting in the station's monthly report of this promotion fund, and that any money remain in the fund (beyond a 5% balance of \$25) will be distributed to the stations.

Rambeau's plan also calls for the setting aside of \$12,000 annually for the purchase of new cars, which will be kept current as to the changes in station market conditions. Rambeau himself is moving his headquarters to New York and expects to establish his family in the east within 30 days. Local outlet will be headed by Bill Cartwright, who is expected to make sales staffs here for several years.

## Much Duplication of Theme Songs

## ASCAP Register Reveals That Many Radio Programs Share Signatures—'Mountain' and 'Memories'

Most used theme number in broadcasting, according to a list compiled by the American Society of Composers, Authors and Publishers, is "Memories" by Cole Porter. Other popular themes are "Mountain" and "Memories". This list is contained in the ASCAP Register of Theme Songs and Musical Signatures which is being made available to the public. It licenses this work. Compilation discoverer that there are 28 registered programs using "Memories" as a musical signature, but there represent a variety of compositions of the same title. Bugle Call Ruz is the most popular tune for musical-club, with "Rise and Shine" taking a 2 rating.

- Darling.....17
- Drifting and Dreaming.....17
- Easy to Remember.....17
- For You.....17
- Give Me Another.....17
- Heart, Sweet Heart.....17
- Hill Side You in y Dream.....17
- In a Sentimental Mood.....17
- Liebestraum.....17
- Love Be Comi.....17
- Love's Old Sweet Song.....17
- Lullaby (Dolphins).....17
- My Love (Love Together).....17
- Memories (Mus. Composers).....17
- Mood Indigo.....17
- My Blue Heaven.....17
- On the Mall.....17
- On the Wings of.....17
- Oh, Blue Heaven.....17
- Mountain.....17
- Song of the Islands.....17
- Sung by (Love Together).....17
- Sonnet.....17
- Starry and Stripy.....17
- Take Me Call.....17
- Tumbling seeds.....17
- When Day is Done.....17
- White Lies.....17
- You Ought to.....17

## WARD'S SPIELER TEST; CAN'T BE TOO CAREFUL

Assembly of announcers were called Monday (13) by Ward J. Kelly to establish his family in the east within 30 days. Local outlet will be headed by Bill Cartwright, who is expected to make sales staffs here for several years.

Assembly of announcers were called Monday (13) by Ward Kelly to establish his family in the east within 30 days. Local outlet will be headed by Bill Cartwright, who is expected to make sales staffs here for several years.

# \$16,245,228 IN REVENUE OF WEB WORK

## F.C.C. Data Reveals That 295 Network Affiliates Outgross 296 Indies in 5-to-1 Ratio—Other Disclosures Made in Official Report

Washington, Jan. 14. Network affiliation means a difference of about \$178,500 in the average broadcasting station, the Federal Communications Commission inquiry into economics of the radio business discloses.

As was the case with the clear-channels, a tie with a national web means real money in the pocket, regardless of the class of station. Analysis of the statistical report compiled by accounting department discloses conclusively that without coast-to-coast chains the economic complexion of broadcasting would be totally unrecognizable. Second major point is that important web does not fill in regional place in the entire business.

These are some of the salient conclusions:

1. Including all types of transmitters from full-time clear-channel plants to part-time stations hooked up with national webs for one or over four-fifths of the amount which sponsors spend.
2. Chain connection indisputably makes a station a better advertiser in the eyes of advertisers, even local sponsors. Affiliates of national advertising networks reported revenue and sales almost double the total receipts of independent broadcasters from all sources.
3. Business naturally concentrated in the big centers. Some 50 plants in cities with population of 100,000 or more, although less than one-fifth of the total commercial operators, devoured more than one-third of the total broadcast revenue.
4. Among the regionals, the plants using 5 kw days and 1 kw nights have the biggest share of advertising. In that order grabbing \$18,249,650.
5. Best business territory is the Northeast, with the second highest clustered. Sales of 149 stations in this area were \$25,751,491. Next was the Middle West with 112 operators raked in \$21,610,889.

6. In the multiple-ownership operation, revenues are obtained directly on the number of stations operated. While owners of more than two stations pay out more receipts, \$11,272,862, the operators of two plants took \$6,628,979 and those of three, four, and five plants, \$5,461,892. Only slight variation in the number of stations in each category.

7. Investment in broadcasting is much smaller than thought, less than \$50,000,000. On basis of origination, total is \$46,240,128. Depreciated value is mere \$25,795,104, while replacement figure is \$49,477,889.

8. The 50 clear-channel transmitters represent nearly one-third of the investment, \$18,010,543, and originate on a figure basis and \$10,460,904 on replacement basis. The 296 stations show 295 broadcasters accepting web programs get more than five times as much as the 296 independent ones.

Net sales of plants with national web connections were \$66,093,234, while net revenue was \$12,042,422. Regional outlets took \$3,067,737 but had a \$258,647 deficit. Indies shined on a haul of \$12,570,747 and a net of \$469,228.

Disregarding the differences in program and personality arrangements, these break down to show that the average sales of national and regional affiliates are \$112,944 and regional affiliates, \$93,000, and of Indies about \$48,900. The net was \$50,000 for national, \$13,942,422 for regional outlets; nd \$15,000 for Indies.

The trend toward stations with network affiliations is strong was emphasized by the figures on the following table showing ability to advertise that the transmitter is a chain outlet gives prestige and reaches more. More than 700 of the local units with national chain connections had net sales of \$53,000 on an average, while for those without the same type which are thoroughly independent took only \$35,000 on average.

Jack Gross back at his desk. The youngster first was the attorney of a brother in Fort

# BROADCASTING; EMPHASIZED

## Add Radio Games:

The transmitter, NBC's house organ, has a standing offer of a \$5 prize to any employee discovering and divulging what the initials of E. P. H. James stand for.

## Kellogg Stays As Is

Kellogg has altered its plans and will not expand through east and Midwest during the summer. Accoutments is interested in sports residues in these areas as well as placements of its 'Howie Wing' transmissions in localities where there is no organized baseball.

## Farm Station WAAW Is That Way No Longer; Purged of Hillbillies

Omaha, Jan. 14. Omaha Grain Exchange voice and a farm station since it opened in October of the week hillbilly and hick programs are out. Move is first major change of policy since Joe Carle and Walter F. Myers took over March 1.

Beginning two quarter-hours of old songs daily, music played will be classical, semi, and sweet. Station has also frozen out all jazz and more, although less than one-fifth of the total commercial operators, devoured more than one-third of the total broadcast revenue.

## Shinola Gloms Field

Shinola (shoe polish) is casting around for a program, which will likely be musical, for quick sport on a network for summer campaigning. Account, handled by BBO agency, has never had a show, though a seasonal in the national spot field.

## Elliot Roosevelt's Aide

Understood to be one of the sparks to Shinola হয়ে নেওক the works is the Griffin All-White program on CBS with Hal Kemp's orch.

## Percy Deutsches Offers Free-Wax Plan Along Lines of Transamerican Deals

Percy Deutsches, head of World Broadcasting System, disclosed last week a group of station men in Washington are setting up a wax network. His organization in principle would be competing with the Transamerica Broadcasting & Television Corp. World would assume all the recording costs and in return for the stations would receive the commercial disc record 70% of their card rate.

Deutsches is lobbying this idea ever since the John L. Clark organization introduced the idea, that the station list would make it, that the station list would make it, that the station list would make it, that the station list would make it.

# RADIO SCORES 'BUM DRIVERS'

Cleveland, Jan. 14. Co- rating with the cops, give-over-safely campaign, Carl Mark is nabbing reckless drivers with a WXK short-wave set on a radio.

Following a police squad car, he was Johnny-on-the-spot when they stopped a Cadillac owned by one Owen. Owen began to sweat more about the mike he held than about conviction of his July stunt into it as the John Law quizzed him about his brakes, horn, lights, etc. About the best he could get was 'em fixed up. License number was also wired by Mar in case he forgot a license number. The car was fined, miles scares them more than a red ticket.

## Foster May Invites Folks To View His Front Porch Campaign for Congress

Omaha, Jan. 14. Foster May, NWU newscaster who seeks democratic nomination for Congress from Omaha district, has bought quarter hour nightly on rival radio, from July 8 through Aug. 9. May will broadcast campaign from his front porch and has invited voters to come to his home and watch him.

Following campaign tactics of old Karl Sater of WJAD, Norfolk, Neb., first radio man elected to Congress.

## Mr. and Mrs. with Vallee

Tallulah Bankhead and John Emery will guest on their first radio show, Jan. 23, for the Rudy Vallee show together. Pair are currently in 'The Circle' revival at the Playhouse.

## WEED AIMS 2 MORE

Weed & Co. has become the national sales rep for WCPO, Cincinnati. WCPO is Memphis.

## Unite Rochester-Buffalo

Rochester, Jan. 14. Gordon run, owner of WSAY, is pushing special line to Buffalo as step towards two-city commercial. Present tie up with WBNY for exchange of live talent shows, but other station in Buffalo not barred.

## Dog Heroine on Air

Baltimore, Jan. 14. Dog who made front page last week by rescuing his young master, Bobby Coll from drowning, was put on the air Saturday (11) by WBAL in a return for broadcast handled by Roslyn Tertulme on the Mutual.

## Wally Rogers' Bill

Wally Rogers' bill, which would require a new radio license, was reported by the Senate Committee on Interstate Commerce today.

## Webber Edwards, KGMB (Honolulu) manager, in Los Angeles for contract with Lewis Allen

Los Angeles, Jan. 14. Webber Edwards, KGMB (Honolulu) manager, in Los Angeles for contract with Lewis Allen

# WLW SHOW PICNICS Annual Outing Draws 600 Fans From Midwest States

Cincinnati, Jan. 14. Fourth annual all-Bag picnic, held Saturday (11) in Sharon Woods, was attended by 600 fans from a half dozen midwestern states, members of the club formed by regular listeners to WLW program.

The picnic was held at Sharon Woods, Ohio, with an attendance of 12, which jumped to 300 and 450 in the second year.

It-Baggers elect their own officers each year, by mail. Groups in attendance were represented by chapters, of which Dayton, Lima, Springfield and Columbus O.; Anderson, Ind.; and Washington, Va. had delegations on hand for the 1938 leg-together.

A 15-minute program, originating at the picnic, was carried by WLW. Eva Ponnal, postmistress of the Mail-Bag picnic, was host of the day. Acts from WLW and WSAI supplied entertainment and met up with the fans.

Tom Slater, who worked on the show for two years and is now with Mutual, paid his respects in an e.t. five-minute message, heard over a p.a. system.

## Methodist Broadcaster Turns In Credentials, But Stays on Radio

Detroit, Jan. 14. Rather than submit his radio talks to censorship and cease attacks on modernism and the church, John E. Zoller resigned last week as pastor of Wesley Methodist Episcopal church and turned in credentials as a Methodist minister.

Zoller, who has been broadcasting for past five years over local stations, recently completed an eight-week series of talks over indie hook-up American Radio to God campaign. He plans to continue weekly airings over JR, also outlet for Father Charles Coughlin.

He is scheduled to return for the summer and in fall plans to resume over a national network.

Submission of his other blasts 'showing up modernism in all churches,' Zoller said, would muzzle him, as he declared he felt that since his congregation financed his radio talks, that was sufficient supervision.

Detour into the Methodist Episcopal Church also had demanded that he broadcast retractions and apologize for his attacks on other Methodist ministers.

## Zella Harper to WDAS

Philadelphia, Jan. 14. Zella Drake Harper, who as Carolyn Tate had been for several years the director of IP Homeowners' Club, has started commercial on WDAS for Philly Record. Femina on five 15-minute periods weekly in show tabbed 'A Woman Looks at the City' and 'Record promotion department.'

New show is under different deal with the time-space swap, which provides her with 15-minute period minute daily periods on latter. On new one, Record committed to use 1,000 lines a week putting the show on the air.

## Unite Rochester-Buffalo

Rochester, Jan. 14. Gordon run, owner of WSAY, is pushing special line to Buffalo as step towards two-city commercial. Present tie up with WBNY for exchange of live talent shows, but other station in Buffalo not barred.

Rogers' idea is that numerous stores and restaurants operate in the big double outlet, inasmuch as cost of show would be split.

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# Sticks Prefer Clear Channels, Poll Indicates

Washington, Jan. 14. Unquestioned listener preference in the wide radio market for clear channel plants was established early by the recent Federal Communications Commission survey in rural areas. More than half the cards were returned, with response by state provided a fair cross-section.

From their own observations, 81.4% of the outpouring preferring clear-channel station programs at night and 59.1% during the day. Stations having exclusive use of best frequencies are the first choice of more than half of the respondents reporting their night dialing habits in Alabama, Colorado, Georgia, in Indiana, Kentucky, Louisiana, Nevada, New Jersey, New Mexico, Ohio, Pennsylvania, Utah, Vermont, West Vir. and Wyoming.

Extent of satisfactory coverage was one of the interesting disclosures in the tabulation. Approximately 40% of the card senders are not satisfied with reception conditions during the day, while at night the proportion is almost half. Line-up was: Daytime, 7:00 a.m. was satisfied and 5:55 p.m.; nighttime, 6:30 a.m. and 6:25 p.m.

Listeners who prefer to listen to general weather conditions are the basis of most daytime peevishness. They prefer to listen to weather (2,582) for the night troves. Local interference was cited as cause for dissatisfaction in 45% of responses and weather at night by 1,861.

In only six states did listeners show their preference to listen to regional and local stations at night. In Kansas, Maine, Massachusetts, North Dakota, Rhode Island, South Carolina, Texas, Virginia, West Virginia, and Wisconsin, several of which have no clear-channel plant, the regionals and locals were preferred by more than one-third of the persons reporting. In day time radio was much greater, with regional and local stations preferred in Arizona, Arkansas, Florida, Idaho, Kansas, Maine, Maryland, North Dakota, Oregon, Rhode Island, Montana; Nebraska, New Hampshire, North Dakota, Oregon, Rhode Island, South Dakota, Virginia and Washington.

Considering the country as a whole, the clear channel was preferred against regional and locals; the popularity contest in this familiar line-up was:

Daytime, first choice of 7,679; second choice of 6,098; third choice of 4,097. Fourth choice of 6,817. Nighttime, first choice of 9,938; second choice of 6,661; third choice of 7,779. Fourth choice of 6,317.

## Lud Gluskin With Al Jolson Vice Young; Levers' Notice

Lever has replaced Victor Young with Lud Gluskin on the AS for the final four weeks of the present series, starting next Tuesday night. The change was made in on the heels of Young's notice to Rockwell-Keefe, Inc., that his management would be disengaged and be considered cancelled. Rockwell-Keefe office declared Monday (13) that they would be disengaged from Young's agreement, which had been in effect for 10 years, and also to bring the matter to the attention of the American Federation of Musicians.

Contract which Lever, son, had with Young ran out early last month but Young would have been carrying along without any written stipulations. Manufacturer recently asked Young to accept reduced salary for the additional four weeks of the program ending July 12.

## Gager Wasey Promoted

Gager Wasey, son of Louis Wasey, pres. of Erwin-Wasey agency, has been promoted to radio production and will be in charge of the branch of the outfit. Lad has been in the firm for about four years.

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# CROSBY'S RADIO QUIZ

## Newspaper Share of Radio

Entry into the radio business meant a handsome profit to newspapers alert enough to grab an supplement to their press and line types.

Amounts of revenues according to the interests of station owners showed the F. C. C. that 37 press-owned transmitters, accounted for around 7% of the total revenue from time sales last year. They represented \$490,057 of the industry's \$9,218 net from sales and represented \$1,924,227 out of the \$18,286,000 left after expenses were deducted.

## \$345,717 Cost of WLW Super-Power

### WLW Witnesses Before F.C.C. Give Detailed Data on Costs, Rates, Income and Relationshi

Washington, June 14. Actual figures on Crosby's experiments were offered today by Rockwell, technical supervisor of broadcasting at the Cincinnati plant, who revealed to F.C.C. the actual cost of the WLW power jump was \$345,717. Apparatus for the transmitter cost \$330,000, substitution \$21,185, building \$10,625. Considering a new radiator and additional land, the total was not imperative outlays, the total was \$398,287.

Difference in operating cost of 50 and 300 kw plants calculated at \$141,720. Chief items which showed material rise were supplies and equipment, tubes, and electricity. Average running cost of 50 kw transmitter was \$78,786, while comparable figure for the super-power plant was \$220,516.

Some of these figures are not a fair yardstick for projecting future expense, Rockwell admitted. They show price increases and a few offsetting reductions. Average outlay under present conditions likely to be \$250,000.

Getting around to economics, Comish heard James A. House, one of the Crosby vice-presidents, admit WLW rates were jumped materially after 100 kw operation began. From \$800 an evening hour in December, 1928, the rate there was varied until the cost for time hit \$1,200 on Oct. 1934. Has been raised since. Shortly after super-power was made available, time rose to \$1,900 in 1935 and then to \$1,200. Latest increase was attempted to cover the additional operating cost. House admitted.

Information about network relations was obtained after demurrals by Duke M. Patrick, chief counsel for WLW. Fitting an extra witness to tell about matters which originally were being delayed until the hearing on WLW's application for renewal of the expert-internal authorization check brought Crosby's \$1,200 charge for night hours is about the same as the expense to a sponsor in buying time on a regular basis. Only NBC stations covering the same area.

Availability of stations in this sector available to users of NBC facilities, WLW carried the most sponsored programs during sample 1837 period. From Feb. 27, 1937, to Feb. 27, 1938, comparable 1838 span, H. M. Beville, Jr., vice-traffic manager, said WLW, 125; WACK, 48; WMB, 46; WAVE, 42, and WABC, 31. No sustained shift in business distribution shown in 1938, when WLW traffic was 100%; WMB, 10%; WAVE, 20%; and WOOD, dropping 2%.

Other business distribution figures offered by Crosby showed WLW's share was more or less steady from 1928 to 1937, at 1937, during sample week advertisers used WLW and either WSAI or WCKY about equally.

Financial report offered by Crosby showed WLW's net revenues from time sales were \$2,477,706 in 1937. Network programs brought \$1,335,492 and national spot \$1,142,114. With expense of \$1,650,536, the net operating profit for an entire year, Koliath had total net income from broadcasting of \$1,069,279 in broad-

## WASHINGTON GOES TO CONGRESS N. C. C.

### Craig Witt, Joliffie Among the Witnesses Testifying Before F.C.C. Special Panel

Washington, June 14. Prospects for super-power operation by American broadcasters faded rapidly and perceptibly last week after clear-channel group had presented hours of technical testimony intended to show how listeners will benefit if present wattage limit is removed.

Continuing suspicion about 300 kw was repeatedly shown by the F. C. C. personnel during its march of parade of evidence-givers last week. Of the 14 ticket-holders enjoying clear-channel. Intensive cross-examination, on both technical and economic points, was cold water on aspirations of the present 50 kw plants which want to become juice plants.

Following the general policy expressions from National Association of Broadcasters, a three-man panel conducting hearings on new rules and principles listened to a parade of witnesses seeking to justify complete elimination of any maximum on operating power. Opposition gets its turn at last later this week.

While the exhibits, tables and opinions offered by the clear-channelites were intended to demonstrate how present restrictions would deprive radio desert would benefit, the super-power advocates generally were compelled to admit there are many doubtful factors in their predictions, the economic balance of (Continued on page 42)

## Serv's 13 and Off

Service Electrolux relinquishes equipment. "The March of Time" with the July 10 broadcast. Date night on NBC-weekly sketch.

Program, which aired Thursday night, will be broadcast on NBC-TV on July 13 and 14. Magazine news.

## Washington's Insiders Foresee K. O. To Conroy's Sweeping Radio Quiz

Washington, June 14. Death of the Conroy resolution for comprehensive House investigation of both broadcasters and the Federal Communications Commission was generally foreseen in Congressional circles late today (Tuesday).

Intensive administration pressure, combined with promises to include chain in forthcoming Congressional departmental study, has been a combination of factors having killed the proposal, despite action Friday of the House Rules Committee.

Both Republicans and Democrats conceded the only outside prospect of winning consent for the wick-whispering campaign which swung sentiment of the White House in such assertions that inquiry advocates were contemplating "wacky" Roosevelt tactics in lining up negative votes. Floor lobbyists warned that embarrasing publicity for the President would result if sleuths were turned loose and activities of the House Committee would be given general monopoly report.

Three-year crusade for blanket permission to grill the radio industry and its Governmental chapters now is being stepped into the final stages as work with Roosevelt Administration leaders trying to head off the Conroy resolution. For an extensive study of alleged network monopolies, investigation group is springing into action against the clock, following favorable Rules Committee report.

## Washington Nervously Listens

### For Wichita Falls Explosion;

### Dramatizes Political Tactics

### Senate Votes Nix Of Superpower Stations

Washington, June 14. Condemnation of superpower broadcasting was voted by the U. S. Senate yesterday (Tuesday) after Senator Robert Buckley, of Ohio, withdrew his motion to reconsider the resolution. Policy declaration was authored by Senator Burton K. Wheeler of Montana.

Resolution declaring that wattage above present limits would not conform to the public interest—submitted for a reservation in the North Carolina pact was passed through the Senate Monday (13) after brief discussion and then partially nullified by a motion of Senator Robert Buckley of Ohio to reconsider the vote by which it was passed.

Admittedly concerned about Powell Crosby's 500 kw plant at Cincinnati, Senator Buckley's motion was a policy statement to go through and then became dubious. Repeatedly pulled from friends of the WLW proprietor, who were not as easily satisfied that Wheeler did not intend to hit any existing superpower plant.

### 'Those We Love' Stinks

Opinion on "Those We Love," romantic serial emanating from the radio, is that "BORG" is better by Pond cold cream (Corfuss-Lamont). It takes the third 13-week trial. The renewal becomes effective June 28.

J. Walter Thompson is the agency. Max Shabert, who has been playing Federal Theatre legit part, is in the picture. Shabert has switched to publicity department of WVA radio division.

### FCC members that they have

any connection with or special sympathy for any particular individuals in the business. Report was partially based on the morning's Congressional Record which carried instructions of Congressman Lawrence Conroy, brother of the resolution author, that committee members are unchangeable pals of the two leading chains.

Two days before the final committee developments, Commissioner George Henry Payne appeared at closed-door session to restate instructions that some of his associates are either corrupt or "too susceptible" to outside influences. Payne was generally described as a dud, although he put the finger on a few industry firms.

### Fizzled

As the Payne sensation fizzled, the Rules committee heard that certain network officials and a few lawyers menace strict government supervision of the industry. No concrete proof of improper activities was supplied, although Payne contended an investigation would disclose wrongdoing, along with suspiciously-close relationships with Comish personnel.

### Butcher Named

Even in mentioning names, Payne did not make a very good impression. Most legislators said they did not recognize the individuals, with the exception of Congressman Henry Smith of Virginia who sprang to defend the reputation of Harry C. Butcher, vice-president of CBS. Names did not stick in the minds of most committee members, because of insufficiently very good impression.

Final meeting in a series which stretches over more than a year, relatively unproductive, although (Continued on page 40)

Washington, June 14. A political detonation—involving some of the nationally-known figures and unverified charges of wire-tapping—is about to break over the Federal Communications Commission. Related to the Wichita Falls, Texas case, which has been a headache for two years.

Bumper crop of rumors and charges probably will be harvested as soon as the decision is made public, although hush-hush efforts have been launched since gossip began.

Delay in unveiling the ruling, which is that the Wichita Broadcasting Co. — originally organized by father of Congressman William D. McFarlane—should get the nod over two rivals for the berth emptied when KGKO was shifted to Fort Worth. It is expected that the sudden awareness of the immense political significance of the case, will be attempted to procure approval by friends of the other per it seekers.

Although they profess to be untroubled, the Comish members are getting jittery over reports that accounts covering the decision may be made when the press comes out. Publication may be the starting gun for a fight.

Advilafits strongly supporting suspicion that political consideration played a large part in the FCC's decision, which has been maintained for possible future use in the fighting. And knowledge that such sworn statements exist, putting an embarrassing finger on certain very prominent persons — is not particularly reassuring to the Comish.

The case boils down chiefly to a fight between the Wichita Broadcasting company, organized by a handful of local business men, and West Texas Broadcasting Co., which is owned and operated by a number and several chamber of commerce figures. Latter has the backing of some of the local politicians, including reputedly Senators Morris Sheppard and Tom Connally, plus Jesse Jones, member in President Roosevelt's official family and real Joe's associate, magnate of the Lone Star State, Forrester, and Congressman McFarlane, who is said to have written the code of House Democratic Leader Sam Rayburn.

Leak appears to be the most important to develop since gag-rule. Within closed sessions, the Comish members voted to grant the Wichita Broadcasting Co. application, news item which has been widely reported. One who previously has not been identified closely with radio matters, only a few days before, told every person in the trade here how the wind was blowing. Capital news promptly heard about the decision.

With Congressional blocs screaming against the decision and outsiders using the back channel, Wichita case seems to have all the makings of a prime subject for legislative inquiry. If either the House or the Senate stands staidly in the case, the number of big political names mentioned in this instance would provide plenty of fuel to the anticipated headline hunt.

### Stoppage De-Bromoed

Bromo Selter (Emerson Drug Co.) returns Colonel Stoddard as a top aid Dickson from the account's Sunday night spot on WOR, Newark, N. J., June 14, 1938. (N. Y. Times) got 13 weeks out of it.

### Tums' Fav of the Fives

Cincinnati, June 14. A variety show starring a play introduced on Tums program, running June 21. Show originates with W. W. Kate Smith's so-called (Continued on page 40)



# Artists' Social Security Taxes

Who pays the artists' social security taxes?

To this complicated question—involving special considerations of employer-employee relationships—no concise, intelligible answer has been sketched.

In view of the importance of this matter, Volume II of the VARIETY RADIO DIRECTORY will present the first trade outline (with sample contracts) on social security taxes, especially prepared by the foremost legal authority in the field—Isaac Watlington Digges.

This information is not (and will not be) anywhere else available in such clear-cut, authoritative form.

Volume II of the DIRECTORY will be issued at the end of this month.

It is suggested that an immediate order will insure immediate delivery after the date of publication. The price, as in the past year, is \$5 the copy, postage prepaid (but duty not prepaid in foreign nations).

**VARIETY RADIO DIRECTORY**  
154 West 46th Street, New York

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# Havana Okay by Senate Likely; White's Endorsement Counts

Washington, June 14. Ratification of the North American broadcasting pact, along with the Inter-American Radio Communications Convention, will be before the Senate Thursday. (9) by the Foreign Relations Committee, which turned down proposed rider against super-power.

No changes suggested in the text of the two agreements signed at Havana last December. Prospects are that the upper chamber will rubber-stamp the documents before adjourning. Little opposition seen while the understandings have strong endorsement from the State Department. Even if the two pacts do not receive approval this year, they remain on the calendar ready to be called up next session whenever the leadership desires.

Principal backing of both agreements came from Senator Wallace F. White of Ohio, who, although a Republican, is recognized as the Senate's principal radio authority. Because of his services at the Cairo conference, he was asked to write a digest and comment, in which he found little to criticize and pointed to substantial benefits to this country.

While the North American agreement—applying to U. S., Canada, Cuba, Dominican Republic, Haiti and Mexico—scraps idea of exclusive channels, it will make possible a more effective allocation system. Secretary of State Hull said in his report to the President. Sufficient flexibility to protect the best interests of the American industry and radio audience. Cabinet members predicted the agreement will result in the elimination of the confusion at present consequent upon the lack of understanding and regulation.

Possible surrender of American rights is not sufficient grounds for turning down the pact, according to White, who remarked for a long time this country has used "vastly more of the available frequencies than we deserve. Increasing interference and international hostility were cited, with the Maine legislator, co-author of the original radio act, remarking "We have faced for a considerable time the necessity for working out some equitable arrange-

ment through which this broadcasting band might be used by us and our near neighbors with the greatest advantage to all an the least harm to us.

Pact, engineered primarily by Commissioner T. A. M. Craven, is the substantial accomplishment and failure to approve might lead to "disastrous consequences to our broadcasting industry." White declared. Instead of giving up anything of great value, we get permission for full use of 50 channels and limit use of 13, a rise of 16 over present number of frequencies.

## RACE BETS ON AIR HURT TRACK CROWD

Sydney, May 22. Police pressure is on to stop starting-price betting via the air. Hotel owners have, in the main, agreed to wipe race results per radio out of saloons. Customers will drink their beer now without race stuff.

Police are being taken by the radio units, national and commercial, to cut race descriptions in running, but game hints have been dropped to the officials to allow giving any price quotes on betting, post positions and so forth.

Government has no objections to any descriptions.

Since pressure started race track authorities stated that attendances have jumped considerably, and that if stronger pressure is applied, especially in regards radio, then their biz could further increase.

## Canada's Fight Pickup

Bob Bowman, Canadian Broadcasting Corp.'s sponsoring chief, will come to New York to describe the Joe Louis-Max Schmeling fight June 22 for short-waving to BBC.

In the U. S., Buick is sponsoring the battle over 142 NBC stations with Clem McCarthy at the mike.

Earlier this year Bowman came to New York to pick a short-waving of the Max Baer-Tommy Farr fight to London for BBC.

## ENGLISH NOTES

London, June 6. BBC Symphony Orchestra engaged to play at Empire Exhibition in Glasgow June 13 under baton of Sir Adrian Boult.

Bebe Daniels and Ben Lyon starred in "The Silent Melody," musical comedy show which was radioed June 7 and 8.

A. C. Flincken & Co. renewed its Saturday morning quarter-hour of Radio Normandy for Force. Renewal was placed by Smith's Advertising Service, Ltd.

Running commentaries on the famous Le Mans 24 hours' endurance trials are to be broadcast from the track by Radio Normandy June 18 and 19. Bob Walters-Walker will be the commentator.

B. B. C. have arranged to broadcast excerpts from Cochrain's "Happy Returns." This will be the first time a Cochrain show has ever been broadcast from the theatre.

## Efficiency Expert Is in Charge of KGW-KEX; Employes Reassured

Portland, Ore., June 14. Col. Guy V. Visminsky, efficiency expert, has again taken over complete charge of KGW-KEX and its subsidiaries. The "Oregonian" has again filled the air full of rumors that sale of the properties is probable, although official deny. Any sale, if considered, would not be before January, 1939, when, under the terms of the agreement, the estate goes back to its heirs from present trust set-up.

In a circular letter to all employees, KGW-KEX and the newspaper assured them that their jobs were not in jeopardy. Col. Visminsky is noted for wielding a heavy axe.

## NBC to Pick Up BBC's London Variety Shows

NBC has set a deal with BBC to pick up and carry a series of variety programs, short-waved from London. Start is slated for July 5 and one-hour programs will ride over the American web each Tuesday thereafter.

First series of sort which NBC has taken from BBC, though one-shows have been picked up before. Mutual regularly carries a Saturday variety revue waded over by BBC.

## Quebec Understudies

Montreal, June 14. Understudies for recording artists in Montreal are being developed at station CHRC, Quebec, so that new transcriptions can be made if anything goes wrong with transcriptions made by wire.

Imperial Tobacco and other advertisers do recording by wire to Quebec. Transcriptions are then sent out to stations in the vicinity of Quebec City.

In developing a talent department staff in a position to be able to make a transcription in Quebec if a telephone recording goes haywire, saving the sponsors costs and headaches.

## Thompson's Bookings

London, June 7. J. Walter Thompson radio booking from continental stations include Audrey Smith, Beatrice Lillie, Evelyn Laye, Owen Nares.

There are others, in addition to the regular stars of the sponsored air like Jack Hylton, Debroy Somers and Vile Oliver.

## erek McCulloch in B. A.

Buenos Aires, June 5. Capt. Derek McCulloch, better known as "Uncle Mac" of BBC's children's hour, arrived here last week on a sightseeing trip to South America. Made the voyage privately to convalesce from accident. Broadcast via Radio Excelsior (LR3) within the Casa Top program.

To say "Hello" to the boys and girls of the local English speaking community.

# RUPERT LUCAS' WEST CANADA SURVEY

London, June 14. In keeping with policy of Canadian Broadcasting Corp. to correlate with Trans-Canada station services and fill all programs, Rupert Lucas, CBC chief of production, has just returned to Toronto headquarters after a Western inspection check-up of nationalized station facilities.

Outcome of his trip will be a more tightened system of general operation. While the efficiency of independent stations in the United States is easily understood here, the Canadian system of nationalized radio broadcasting, as far as the west are concerned, presents certain difficulties, chief obstacle being finances.

General grievance was that the prairies couldn't get adequate reception. Letters of complaint regarding poor and intermittent service flooded CBC. The establishment of high-powered stations is now, apparently, giving better service across the Dominion.

On the quality of CBC entertainment, the hope now is that a greater expenditure will be directed toward rehearsal time and production. While NBC for instance, has had a rehearsal a program to ten hours, the CBC financial situation warrants only two.

Further problem is that the country's population is centered in Ontario and Saskatchewan and since the prairies and the west, but listeners in these more thinly-populated areas, paying their annual license fee, must be given the efficient service enjoyed by their compatriots in the more densely-populated regions.

Visited Indies With stops between Toronto and the Cogr, Lucas spent five weeks with CKY, Winnipeg, and three weeks with CBR, Vancouver. Indicative of the nationalistic aim in Canada, Lucas dropped all of his official prairie points, at the invitation of local independent station operators who gave them his address in technical matters and balanced program set-ups.

While western listeners squawk at apparent haphazard operation of independent stations in which schedules are not adhered to and transcriptions are substituted, CBC contract hours must be carried; but, in the event of voluntary short-ups, the program director may do what he likes.

Small-town director perhaps takes himself too seriously. By educational methods, this form of mild censorship and individualistic taste will ultimately be eliminated. To date, while CBC contract programs must adhere to, there are no means whereby CBC may control what otherwise is broadcast.

Scheduled As to what is coming over next, western independent stations may have grounds for jitters but such a situation is not apparent in CBC-controlled outlets. After a afternoon at 5, from Toronto, closed wires to western points give a somewhat anti-climatic program changes up to midnight and for the subsequent 24 hours.

On western route, CBC's Toronto headquarters is continually functioning night and day, supplementing the station service by giving advance notice which will permit the coordination between station and radio press releases. CBC programs are scheduled three weeks in advance; on any western station squawks of last-minute changes, the CBC intention is to present up-to-date spot features and that, as in the case of certain transcriptions, features may be "killed" to make way for more important news-events.

In Welch—A Nightmare London, June 6. Translated into many languages and broken down for screen by Warner's Shakespeare epic "Midsummer Night's Dream" has received a new experience, being put into crackjaw Welsh language, for special broadcast from B.B.C. Welsh transmitter.

Gwenallt Jones has done prose version of play, which Dafydd Gwynedd's David Griffith has produced, and text has been ruthlessly cut to cram into 90 mt. sess.

# GOOD NEWS

You've heard plenty of "sob-stories" lately. Maybe you'd be interested in hearing a cheerful note. Here it is:

# MAY, 1938 WAS THE BEST MONTH IN THE ENTIRE HISTORY OF WFBR

We don't claim to be miracle workers. But we do believe we're doing an honest, si job of winning local favor through local flavor here in Baltimore. That policy has paid our advertisers extra dividends and they're coming back for

In Baltimore, it's WFBR  
ON THE NBC RED NETWORK  
NATIONAL REPRESENTATIVES  
EDWARD PEYRÉ & CO

MAKE AN EXTRA CROP.  
...in this Billion Dollar Market

FIRST: WTIC 50,000 WATTS HARTFORD.

James F. Finley, Business Manager New York, Detroit, Chicago, San Francisco

## All Canadian Symphonies Within Ultimate Scope of Govt. Radio

Toronto, June 14. — Outcome of strengthened financial position which permits further achievement of fundamental policy, Canadian Broadcasting Corp. is now completing plans for the regular presentation over the trans-Canada network of a series of symphony programs by leading Canadian orchestras. All 'A' music organizations in Canada will ultimately be included but immediate plan is to secure the topnotchers first and then expand by easier stages, not only through necessity of program balance but in keeping with prudent expenditures of CBC funds.

Toronto Symphony Promenade concerts, under the direction of Reginald Stewart, lead off for 24 programs broadcast from the University of Toronto Arena, and are an NBC international exchange. Toronto Symphony Orchestra, under Sir Ernest MacMillan, will present eight concerts from Massey Hall and 12 studio performances.

Montreal Symphony is penciled in for 10 concerts and an offer is now being considered by La Societe des Concerts Symphoniques, Montreal, for the broadcasting of a series of 10 performances which will either alternate with or follow the Montreal Symphony series.

E. L. Bushnell, CBC's general supervisor of programs, is currently negotiating with the Vancouver Symphony Orchestra for the broadcasting eastward of their Sunday afternoon symphony concerts which are presented in Stanley Park during the summer. Plan also includes the introduction of the Calgary Symphony to a national audience. Further proposals are under consideration for the bringing of lesser organizations into the new symphony set-up.

### Chess on Radio!

London, June 7. — When B.B.C. recently invited mass criticism and suggestions for program improvement, many listeners asked for chess broadcasts. Responding, co-operation now proposes chess tourney between itself and listeners, beginning July 1, and continuing till result is reached. B.B.C. opening move will be broadcast after 7 p.m. news bulletin that night and listeners invited to submit answering move by post before following Monday. Majority move will be adopted by radio chumps and second move announced over air at same time that night, following which moves will be called Monday, Wednesday and Friday till contest ends.

### CBS-BBC 2-WAY B'CAST TO CELEBRATE JULY 4

CBS and BBC have cooked up a two-way transatlantic short-wave broadcast for July 4 to honor George Washington on the day on which the U. S. celebrates getting its freedom from English rule. It's a new departure from the sort of broadcasts usually swapped back and forth between the two countries. In the past such political and historical angles were never tagged.

From abroad BBC will plant mikes to air a celebration at Sulgrave Manor, home of Washington's forebears before they migrated to America. CBS will pick up and send to England a celebration from Mt. Vernon.

Montreal 2-Language  
Vox Popper Over CKAC  
Montreal, June 14. — New vox pop program, 'Is My Opinion,' in French and English is being readied by CKAC. Production is scheduled for June 17 for the first half hour in French. On the following day there will be a half hour in English. Show will go on twice weekly and may be built up to an hour.

## SOUTH AFRICA: FISCAL FACTS REPORTED

Capetown, May 20. — South African Broadcasting Corp. fiscal report for 1937 shows a profit of \$94,000. Income was \$1,000,000, of which over 90% came from license holders. Any reduction in the annual license of £115s. is turned down. Unable to provide South Africa with a radio service at a lower cost.

Report states the average amount per license is 27s. 4d., an income per square mile of about 10s. 5d. New Zealand receives 20s. 10d. per license, an income per square mile of £2 15s. 4d., more than five times the South African square mile. Fees paid to artists for 1937 were about \$100,000, compared with \$65,000 in 1936. Increase due to artists threatening to boycott the studios unless fees were increased, and a 30% increase was agreed upon.

### Bergmann's Mission

Gottfried Bergmann, theatrical agent of Amsterdam, Holland, is in New York for the launching of Ann De Ohio, Copenhagen multi-voiced entertainer recently imported by NBC. Bergmann's stay in the States is indefinite.

## French Canadian Hamlets Get First Peep at Live Talent As CHRC Routes Summer Tours

Philadelphia, June 14. — Harold 'Bozz' Davis, program director and sports commentator on WDAS, missed his show last Thursday evening. Recently had acquired a pipe tobacco as sponsor. Davis thought the least he could do was switch from smoking ciggies to a pipe. So he proceeded to buy one and break it in 30 minutes before his air stint. When time came for Davis to plus joys of pipe smoking he was in the washroom — very, very sick.

### CBC WILL PUMP RODEO TO ENGLAND BY PHONE

BBC will be fed the annual Calgary Roundup from western Canada, July 12, by Canadian Broadcasting Corp., which will also carry the show. CBC will shoot the show to Montreal, where it will be sent to London via transatlantic telephone.

Use of the cross-ocean phone to get broadcasts from America is becoming more frequent with BBC. Weekly talks by commentator Raymond Gram Swing are phoned from New York. The 'America Speaks' series is sent likewise.

### Willoughby in Hollywe

E. O. Willoughby, London radio engineer, rubbernecked the Hollywood studios en route back from Singapore, where he set up a transmitter.

Quebec, June 14. — Complete radio shows from station CHRC are being booked into parish halls within a radius of 150 miles for the summer months with the object of keeping talent employed during the slow season so that they will be available exclusively for the station in the fall. Shows are ballyhooed like Chautauque, except that they are not under canvas. Live talent is being brought into the hinterland and into towns where no flesh shows of any kind have ever been seen before. Advance agent precedes the shows and every unit is equipped with a public address system. While feeding the entertainers during the six month, idea is also to popularize the air shows more intensively in districts where the programs are not followed strongly.

Four of the most popular CHRC programs are being booked, employing about 100 entertainers in all. Canuck hill billys prefer musical comedy and minstrel shows. It is estimated that in parishes where live shows have never been seen before potential radio audiences interest is being increased by approximately 40%.

Requests for the French-Canadian shows have come from as far as the New England states, but it is unlikely that shows will be booked for the other side of the boundary.

Since most of the French-Canadian radio performers have had little or no stage experience, often favorites were given some stage coaching before being sent out.

Bill Cameron, on holiday here (conducts Seattle Symphony), to conduct BBC Orchestra July 1.

... Men like  
women like  
children like  
dealers like

50,000 WATTS · PHILADELPHIA

# ANTI-RELIGIOUS BLAST OF KOL A HOT POTATO FOR FCC TO HANDLE

## \$250,000 Damage Suit on Eve of Senator Bone's Election—Latter Denies Owning Any Stock in Rival Station KIRO

Washington, June 14. New lot to be for the Federal Communications Commission to decide will be tossed in its lap within the next few hours, while the same offending station, from the State of Washington, presses its \$250,000 damage suit against Senator Homer T. Bone, Tacoma Democrat, in an effort to unseat him during the coming elections.

Containing all the elements of trouble necessary for a mediate declaration on program policies, charges against station KOL, Seattle, Wash., were being hurried to the capital by Bishop Gerald Shaughnessy, S. M., head of the Seattle Catholic Diocese, Monday night (13). Coincidentally, KOL named the Washington senator in a conspiracy charge, claiming he had used his public office to further a private radio business.

Charges against Bone—who comes up for re-election in the Washington primaries this summer—were promptly denied, when the senator told VARIETY, in an exclusive interview, that he did not own a penny's worth of stock in a rival Seattle station (KIRO), which KOL accused him of controlling. Bishop Shaughnessy, meanwhile, was speeding to the capital by plane, equipped with the transcript of a speech put on Sunday (13) by Judge Joseph Rutherford, head of Jehovah's Witnesses, denouncing Catholic, Protestant and Jewish religions as rodents of the devil.

Windup of a five-day annual convention of the Jehovah's Witnesses' cult provided Bishop Shaughnessy with complete text of a speech which aroused coastwide indignation of priests and ministers of every sect.

Newspapers in the State of Washington were sufficiently concerned to print page-one editorials denouncing the radio station, which peddled its program over KIRO and KV, Tacoma; KJR, Yakima, and KVOS, Bellingham, us making its sister transmitters vulnerable for the commish rapping which inevitably must follow.

Rutherford claimed in his blistering attack upon other religions that "the devil is the author" of all faiths other than his own. Particularly singled out the Catholic religion, which he charged controlled both government and press. According to Catholic Northwest Progress, official organ of the Roman Catholic Church in Washington, KOL cooperated to the extent that it offered "gladly" to supply listeners with printed copies of the Rutherford blast.

Catholics Had Warned Bishop Shaughnessy and the Catholic Truth Society further pointed out that they had warned the offending transmitters before the broadcast took place. Speech before the City Council, plus 1,000 letters mailed to leading citizens, instigated to the extent that it offered "gladly" to supply listeners with printed copies of the Rutherford blast.

Bone dilemma—while removed from the religious hair-pulling—

## CBS Would Quash

Seattle, June 14. Columbia Broadcasting Co., through local attorneys, filed a motion to quash the \$250,000 damage suit of KIRO in so far as it applied to the radio chain. Service had been made on Mrs. Bertha B. Bountine, president of KVI, and Edward J. Jansen, sales manager. Attorneys from them and from Mefford R. Runyan of Darien, Conn., stated there is no connection between Columbia and KVI; that CBS, New York corporation, transmits no business the state of Washington, owns no property, maintains no offices or agent and has no employees in this state.

ferred a charge of conspiracy, tarring the Washington liberal with complaints that he had used his post on the Senate Committee on Interstate Commerce to have a Columbia Broadcasting station transferred from KOL to KIRO, a smaller Seattle station. Squawk drew a blistered denial from the Senator, plus a statement from KOL officials that the bread of contrast had originated from KIRO, apparently untrotted by the story, which appeared in the Sunday paper.

Senator Bone declared that it was a case of "Goliath suing David," KOL's followers in a more powerful station than KIRO, which operates experimentally with one broadcast from the State of Washington, the Washington legislator had done all that was within his power legally to help KOL to its present power assignment, he said. Number of Washington radio stations had asked at various times for assistance with their applications, he pointed out, and he had been glad to forward by mail to the Col. mission their various pleas.

Bone said—whose Washington observation was as an attorney—primary political mess—happens to involve an attorney, now retained by Bone, who formerly had handled publicity for the power trust which Bone has fought since election to the Senate in 1932. KOL is owned by Louis Wasmser and Archie Tate; Bone's political career was pointed out by radio experts.

Religious row over KOL's Witnesses program is apt to have far-reaching effects, according to Capitol gossip. Commish has not been dealt with in such an anti-religious problem since Mae West incident drew the wrath of the Catholics. Fact that the Jehovah's Protestant faiths have lined up with Bishop Shaughnessy for the fray, regarded as particularly significant, and Catholic leader's avowed insistence that KOL must be deleted from the ether, rather than suffer a Mae West spanking, is believed to bear up indications that Commish leaders must act in the pending dilemma. Action in the matter rests with Commish reception of the Irate Monks' and his demands. Affects stations which participated in the so-called "Hate Broadcasts" against American churches. Government agency expected to take time from current Spelling Book program to mull over its newest program problem and some indication of how far it proposes to handied the steaming spud.

## ACA, PHILLY, IN DRIVE TO ORG OFFICE ALLOWS

Philadelphia, June 14. American Communications Assn., CIO affiliate, has started organization of office employees in Philadelphia. It's understood that considerable progress has been made and the union will show up at several outlets and ask for contracts. Immediate organization of announcers and talent is virtually at a standstill. ACA and American Federation of Radio Artists, AFL, unit both have some scattered members among the gabbers, but scarcely enough, except at WFEW, where they are 100% organized, to put up any kind of battle. ACA has made no drive on talent whatsoever. AFRA has made a few attempts, but has had no success.

## Station-Daily Tie In For Radio Newscasts

Columbus, Ga., June 14. WRBL and the local Ledger-Examiner have made a tie-up through which station will carry six daily newscasts. Talent for programs taken from newspaper's staff.

Edge Reed, columnist on the sheet, dramatized the news peddling, which will be prepared by Jack Gibney, WRBL news editor.

## Mutual Cuts Chi Staff, Fortifies Setup in N. Y., Considers Jimmy Appell

Mutual network is altering its sales setup by concentrating its manpower more in New York and less in Chicago. George Harvey, who quit the sales staff in Chicago recently to return to the WGN staff, will not be replaced. Whereas there were formerly three salesmen in both midwest and New York offices, hereafter Chicago will have two and New York will have an extra hand.

Pete Peterson and Ade Hull will cover the Chicago area, while Sid Allen and Cliff Clark in New York. Addition to the eastern staff has not been selected by Mutual's general manager Fred Weber, but it is understood that he has had some discussions with Jimmy Appell, who quits CBS on June 30 after more than a decade.

## FLAMES THREATEN RCA TELEVIEW, CAMDEN, N. J.

Delicate electrical equipment and apparatus in television experimental station, valued at hundreds of thousands of dollars, was imperiled last Wednesday by a fire on the roof of a laboratory at the RCA-Victor plant in Camden, N. J.

Fire broke out when fire companies to the building, which is the most carefully guarded at the plant, had the excitement which appeared the building might be wrecked, detectives guarded firemen and employees. Even plates of newspaper photos were confiscated.

None of the apparatus was damaged, although the roof work of firemen and employees.

## Buys Into WJBK, Detroit

Detroit, June 14. John Lord Booth, one of the principal stockholders in the Booth Newspapers, has purchased the holdings of the station in the hands of James F. Hopkins, Inc., licensee of WJBK here. Subject to F.C.C. okay, deal includes one-sixth interest in the station, and reported price is \$33,000.

Whether the Booth papers, spread out over Michigan, will seek an acquisition management in the station is undetermined. Fact that whether stock buy is initial step in effort to gain control of a Michigan station.

## Revamp GKGL, Texas

San Angelo, Tex., June 14. J. Bert Mitchell, Jr., former mgt. of KFLC-TV, Dallas, has been named the managerial reins of GKGL, San Angelo, succeeding Earl Yates. Yates had been named by the station's spelling-commercial dept. split ticket. Other staff changes for GKGL are: Mrs. J. J. Rollins, sec'y; J. J. Rollins, mgt. studio gal-alleys; Lynn Bisler, new program director; Hubert Harling, added to commercial corps; Pat Watkins, now doing weekly comment on foreign affairs.

## KOL's \$250,000

## Action Against Station KIRO

Seattle, June 14. After stalling for a year, the long-rumored suit of the anti-religious and others has been taken out of much local and some national buzz since word came that KIRO, in its capacity of the public record, was being sued. Damages of \$250,000 were sought.

Suit was filed in Tacoma, Saturday (11) by Archie Tate, v. of KOL, names KIRO, the Queen City Broadcasting Co., and the Columbia Broadcasting System, U. S. Senator Homer Bone and Seattle Collector of Customs, and several other individuals and corporations are charged with conspiring to "force or induce KIRO to give up and transfer a controlling interest in the station."

Prestige loss when CBS switched from KIRO to WGN, Seattle, was alleged. Meanwhile Seattle KIRO has replied "I am not interested, and will have been in station since I am a candidate for office. Bone and KIRO has five times less than KIRO. There is conspiracy lies the funniest conspiracy ever hatched by human beings."

That suit might have political significance earlier has suggested the KIRO side, Louis K. Lear, president of the station, said. "It is a simple case for the state bar. Bone and KIRO has five times less than KIRO. There is conspiracy lies the funniest conspiracy ever hatched by human beings."

In June, 1932, the Fishs and myself purchased controlling interest in KIRO. Present stockholders include several Seattle's substantial and leading citizens. It may be significant this election year and Homer Bone is a candidate for office himself. From personal knowledge Bone never has had nor does he have at this time any interest in KIRO and this charge is unfair and certainly no credit to those who fell caught to make it.

Answers were filed Monday (13) a.m. by Has and Bone in Pierce County, denying allegations. Claim suit was filed to discredit Bone. Bone's motion asks immediate trial set. Claims suit filed in adjacent county because trial court recesses that ends of justice require case be assigned immediately.

Answer also claims Louis Asmer and Archie Tate, one of KOL, control 11 out of 22 commercial stations in the state and use ownership and control of the station as an instrument for their whims and private business interests in attempts to cause a public utility to cooperate with their designs.

## CBS Denies Jurisdiction

CBS will not file answer and refuses to acknowledge jurisdiction. Next move by defendants is to get depositions through court order of Columbia Broadcasting System. Officials whom plaintiff claims told them of certain allegations. Suit will end of justice require case be assigned immediately.

## Col. O'Brien, Attorney for KIRO, Is Retired Purchaser of INS, New York

Charles Vanda swinging through the courts and at the same time conducting conferences at CBS home office.

John Blair, rep.

1933 MAY 1933  
SON MON TUE WED THU FRI SAT  
MAY 1933  
1933

was the best  
in the history of  
**Rockwell O'Keefe**  
IN GROSS BOOKINGS  
IN NET PROFIT  
**ROCKWELL O'KEEFE INC.**  
NEW YORK • CHICAGO • SAN FRANCISCO • LONDON

5000 Buy-1000 Nights  
COLUMBUS  
ALL YOU NEED IN CENTRAL OHIO  
John Blair, rep.



# Savings Banks Latest Prospect For Good Will Co-operative Show

Mutual Savings Bank Group, membership organization of 560 such institutions from coast to coast, is on the look for a network program to spring next season. Several ad agencies as well as indie program producers are in on the know and have presented ideas to the organization.

Purpose of program would be to register some of the good will savings banks lost during the early days of the depression. Group of commercial banks has had a web show during last several seasons for same purpose. Co-op account recently filled the Philadelphia Symphony Orch off NBC-blue for the summer.

## WALT FRAMER SHOWS FED TO COLUMBUS

Pittsburgh, June 14. Two of Walt Framers' shows on WWSW here will shortly hit a couple of Columbus stations. "Blessed Eventer," co-op program participated in by flock of advertisers in which births, marriages, engagements, etc., are announced, will go out over WCOL in the Ohio city while "Radio Swaps" is to get an airing there over WBNS.

Latter is a man-in-the-street stunt in which Framers swaps silver dollars for meaningless items, such as toothpicks and safety-pins, he calls for from spectators gathered around the mike.

## Hampton Inst. Choral ET's for Milk Sponsors

Norfolk, June 14. Ralph Hatcher, WTAR sales promotion chief, has made a series of 26 transcriptions using choral group from Hampton Institute. Discs, titled "The Cream of the Air," are especially designed for dairy sponsorship.

Releasing through local ad agency, first set of platters has been bought by local Roseade milkery for airing here, and second batch by Peninsula dairy for use on a Newport News station.

## KVOX Man Succumbs

Moorhead, Minn., June 14. Durand Hansen, 32, announcer on KVOX since station started broadcasting last Thanksgiving Day, died here last week after a motor smash-up.

Diving car owned by Alfred Nonkkonen, operator of KVOX, Hansen lost control. Contracted broken leg and hip, plus internal injuries when thrown from the car. Died later after having caught pneumonia from exposure while awaiting an ambulance.

KVOX staff attended funeral in a body. Burial in Grand Forks, N. D., where Hansen survived by his mother.

## Denitrice Air Intro

Procter & Gamble has a new denitrice product which it will shortly put on the market with a radio halo-hoo marking its introduction to the public. Name for the mola-cleanser has not been selected.

H. W. Kastor agency has been given the account. Agency already handles P. & G.'s Iresne shampoo.

**W TAG**  
Worcester  
Massachusetts  
Radio Station  
Representatives  
New York - Chicago  
Detroit - San Francisco

**WEED & COMPANY**  
RADIO STATION  
REPRESENTATIVES  
NEW YORK - CHICAGO  
DETROIT - SAN FRANCISCO

## Joe Finally Lands

Philadelphia, June 14. WIP program department has habit of assigning phony names to unlisted bands on transcription shows. Last Thursday, gal in the department asked Murray Arnold, assistant program director, what name to use on a show. Being busy, and not caring much anyhow, he flung back: "Oh, call it Joe Doakes and his band."

Unsuspecting gal in at his word.

## N.T.G. Radio Sub

Philadelphia, June 14. N. T. G., ritzy impresario, now heading show at the Adelphia hotel, is among cubs lined up by Ed Wallis, WIP nightly chatter, to do air column during his vacash.

Others are Jack Lynch, who operates Walton Roof; Sid Jones, bartender at the 21 Club; Micky Ailper, emcee at Mayfair Farms, and Victor Lozanack, maitre d'hotel at the Adelphia.

# Station Gets One-Third Musicians' Cost Back and Hopes to Be Even

## WOR Folds Rooftop Theatre for Summer

WOR-Mutual is shuttering its Playhouse, atop the New Amsterdam theatre building, N. Y., for the summer. All programs will be aired from WOR studios, none of which can accommodate much of an audience; Playhouse, once the Ziegfeld Roof, seats 9.

Reasons for closing during the hot months are three-fold: economy, fewer programs of the studio-audience sort, and lack of a cooling system. The WOR studios and offices have been air-conditioned for the first time this summer.

New Orleans, June 14. When the American Federation of Musicians forced WWL to increase its orchestra to 11 men, the station inaugurated a participating program which is now producing about a third of the cost of the entire band. "The Dawn Busters Club" is heard daily from 6 to 9 a.m. Membership certificates totaling more than 15,000 have been issued since the program was inaugurated.

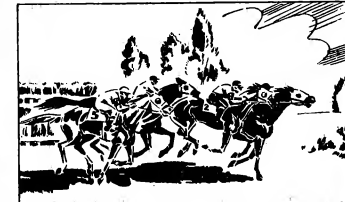
Station officials see in the program the means of returning to the station its entire expenditure for union musicians. New business is constantly being added and the station hopes to make a little money off the orchestra this fall.

Adrian O'Brien now tenoring on WBN, N.Y., formerly with WNAAC, Boston.

# WLW injects new SHOWMANSHIP

Setting the pace, THE NATION'S STATION now offers the two newest and most unusual audience participation programs ever produced.

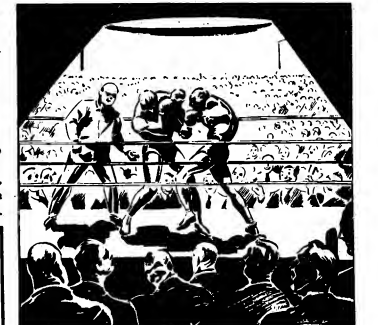
These two shows inaugurate a new phase in radio entertainment by injecting a unique type of showmanship—the finest music combined with colorful and exciting settings—the race track and the prize ring.



**"MUSICAL STEEPLCHASE"**  
Heard on Mutual on Wednesdays at 8:00 P. M., E. D. S. T., starting June 22nd. Repeat show on WLW on Wednesdays at 11:15 P. M., E. D. S. T.

Special one-time-only broadcast with original cast on June 16th at 9:30 P. M., E. D. S. T., from the WOR Playhouse in New York. Tickets available at Mutual or WLW.

**"20th CENTURY FIGHT"**  
Now heard on NBC on Monday at 9:00 P. M., E. D.



Audition recordings are available at TRANSAMERICAN

# A LISTENER-TESTED PROGRAM FROM THE NATION'S STATION

# Yank Biz Viewpoint on Tax-Supported Radio Given at Detroit Convention

Detroit, June 14.—Passing allusion to tax-supported radio as existing in many countries the world over was made by Edgar Kozak, v. p. of Loew's (Tuesday) before the sales managers division of the N.A.B. which is currently in convention with the Advertising Federation of America. Pertinent quotes from Kozak's talk follow:

Here is the challenge (to American radio)—whether to amuse over-past achievements and resist all criticism because some is unfounded, or to listen carefully and make improvements.

The debate is not two-sided. Between the broadcasters and those who wish to see a drastically different system are many groups who wish to see changes. Some of these groups have axes to grind; others are theorists who want radio to give them what they will enjoy and feel the public should listen to. Still others are practical people who want to keep the best features of our system, but fear that broadcasting has found a pattern and isn't improving the model from year to year.

Broadcasters worry over the pressure and fear that the smoke screen will fool by the revolutionary group of theorists who tempt the American people into thinking that instead of an improved model we need an entirely new system.

**Merely Dictates**

From the standpoint of programs it is generally true that the European or tax-supported system of broadcasting provides its listeners with what the government regards as best for them to hear. The average listener has little or no voice in the selection of material, except where he bores programs from their countries. There you find radio

instead of an instrument used in the public interest, convenience and necessity, broadcasting which is in the interest, convenience and necessity of the ruling individual or group. Instead of universal suffrage, we have government by the minority.

Under our system we are trying to develop a balanced radio diet. On the network, only 30% of the time is sponsored, 70% is sustaining. The percentage of sustaining to sponsored varies in the more than 1,000 licensed radio stations. I doubt whether more than a few stations devote more of their time to commercial programs than to sustaining. Advertising pays for sustaining—features and news radio. Advertising also pays, for the editorial and news material in most publications.

—To suggest that broadcasters should get all their news, their programs, from one central government bureau; that all receiving sets should be bought from government and that advertising should be taxed to pay for the programs, would be equivalent to abolishing the freedom of the press for radio. It would be non-governmental regulation, which we now have, but governmental money.

So far radio has kept quite free from propaganda. As long as radio maintains that one side and not dabbling in propaganda. Where else, in America, could you find the same amount of editorial, news, discussions and debates on every subject of current public interest as you can find in the entire divergent vi. with the same platform?

America is the one country where you can literally hear all sides of a question. And we do it. When one speaker starts a controversial subject on the air the stations give his opponents equal time to air their views.

Our present system builds an industry. The frequency of programs, their regularity week in and week out, develop a habit of listening, which is not only important from an entertainment, but also from an educational, standpoint.

## WGVA A MYSTERY

License Granted Year Ago But Station Still Inactive

Indianapolis, June 14.—Local kilowatt eloque is wondering when, if ever, WGVA is going on the air. Glen Van Auker, attorney, has the license now for more than a year, but he won't talk about his plans. Station was originally scheduled to go on the air with a test daytime operation during April, then date moved up to May 17, and now June 15.

Roger Beane, who is working with owner with job of general manager, says he has a number of salesmen. Two stations are supposed ultimately to have studios in a building to be called Radio Square, to be constructed during the summer at 38th and Meridian streets. In the meantime, plans to establish WGVA studios in the Indianapolis Athletic Club, and use WIRZ's directional tower as an antenna during the daytime are apparently hanging fire.

## Speakers Schedule For School Broadcasts Conference in Chicago

Chicago, June 14.

Schedule of events for the first of School Broadcasts Conference will be held at the Waldorf Astor building here on Saturday and Sunday (18-19) has been set by Harold Kent chief of theicago Board of Education Radio Council and Pat Jernstedt of NBC.

Opening morning will be dedicated to James Hipple of Lord & Thomas for a discussion of "Continuity for Schools." The afternoon speaker will be George M. Calkins, general manager, production head of NBC here, for a fast-changing "Planning the School Broadcasting Program." Saturday afternoon will bring Urvan Johnson of WGBM in for a talk on Sound Effects in School Broadcasting" and David Strom, director of Audio-Visual Education for the Minneapolis Public Schools, for a discussion of "Equipment, Utilization and Technical Problems."

On Sunday morning Earle Hill of CBS, chief of "Producing in the School Broadcast," and Luella Homan of Radio Division of Civ. Public Administration, of the School Broadcast-Licensing."

Winds up a show session and general discussion. It will be moderated by educators and radio workers will be in for the first conference, which is also of prime importance to them in the growing activities of radio education in this part of the nation.

## Slapped by Elements, KLMB Quick Comeback

Montroe, La., June 14.

Elements put KLMB out of the running twice within two days last week, but that didn't prevent the station from getting back on the air within an hour on either occasion. Initial rap came from a bolt of lightning Wednesday night that completely destroyed the tuning equipment of a 240-foot vertical antenna. The tower was hoisted by a windstorm struck and completely destroyed the tower. Later fell across the station's main house and demolished the new equipment.

Staff engineers had the station back on the air in 20 minutes on the first day. It took them 55 minutes to rig up a temporary antenna.

## Educational Awards

Washington, June 14.

Rose Ribbons for outstanding contributions in the noncommercial educational field were pinned on programs of the Federal Office of Education. The Project last week of the 10th Annual Institute of Education by Radio.

The new "World" program, giving 20 chapters of Latin-American history, was judged best of the first. Other honors awarded specifically to "The Little Indian of Mexico" broadcast.

Story of a glass house set up by Smithsonian Institution's "World Is My Home" series, receiving honorable mention. "Christ of the Andes" also of the same "World" program, receiving same distinction. Judge, by nationally-known Latin American experts, educators and writers.

## See K.O. for Connelly Probe

(Continued from page 33)

Except for few questions Chairman O'Connor and Rep. Martin Dies of Texas addressed to FCC, San Francisco, Frank R. McIninch, there was only routine denial of Payne's insinuations by the committee's Honorable Member, Thad H. Clegg and Eugene O. Sikes. Fifth member, Commander J. P. Walker, was present, but he stated that his conscience is clear when O'Connor shut off the station's transmitter. Walker was necessarily absent due to illness, while Payne, for undisclosed reasons, did not show up, occasioning considerable comment.

During the short session, O'Connor quizzed McIninch about the way the FCC has treated the web, particularly NBC. Commish chairman denied any network has been given unduly sympathetic consideration. O'Connor commented that they don't need more licenses if they control the air.

McIninch handed out for the "West program" was mentioned again. It was a mere "slap on the wrist" and McIninch's remark that he would resist all the punishment the Commish could administer in the circumstances.

Relations between Commish personnel and industry front men were touched on momentarily. Apparently McIninch is not a member of the legislative chronicle. Dies asked McIninch if he was cognizant of charges that at least one "commissioner" has often been in the company of lobbyists. Chairman said he was not cognizant of such charges, any more than tax accusations—officially heard about members of Congress.

Re-has KVK case and the Sezal-Smith case were both released for a second when McIninch disclaimed awareness of "undue activity" by attending parties before the Commission and expressed willingness to buy practitioners who does not appear in official form.

Strong denials of network friendship were entered by Commissioners Clegg and Sikes. McIninch's prior statements that they are circumspet.

Judge Sykes asserted any insinuation of connection in any way connected with the Columbia Broadcasting System or any other radio company absolutely false. "Col. Brown echoed 'I'd like to make the same statement with reference to two other companies or any other.' Both Brown and Gov. Case admitted they own financial interest in the license, corporations but explained they divested themselves of their stock long ago.

## Connelly's Extension

Another of the periodic blasts via the Congressional Record was a letter to the Commission, extending his remarks and revealing correspondence with McIninch a month earlier, Connelly Thursday (9) declared that regulators "very carefully avoided making a categorical denial that Sikes and Brown were exceptionally friendly toward CBS and NBC respectively."

The small band said to have an intimate relationship with members of the Commission was pointed out by Connelly, who pointed out that several of the more successful radio broadcasters are former officials or employees of the FCC and the Federal Radio Commission. Emphasizing that three of the former counsel are among the regular staff of the Connelly commission, he pointed out the present influence which these former officials and employees of the Commission and the latter these former officials and former employees of the Commission receive from their former associates. He pointed out that, if thoroughly investigated, bring forth a condition to which, in his opinion, no one would dare fall into insinuation.

## Implied Recognition

Evidence that McIninch is aware of such "under-hand" pressure is, Connelly remarked, in the Chairman's attempts to put the FCC back to work. It is apparent unwillingness to follow legal advice of Commish attorneys. Refused to sign orders against Sikes and McIninch's bringing two lawyers with him from the Power Commission, nationally-known.

In the unveiled correspondence with McIninch, the Bay State legis-

lator sought to indel Col. Brown and Judge Sykes, but where it is true that Sykes sought to induce his colleagues to approve Columbia's proposed license to FCC, San Francisco, and that Col. Brown tried to get approval for NBC's request for more power for KGO, San Francisco. Since this group once formed a majority of the abolished Broadcast Division, this situation is of considerable interest, Connelly said.

After consulting all members, Connelly responded that no Commissioner had knowledge of any attempted vote trades or pressure in the two prior cases. Would not credit the votes on the applications since at the time the letter was written the opinion had not been published.

## NBC's 'Clipping Bureau'

Los Angeles, June 14.

NBC starts an oddities-in-the-news idea, 'Clipping Bureau,' on a sustaining basis June 25, three 15-minute news items on the red (WEAF) clip. Series will go on at 8:30 a.m. Shows conceived and written by Spencer Hare, was sold to NBC by Marty Clever, of Arts Artists, Inc.

## Lee Chain Adds Two

Los Angeles, June 14.

Don Lee network has effected affiliations with two more stations in the state, augmenting its chain strength to 29 transmitters. New members are KVCB, San Luis Obispo and KTCK, Visalia.

## Al Logan Back to Work

Albany, June 14.

Don Lee network has effected affiliations with two more stations in the state, augmenting its chain strength to 29 transmitters. New members are KVCB, San Luis Obispo and KTCK, Visalia.



**WENDELL HALL**

Radio Originator

ONE MAN SHOW

TWO TALKING MEN

CLAYTON'S SHOW

Address: 4321 N. Pauline St., Chicago

**DON BOSCO**

THE RHYMING MINSTREL

WALKING THE STRAIGHT

Mutual Broadcasting System

FOR BOSCO

**NBC'S NEWEST NOVELTY LANNY GREY'S**

Rhythm School of the Air

WOLFE-MEARS, THREE TIMES A WEEK

WOLFE, MARS, and produced by LARRY WOLFE. NBC ARTISTS BUREAU

**ARTISTS MANAGEMENT**

JOHN EDWARDS, N. C.

JOAN EVERETT, 4 MODERNISTS

**PAUL WHITEMAN**

on Chesterfield

CBS Network

Vol. 9, 8:30-9 P.M., 1938

**AT E.C.S.T. N.Y.C.**

EXCLUSIVELY by Artists Management

Presented by Ivory Soap - 99% Pure

**THE ORCHESTRALS**

By JUNE MCGEE

Presented by Ivory Soap - 99% Pure

**LISTEN TUNE DAILY**

NBC Radio Network, 1:15 to 12:30 P.M. DST

CBS - WABC, 2:30 to 3:00 P.M. DST

COAST TO COAST

Presented by Ivory Soap - 99% Pure

MGT., ED WOLF—RKO BLDG., NEW YORK CITY

# Inside Stuff—Radio

Molle's Vox Pop broadcast last week over NBC was marked by an unusual incident: the suggestion from a young female interviewee that a new advertising tack be taken, with emphasis on the possibility of the cream's use by women shaving their legs. Audience around the mike seemed to fitter a bit as the young woman (a magazine seller from St. Louis) on receiving a gift tube of Molle, remarked to Interviewer Wally Butterworth that "many women today shave their legs" and that the cream could be "sold" on this angle. She hastened to add, "I do not shave my legs".

Butterworth seemed slightly embarrassed; neither he nor partner, Parks Johnson, commented on the advice. Perhaps the first time that practice of women shaving their underparts had been directly mentioned on the air, at least on a network shot.

NBC has muscled Mutual out of picking up remote late-night dance music from the Glen Island Casino, N. Y., this summer. In the past Mutual always had a wire into the summer niter. After having made preliminary arrangements to take Larry Clinton orch, which plays the site, Mutual this week got a notification that it could not, due to an exclusive deal which had been drawn up with NBC.

What NBC has promised, apparently to get the Casino exclusively, is unusual for the web. Pickups will be made five nights weekly and airings will be shot all the way to the Coast.

Program "Your Hollywood News Girl," which Erwin-Waszy agency is putting on Mutual starting June 27 while "Voice of Experience" (M. Sayle Taylor) takes a 10-week vacation from his Lydia Pinkham commercial, an all-agency talent layout.

It is longer, chief script scribbler at Erwin-Waszy, will do the splicing unblinded, will write the continuity and produce. Johnny Schultz, in the agency's radio production department, will do the announcing and blurb-writing.

Cast of the "O'Neills," script show which airs over both CBS and NBC for Procter & Gamble, demonstrated the "value of daytime" radio before 100 students of the City College of New York last week.

Players illustrated technique of air acting and methods of doing double roles and making sound effects. Jack Rubin, of the office of Ed Wolfenstein, producer of the program, gave the students a lecture on commercial radio.

WEVD, New York's "labor union" station, has bought out rival WFAB for \$85,000. WEVD now will have full time at night throughout the week. FCC has yet to seal its o.k. to the deal, but the examiner's report nods "yes" to be buy. Takeover is scheduled to become effective within the month. WEVD is bankrolled by the owners of the N. Y. City Jewish Forward; WFAB was owned by Joe Lang, who still has another part-time radio station in New York area, WHOM.

Sluggishness of the stock market did not discourage Samuel A. Paley from peddling some Columbia Broadcasting System stock during April. Report to the Securities and Exchange Commission revealed last week he sold 5,000 A tickets, reducing his stake to 15,000 shares. He accounts for 200 pieces of the B paper and 28,000 voting trust certificates.

Clayton C. Echen and "Slim" Bryant, team of hillbilly songwriters, were written to radio stations and networks advising them that henceforth all their work is restricted from the air.

Further, that legal steps will be taken if any of the pieces are aired.

Television Corp. of America, a few days after it was chartered with a capital stock of \$1,000,000, filed notice with the secretary of state in Albany that it had made a name change to American Television Corp.

Mutual Broadcasting System will make no attempt to continue "Magic in the Air" for the present, program being a one-shotter at least until fall. Effort will be made to sell the program to a sponsor over the summer.

## Agencies-Sponsors

WAAB, Boston, new business.  
 Prince Macaroni, Boston, 26 15-minute live shows, twice weekly pm.  
 Listing: Tessie Tinklerhead, galls agency, Boston.  
 Heekless Fastener Co., Meadville, Pa. (Talon Fastener), 21 15-minute programs, twice weekly. G. Lynn Ummer Co., New York.

Paramount Baking Co., Boston, 22 15-minute programs, Sundays p.m. Listing: Rebroadcast of the Sunday All games. Through David Malkiel, Boston.

WNAC, Boston, new busi  
 American Tobacco Co. (Lucky Strike), renewal, 156 one-minute spots, twice daily p.m. Lord & Thomas.  
 Chevrolet, renewal, 13 15-minute live shows, one weekly p.m., through August 24. Campbell-Ewald.

Royal Typewriter Co., N. Y. C., 30-word and 1 100-word plugs. Direct.

Walker-Gordon Co., Plainsboro, N. J., renewal, 91 100-word plugs, daily, full week p.m., through Sept. 5. Young & Rubicam.

Manhattan Soap Co. (Sweetheart Soap), 12 1-minute plus 5, daily p.m. New England Coke Co., Boston, 7 100-word plugs, daily, full week p.m. Louis Oliner, Boston.

Dorset Chocolate Co., Cambridge, Mass. (Candies), 13 100-word plugs, twice weekly, Harry M. Frost, Boston.

Axton (her Spud cigars), through Lawrence Gumbinner, New York, spotting daily transcribed announcements on KFRC, San Francisco, over a two-month period.

Gillette Pacific System, Inc. (Gilette station), through Rufus Rhoades, using five evening announcements weekly on KFRC, San Francisco, through July 6.

Chr's Hansen (Junket), through Mitchell Faust, Chicago, participating in the "Friendly Homemakers" programs twice weekly through Aug. 5 on KSEFA, San Francisco.

Santa Fe Railroad (Streamliner service), through Stack-Goble, Chicago, spotting weekly announcements on KSFO, San Francisco, during Jun.

Lambert Pharmaceutical (Listerine shave cream), through Lambert & Feasly, Inc., New York, is airing its "True Detective Mysteries" transcribed programs over KSFO, San Francisco, weekly through May 20, 1939.

WRT, Charlotte, N. C., new biz: Three Centa Bottling Co., Buffalo Rock (ginger ale), seven 50-word announcements a week.

Dodge Brothers, five one-minute announcements, placed by Ruttrauff & Ryan.

Myrtle Beach Chamber of Commerce, for the beach six 100-word announcements, placed by Nachi Rhoades.

Joe Lowe Corp., Popeye the Sailor for Popsicles, Blackett-Sample-Hummer.

Ehrd's Department Store, Charlotte, 13 50-word announcements for the store. Direct.

Vesco Distributing Co. sponsoring Stumpus Boys' program over WRC, Washington, with Les Colvin, Sid Cowan and Rut Hawn.

Washington Real Estate Board using descriptive programs every Sunday morning over WRC, telling prospective homebuyers of latest building developments in city.



# The Biggest Afternoon Audience Programs On the Coast!

- THE O'NEILLS** Procter & Gamble
- HOLLYWOOD MATINEE**
- VIC & SADE** Procter & Gamble
- MYRT & MARGE** Colgate-Palmolive-Peet
- HILLTOP HOUSE** Colgate-Palmolive-Peet
- CLEVER KEN**
- MARY MARLIN** Procter & Gamble
- SHORT, SHORT STORIES** Libby, McNeill & Libby
- DR. FRIENDLY** E. Griffith Hughes
- MA PERKINS** Procter & Gamble
- PEPPER YOUNG** Procter & Gamble

## CALIFORNIA RADIO SYSTEM

KFBK—Sacramento

KFWB—Los Angeles  
 KWC—Stockton  
 KERN—Bakersfield

KTMS—Santa Bar  
 KYA—San Francisco  
 KML—Fresno

EXCLUSIVE REPRESENTATIVES

# TRANSAMERICAN BROADCASTING AND TELEVISION CORP.

JOHN L. CLARK, President

NEW YORK  
 521 FIFTH AVENUE  
 III 6-2370

HOLLYWOOD  
 5833 FERNWOOD AVE.  
 Hollywood 5315

333 NORTH MICHIGAN AVE.

# 500 K.W. Prospects Fade

(Continued from page 33)

the business might be upset, and the cost of a chain of 500 kw plants would be staggeringly high. At the contention, however, that through weighing of all phases of the question, the FCC would be able to hand out several increases beyond the existing 50 kw top.

It is thus that the increases for clear-channel plants are vital if America is to enjoy better radio service. There were many who, at the head of WSM, Nashville, and group chairman, Jack DeWitt, chief engineer of the same station. Co-operative testimony from Dr. C. B. Jolliffe, former FCC technical director, who signed up with RCA three years back, while answers to Crosby-Radio Corp. witnesses.

Unexpected anti-web feeling was evidenced by Craig. If the commission is to allow more clear-channel stations, recognition should be given the principle of independent ownership. Stations controlled by community residents deserve first break, because of their awareness of the needs and progress of their own customers' wishes.

Lengthy technical argument in support of the 500 kw FCC plan on the stand a full day. Chief reasons were possibly "criticizing the radiator effect, without any practical way to expect local and regional plants to submit. While forced to accept that most of the clear-channel plants are in populated areas and super-concentration exists in the East, the WSK technical argument on the commission cannot spot stations on an arbitrary cenn basis. Because economics are ever present.

Great possibilities of super-power are in stronger signals throughout the United States. DeWitt's claim, although stronger area may not be readily broadened, percentage of stations whose sets are being brought into more audible programs is impressive. The 33 larger cities without stations would be benefited in areas receiving much better signals, along with 455 small municipalities, where stations would be needed in 1940. Primary service would be little better than acceptable signals. More could be made available on a grid of 600 miles from each 500 kw outlet.

Another program application is unimportant, and listener habits are inconsequential, according to DeWitt. The FCC has a right to require transmission of the same entertainment by more than one plant would give any significant preference to the Ohio and Upper Mississippi valleys. The Chicago-Louisville-Cincinnati-Pittsburgh-Cleveland-Detroit areas. Few locations where overlapping might be considered wasteful. There are three public entities to pick between stations in order to get the strongest signal.

Listeners may prefer to pick up juke joints because of better reception but in the cities they commonly tune to local plants, he remarked. Home towners are favorites, because of their local program. In the cities, the 500 kw signal strength often will not be great enough to have any appreciable effect on station popularity. Also while the clear-channels are being watched, big regional and local type will be making promotional attacks.

**Costs Both Ways**  
If there is to be any effect on this issue of effect upon listeners' habits, it works both ways. "epigrammed DeWitt regional stations would be the benefit of a five-fold increase and local stations an increase of 24 times. While clear-channel stations will remain at a standstill, the regional and local stations will be able to correspondingly increase at every point where a clear-channel station is also received."

Political interference has nothing to do with it, according to DeWitt's staff. Little difficulty colliding will occur on the one side, while the trouble caused operators on adjacent frequencies will be limited to a few cases.

**Cost of Super-Power**  
Cost of behemoth transmitters is still overwhelming. Even though both original outlay and running expense are nothing to be over-looked. At present, the 500 kw broadcasters who spent more for studios than 500 kw apparatus would

sales numbered five the unit cost \$700 to \$300,000. If location has to be changed, with entire new plant, the cost would be \$400,000 and \$500,000 respectively.

Plant in actual estimate of operating cost for 1938, the FCC estimated. DeWitt estimated the outlay at \$65,400, or \$76,900 with interest. The FCC estimated the outlay at \$208,700 and \$242,820. Rise of \$143,300 and \$165,920. Assuming station would be run for 1000 hours, the cost per hour would go up \$23.06.

**Quitting Slow**  
Tempo of the cross examination of both DeWitt and Jolliffe was slow. Most questions designed to bring out fact that computations did not give adequate consideration to possible

relocation of stations and to power lines for other classes of plants. Questions were asked by Assistant Counsel George B. Porter, in charge of broadcasting, with Commander J. C. Duffell, chief of the engineering inquiries.

Commission quizzers appeared confused by the questions asked with secondary stations employing directional antennas, would be a disadvantage. The FCC probably would produce as good results as super-power. A retired engineer, who had been in the radio business, saying, "I certainly do not see any chance of getting the best results out of the smaller stations on all I-A channels. This would simply provide more 'ready' receiving considerable coverage. Whenever more regions can be established, however, it would be a good thing to set them up."

Difference in objective of broadcasting road was brought out dur-

ing cross-questioning of Dr. Jolliffe. After conceding that only one station in South America developed much later than in U. S. and has been developed for economic reasons, the FCC staff admitted that in Europe higher power has been the natural result of governmental action to reach all parts of the country with a single central transmitter.

There is a marked difference in Europe, because stations are spread over the spectrum in a way which in effect makes it impossible to have a single high-powered plant, Jolliffe emphasized. Holland and Roumania are the only countries in Europe to have stations on 120 and 150 kw on 100 kw, but otherwise few complaints heard.

DeWitt's questioning continued Monday (13) when more Crosby witness tried to pave the way for renewal of W.L.W.'s special privilege. Economic and technical data was supplied in bales, with Comish quizzers trying to pick flaws in the

deductions drawn by the Cincy de-

Ancient history was cited by Meredith S. Runck and G. F. Lyford, of the W.L.W. research crew, to back up DeWitt's economic argument. The FCC postal survey in amplifying the contention that 500 kw radio is a luxury rather than a necessity and to the listeners' taste.

Strong argument preference for super-power was made by Dr. J. R. Mead, from Univ. of Pennsylvania Wharton School of Business Administration, who is doing radio advertising, considering the trend toward chaos in contrast with the more orderly magazine revenues, he interpreted.

White figures did not include MW or regional, Mead drew from his comparisons the conclusion that radio can continue to grow and, in fact, support more juke joints. Since 1920, the outlay for chain broadcasting has risen 2 1/2 times, while the outlay for magazine buying has gone down 5,000,000 and the number of newspaper lines is up 200,000,000. To illustrate, he pointed out that radio advertising in 1937 was worth \$3,000,000,000 under the pre-depression level and now shows a gain of \$1,000,000,000. The total amount received from \$362,600,000 to \$69,802,000.

DeWitt later testified that an analysis of the radio industry would not injure other NBC affiliates and that the FCC would not be able to do so.

## F. C. C.'s WASHINGTON DOCKET

### EXAMINERS' REPORTS

**Michigan:** Desist of the First Baptist Church of Pontiac to permit writing "follow and related subject matter" to the FCC. The FCC has ordered the church to pay \$7,000 per annum should be jointly applied by the Commission. The church is operating a religious broadcasting program to the Canadian station since 1934. KRCI, Pontiac, Michigan, is the licensee.

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### MINOR DECISIONS

**Georgia:** Radio Bureau granted extension of new station to be operated on 1210 kw with 100 watts night rate.

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### SET FOR HEARING

**Ohio:** Edward Green & Allan R. Kossie II, Port Dodge station to be operated on 1710 kw with 100 watts night rate.

**Michigan:** Radio Bureau granted extension of new station to be operated on 1210 kw with 100 watts night rate.

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### NEW APPLICATIONS

**Ill:** City of New York, Illinois, Chicago, new city broadcast station to be operated on 1440, 1670, 2120 and 2550 kw with 100 watts night rate.

**Michigan:** Radio Bureau granted extension of new station to be operated on 1210 kw with 100 watts night rate.

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### WASHINGTON BUREAU

Unusual gesture of affection by the House Rules Committee in picking the radio investigation resolution of the Senate. The committee has assigned a year ago, as the vehicle for registering monopoly, trafficking, and other abuses in the radio industry.

Legislation of a member who either dies in office or resigns is pushed through the Senate. The technicality of the bills and resolutions continued until the next Congress. In this regard, the committee has been successful since a more comprehensive resolution was introduced later by the Senate.

Miscellaneous matter of Mr. Runyon gave shape to the "outlet" local CBS vice-prez last week. Mr. Runyon gave shape to the "outlet" local CBS vice-prez last week. Mr. Runyon gave shape to the "outlet" local CBS vice-prez last week.

# Pecora Decision Settles Little

## Songwriters Vs. Mills May Have Further Sequels From New Legal Approach

John Schulman, general counsel for the Songwriters Protective Association, will decide this week whether the adverse decision handed down by Justice Peckora in the U. S. Supreme court last week will be appealed or whether the dismissal of the case naming Mills Music, Inc., defendant, will be amended. While Justice Peckora granted Mills' motion for a dismissal of the complaint, the consensus of opinion among lawyers affiliated with the music publishing trade was that the court's decision completely adestepped the main issue of the case, namely, where an unincorporated, voluntary membership body may act as trustee and own property.

Others lawyers in the industry hold that this confusion should have been avoided if the general's counsel had passed up the trustee-ship issue and argued the case exclusively along the lines of whether the SPA could make an agreement to have its writer members assign to it the rights to all the music they write. Under high court decisions, this latter element of litigation content is held to be a trust in perpetuity, with the result that Justice Peckora could have dismissed the complaint completely on this ground.

In the suit against the SPA he asked the court to declare whether Article IX in its bylaws was valid or otherwise. This article stipulates that the members assign everything but their small share of the association but makes no provision as to how the trust is to be divided. Justice Peckora in his decision pointed out that in the SPA's complaint was faulty in that it didn't make all the composers and writers a party to the action, so that these assignments had not been carried out with respect to the court termed the complaint as "vague" and stated that it reserved the right to decline to grant the remedy asked because an adequate determination of rights cannot be made without having a clear situation presented.

# SWING FIESTA AT MSG WITH GOODMAN LOST 5G

Swing Fiesta at Madison Sq. Garden, N. Y., June 12 turned into a swing fiasco when promoter, Louis Aronson, Sanitarium, drew about \$5,000 on the night. Understood the national organization was not behind the event, and that the promoter peddled and ballyed by Jay Faggen for Morris Greenspan, local rep. National directors are blaming themselves for another big event on a national scale in the fall. A \$20,000 loss is anticipated for Garden's initial swingala.

Minus any kind of a show, except exorbitant ticket prices, and a contest, even couldn't draw much away. Little or no box office sale came through, with advance taking care of nearly all of the alternate care of the rest. About 4,000-5,000 attended with plenty of paper evident.

Benny Goodman was responsible for the draw, despite the fact that four local appearances in about a week appears. His cut was \$2,500 for the night with Martha Tilton, vocal-ist, Count Basie and the alternate band, tot 400 while Garden raked in \$100 for its rent. Incidental expenses cut in for another \$1,000. Reports were offered taking and giving the fund \$12,000, but no go.

Miney's Music Clinic Sacramento, Calif. and Radio Clinic have been filed by group of directors, headed by Sherry Wines. Quilt, capitalized at \$75,000, will manufacture and sell radio and musical equipment.

# No Copyright Sni

Board of directors of the Music Publishers Protective Association is slated to meet today (Wednesday) to consider a proposed pact on the procedure to be followed in soliciting copyright renewal rights for the purpose of the agreement is to stop the practice now common among publishers of sniping one another's copyrights as the renewal periods approach.

Under the agreement, drawn up by Sidney Waterberg, of the law firm of Waterberg & Waterberg, a publisher would be required to give the present copyright owner notice of his approval of sniping one another's writers and to allow for a stipulated period before making the contract.

# PAINE'S \$139,000 SUIT VS. ERPI CONTINUES

Trial of the \$139,000 royalty suit brought by John G. Paine, as trustee for a group of music publishers against the Educational Rights Protective Institute, went into its fourth session yesterday afternoon (Tuesday) when the defense sought to bring its own witnesses, to refute Paine's claim that there had "in a definite and unbroken line" of witnesses were to be paid for synchronizations made in this country, but exhibited abroad. Paine's defense attorneys were to be paid for synchronizations made in this country, but exhibited abroad. Paine's defense attorneys were to be paid for synchronizations made in this country, but exhibited abroad.

At the morning session was devoted to cross-examination and re-examination of accountants, reports, letters and minutes of meetings. ERPI counsel contended that only once during the existence of the licensing agreement between it and Paine (1928-1932), was anything said by the licensor about the issue involved, and that this claim was contained in a letter from Francis Gilbert to Paine during the trial. This, also argued, refunds were frequently made by Paine on the ground that the ERPI had been found to be in the public domain.

# \$1,000,000 CANADIAN COPYRIGHT FILE COPIES

Americans, Continental Performing Rights Society, Social Security Users' rise in Avoid Payments and Hamstring Copyright Royalty!

# SEE GIMMICKS

Prelude to the impending battle between the Canadian government and spokesmen for copyright societies in other countries are rallying to the support of the Canadian Performing Rights Society to protest against immediate royalty-slashing proposals which are to be submitted during the current parliamentary session. Representatives from the United States, Great Britain, France and Germany are already here and conferring with CPRS officials in Ottawa.

Three points motivating the international outcry include the introduction of an amendment to the Copyright Act which would force the CPRS to deal with the country's copy of every piece of music to which rights are claimed; another amendment which would restrict "small hotels" from paying an annual fee to CPRS; a third which would limit the amount of royalties payable from paying fees on music played.

In stating that a bitter fight will be waged to block all of the proposed amendments, the international spokesmen will base part of their argument on the fact that, as an outcome of the Royal Commission investigation of the CPRS three years ago, Judge Parker, presiding Commissioner, found that the Society's members had a legitimate right to collect returns on their music or lyrics and that the CPRS as the copyright owner.

(Continued on page 54)

# ANOTHER TRADEMARK RENEWAL

Legal controversy, similar to the one on 'Un Peu D'Amour' (A Little Love, A Little Kiss), now looms big over the Music Biz. The late M. Cole over the renewal rights to 'The Big Bass Viol.' Both publications have already filed for copyright.

Cole claims that it has a valid copyright in the work. The writer, Bohannon, while Mills contends it got a power of attorney from the publisher, years ago of the Waterston-Berlin-Sing catalog. Mills wasn't aware of Bohannon's whereabouts until after he (Bohannon) had received and accepted a renewal of the copyright.

Waterberg's hearing was marked by frequent interposing of objections against the questions put witnesses by H. J. Brennan, ERPI's legal counsel, from a member of the defense's own legal battery, Julian T. Ables. Later was on hand to protect the interests of Metro and 20th Century-Fox, who had, on the eve of the trial, been advised by ERPI that Paine got a judgment against it, the sub-licensee film producers would be held liable.

# RCA Letter Asks ASCAP Instruct Agent Not to 'Moies' Tavern In Pennsy; Incident Shocks Society

# 'HI VO' CHAPPELL

Long Rangers' Catch-Phrase in Song Pub Tied

Chappell & Co. last week notified the music publishing trade that it had obtained the exclusive right to the musical use of the title, 'Hi Yo Silver' from Long Ranger, Inc., owners of 'The Lone Ranger' picture. Chappell, Bernstein & Co. registered the title 'Hi Yo Silver' with the Music Publishers Protective Association April 5, which arrangement gives that firm, under ordinary conditions, a preference right to publish a song with that title within six months.

Since the words 'Hi Yo Silver' are associated in the public mind with established artist, 'The Lone Ranger', the legal question arises as to whether their use commercially does not come within the provisions of unfair competition.

# SUIT TO STOP 20TH CENTURY TRADEMARK

Suit to stop 20th Century-Fox from using and subsidizing 20th-Century Music Corp., from continuing to use those titles was begun Friday (10) in N. Y. federal court by F. Gilbert Pollay, as head of the 20th Century Music Publishers, an outfit dealing in records, gramophone records and sheet music. Pollay claims the picture corporation since 1893 has infringed on its trademark title to which he claims exclusive right since 1913. Besides an injunction and cancellation of the patent rights obtained by 20th-Fox, Pollay wants an accounting of the profits made by the picture corporation since its inception under that title.

Plaintiff cites in his complaint that he registered the title with the Patent Office in Washington in 1913 and that his concern established the name throughout the country since that time; that the name became through publicity synonymous with the picture instruments and sheet music, and phonograph records. The complaint also states that in 1913 the 20th-Fox Picture Corp. succeeded in obtaining a registration permit on the trademark.

A year later, the plaintiff points out the defendant's music corporation obtained a license to use the title. Both these permits were granted despite the fact that Pollay claims, he had long held the right to the trademark. He further charges that representatives of the defendants attempted to prevent him from renewing his registration and that the last time he was interfered is not revealed in his complaint. Pollay claims that in some of the music licenses he has been either intimidated or his money harassed by the defendants in order to prevent him from renewing his trademark. He wants the court to set additional damages.

# Santly-Joy-Select Shifts Prof. Heads

Santly-Joy-Select, Inc., last week shifted its professional headquarters to Los Angeles and Chicago offices. Jack Mass took charge of the western branch, while Mickey Gattuso was moved east to manage the S-J-S set up in Chicago. Larry Crosby's brother of Bing, and a v.p. of Santly-Joy-Select, I assist Mass in an executive capacity and handle studio affairs.

RCA Victor created consternation in the American Society of Composers, Authors and Publishers last week by taking the performer's rights body to task for trying to induce a Pennsylvania inkeeper to take out an ASCAP license. Victor, acting jointly with the Decca Record Co. and other labels, had the same week addressed a circular letter to copy-machine operators throughout the country urging them to ignore any attempts made by the National Association of Performing Artists-and the American Society of Record-makers to obtain a license fee on such spot musical machi.

Letter to the American Society was signed by H. C. Darnell, manager of the copyright section of the RCA Manufacturing Co. It asked that the Society's Pittsburgh rep., William J. O'Brien, Jr., be instructed to cease "molesting" the operator of such machines. Darnell wrote that the spot uses no music, merely supplying by a coin-operated machine, and that under the law this establishment was not any way liable to copyright infringement.

Victor's reaction to this letter was that Society was intruding in a situation where services are entirely gratuitous as far as ASCAP was concerned, and that the latter had no right to involve its action, and know that he would not solicit a spot unless its use of music was such as to require a license. He also doubted whether RCA had investigated the Blue Ink situation on its own, and whether his action had been prompted by other than a written complaint from a phonograph record store. ASCAP feels that RCA went a long way out of its province in telling it how to conduct its business.

# B-V-C'S CHI, L. A. STAFF; BANDS' SUPER-PLUGS

Bergman, Vocco & Conn, new publishing firm, has established a Chicago branch, with Jesse Stool in charge. Rocco Vocco, one of the concern's partners, left for Chicago last Friday (10) to arrange for local contacts and conduct a number of engagements. Vocco's next moves will be the hiring of a traveling rep. for the Decca branch, and a look at local territories and the setting up of a branch office staff in Los Angeles.

New publishing outfit has been receiving attention from various band leaders over the air. Horace Heidt devoted a portion of his Stewart-Warner contract to a new act, including all his friends, Jack Bergman, Rocco Vocco and Chester Conn, who, for many years of picking hits for their employers, have just gone into business on their own. Another band leader, who gave a tremendous send-off on a hookup was Frank Dullely, currently spotted at the Commodore Club. Another one, Bob Brook, N. J. Still another is Larry Clinton, who is giving the firm's inquirer a number of business ideas for their eight-week plug on his network.

Stool until recently was on the New York professional staff of Horace Heidt. Under a new policy will also place the firm's 'Figaro,' 'My Best Wishes' and 'Will You Remember Tonight' Tomorrow.

Albany, N. Y., June 14. Bergman & Conn, Inc., recently chartered to conduct a new publishing business in New York, has changed its name to Bergman, Vocco & Conn, Inc. according to papers filed with the Secretary of State at Albany. Arnold M. Goldstein, 521 Fifth avenue, film attorney.

On the Upbeat

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

Following is a totalization of the combined plugs of current tunes on WFAP, WJZ, WABC and WOR computed for the week ending Monday, June 13 (June 6-13). Total represents accumulated performances on the two NBC links, CBS and Mutual from 8 a. m. to 1 a. m. In Source column, S denotes film song, 1-legit tunes, and 'pop' speaks for itself.

Table with 4 columns: Title, Publisher, Source, Grand Total. Lists various songs like 'My Heart', 'Love Light in the Starlight', 'You Leave Me Breathless', etc., with their respective publishers and sources.

Franco's band set for the Palomar, Los Angeles, July 23. Glen Gray and His Orchestra, July 15.

Val Ernie engaged for itz-Carlton hotel, Atlantic City, starting June 15 for MCA.

ick Breaux to Jenkinson's Pavilion, Pleasant N. J., June 24.

Phil Levant at Kennwood Park, Pittsburgh, June 20, week. Dick Stable plays week July 4 and Ace Brigade week of July 18.

elman songs for Coca-Cola Angeles, July 1, for MCA.

iltmore hotel, Chicago, July 15.

George Hamilton musics for William Penn hotel, Pittsburgh, starting July 4.

MCA's lineup for Steel Pier, Atlantic City, over summer includes Happy Felton, week of July 1; Hal Kemp added for July 2 to 4; Art Kassel, 6; Bunny Berigan, 22; Jimmy Joy, 29; Gene Krupa, Aug. 5; Benny Goodman, 18 and Guy Lombardo, 26.

Andrew Sisters sew to New-York over weekend to record for Decca and back to Chicago. Made 'Pagan Love Song,' 'Says My Heart,' 'Oh Mama.'

Jimmy Dorsey plays Stanley Theatre, Pittsburgh, June 24 for week.

Freddy Fisher's Schminckeltritz band and Glenn Miller's crew open at the Paradise restaurant, N. Y.

Chick Webb plays the Chicago theatre, Chicago, June 17.

Lakeland Park, Barneville, Pa., has signed for CRA's R. June 15.

14; Harry Reier, 18; Gordon Gra, 21; Henry Busse, 28; Joe Haymes, July 4 and Charlie Barnett, 19 at weekend situations. Billy Shaw clinched.

Mit Britton's band to Palisades Park, Sanduskey, N. J., June 27 for eight days.

Henry Busse, one-nighting the middle field latter part of June. Already set are Point Stanley Park, Pt. Stanley, Ont., June 22; Brady Lake Park, Brady Lake, O., 28. Also set for New Yorker hotel, N. Y.

Jerry Blaine plays for summer at Colony Surf Club, West End, N. J., starting July 2.

Lang Thompson opens at the New Penn Club, Pittsburgh, Aug. 28. Current at Terrace Beach Club, Virginia Beach, Va.

Riley into Westview Gardens, Hildburgh, Pa., July 25, after sitting Enns Jetlick Park, Auburn, N. Y.

Russ organ switched to Decca records this week from Brunswick.

Irving Fields conjured up the story-traveling Song Game to be tried by Clyde Lucas at the Claremont Inn, N. Y., when city gives its okay for giveaway prizes.

Ace Brigade opens a week at the Racht Club, Tulsa, Okla., June 17. Crew currently filling a date at the Blue oak, Wichita, Kan.

Paul Kain at the Statler hotel, Detroit, June 20 for two weeks.

Eddie Lane's orchestra has opened an engagement in the Roof Garden of Ten Eyck Hotel, Albany. Will do some broadcasting over WOKO, which has studios in the hotel.

Frank Lattis took his 'stop-and-go' crew to turnabout's L. I. studios yesterday (14) to learn out a short.

Feist advertisement. Features the name 'Feist' in a large script font. Text includes: 'The First My Margarita by Maria Grever English Lyric', 'Somewhere With Somebody Else Lyrics by Edgar Music by Joe Burke', 'Where in the World in Any Language May I Drop a Petal in Your Glass of Wine', 'Why'd Ya Make Me Fall in Love by Walter condition', 'It's The Dreamer in Me lyrics and Jimmy Van Heusen', 'That Feeling Is Gone by Walter Hirsch Music Sunset (Baby) Wallace', and 'Leo Feist inc. NEW YORK.'

Inside Stuff—Music advertisement. Text includes: 'In addition to electing Jack Robbins and Johnny O'Connor to its membership, the board of directors of the American Society of Composers, Authors and Publishers last Thursday (9) confirmed the appeal on availability ratings of the Famous Music Corp., Schuster-Miller, Inc., and Southern Music Co. Board also instructed the ASCAP management to mail out ballots for the election of a seventh member to the publishers' availability committee as a result of the vacancy created by the resignation of Walter Douglas from the committee as well as the Society's directorate.', 'In the case of Famous the board upheld a firm of the publishers' classification committee which raised that firm's availability rating from 105 to 200 points. The board for Schuster-Miller had been acted upon by the board of appeals for popular publishers, while Southern had obtained its title also from the publishers' classification committee.', 'Guy Lombardo has expressed himself as peeved at the chilly play he is getting from some of the major publishing houses in connection with the submission of their tunes for introduction on his Sunday program for the broadcast (CBS). The board for Schuster-Miller had been acted upon by the board of appeals for popular publishers, while Southern had obtained its title also from the publishers' classification committee.', 'Sterling Sher in has completed a song book to be published by various music subsidiaries for sale at the World's Fair in San Francisco. Some titles contain popular numbers as well as ditties by Jack London, Wallace Irwin, in Bret Haas, George Sterling and other Californians.', 'Since authoring "Flat Footed Floogie" which they also introduced on Jam sessions, Slim and Stan are now disclosed as Slim Galliard and Stan Stewart. Harlemites brought this novelty downtown. It's published by Greenberg.', 'Howard Richmond, Larry Clinton, suggested idea of the Dippy Doodlegrams, to be sung over telephone by Postal Teletyp. Operators for Clinton's opening at Glen Island Casino, start about N. Y. Credit mistakenly given to Postal in last week's VARIETY.', 'Lyrics Corp. Set Up Albany, N. Y., Inc. U. I. Lyrics Corporation of America has been chartered by the Secretary of State to print song sheets containing the lyrics of popular numbers. Capital stock is \$10,000, \$100 par value. Directors are: Samuel H. alk, Michael Schurz and Belle Horne. Jay-Zannual filing atlor', 'Jack Yeo Adds Schwartz ballroom at Hartford, Wisconsin, taken over by Jack Yeo. Latter also operates the Riviera at Lake Geneva. MCA has exclusive on both spots. In Yeo's latest Riviera will open on June 15 with name band policy on weekends. Hartford location is a year-rounder with same system.'

Sammy Kaye to RCA advertisement. Text includes: 'Sammy Kaye and his swing-and-sway band, just finished at the Broadway Paramount, waxed four records for RCA Victor while in New York. Kaye has been a Brunswick recording artist, but switched away the past fortnight to the RCA label.'

Attention Music Publishers! advertisement. Text includes: 'Can a talent who writes and can a talent to write tuneful Dance Music. Song Tunes of character and originality but is not teamed up with a Lyric Writer make connection with Major Publishing House as a Tuneasmith? I have 100 beautiful waltzes and trots that possess tone, color and appeal. They are bound to click because they have got what it takes to do so. Address H. E. S. Box Variety, New York'

# 15 Best Sheet Music Sellers

- \*Says My Heart .....
- Cathedral in the Pines .....
- Love Walked In .....
- Please Be Kind .....
- Cry, Baby, Cry .....
- \*You Leave Me Breathless .....
- \*Light in the Sunlight .....
- Girl in the Bonnet of Blue .....
- My Mama (The Bubbly Boy) .....
- I Let a Song Go Out of My Heart .....
- \*Don't Be That Way .....
- I'm in Grandia .....
- Little Lady Make Believe .....
- Bewildered .....
- \*At Your Beck and Call .....
- \* Indicates Amusical song.      \* Indicates stage production song. The others are pops.

# South America—a Pleasure!

### Publishers See Free and Easy Era Coming to Close—Opens Up New Music Revenue Possibilities

American music publishers are beginning to get substantial advances from South American firms, as contrasted with the free and easy use of such works which has prevailed in the southern hemisphere. With practically all South American countries now having strict copyright laws, the publishers in that region are not only rushing to tie up important standard copyrights but are raising the ante on one another when it comes to advances.

Cases in point occurred last week when Fernata, publishing house in Buenos Aires, cashed Mills' uncanceled copyright but is raising the ante on one another when it comes to advances.

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## PHILLY AFM PROTESTS WPA'S 20% MUSIC CUT

Philadelphia, June 14. Mass meeting being held by American Federation of Musicians local here tomorrow (Wednesday) night to protest new WPA ruling which, it is claimed, will cut wages on the Federal Music Project about 20% and will provide that not a cent of any white collar project must exceed \$1,000 per year per man, including materials, administration and everything else. It is effective July 1.

Speakers at the meeting in Musicians Hall will be Congressmen Michael Bradley and Leon Sacks; Sonia Fedar, pres. of Teacher's Union; John Edelman, secretary, CIO director; Russell Walton, secretary of Philly Workers Alliance, and John Muldowney, pres. of Penny Workers Alliance.

A. A. Tomei, pres. of Philly Musicians Local, was deputed to speak but is at the Union convention in Florida.

rank Ferneux in Politics Columbus, June 14.

Frank Ferneux, band leader, book-keeper and night club manager, will run for state representative in Republican primaries.

Efforts to bring his band along campaign rallies.

Two Outstanding Song Hits  
**RIGHT ON TOP**  
Just  
**AT YOUR BECK AND CALL**  
(RAM and DeLANGE)

**I HADN'T ANY ONE TILL YOU**  
(RAY NOBLE)

ABC Music Corporation  
799 Seventh Ave., N. Y. C.  
FRANK HENNING, Pres., Mgr.

## UNION ORCHESTRA BUSES CLARIFIED

Editor, VARIETY

In recent issue of VARIETY an article, headed Ask Tooters to Hire Buses Union-Driven, item declared that band leaders and their managers have been asked by the American Federation of Musicians to co-operate with the organization campaign of the Brotherhood of Railroad Trainmen by inquiring of the drivers of the buses they charter whether they are members of this union. The articles goes on to say that the request was contained in a letter signed by Fred W. Birnback, A. F. M. recording secretary. The concluding paragraph states that while many of the drivers for a major trans-continental bus operation are organized, the union is in complete control.

We take this means of informing you that jurisdiction over drivers of highway buses is exercised by the American Federation of Labor to the Amalgamated Association of Street, Electric Railway and Motor Coach Employees of America, which is affiliated with the A. F. of L. Our organization has contractual relations through its Local Divisions with about 70 of the leading bus lines in this country, among them several Greyhound Systems. We assume that you were not referring to our organization when it was suggested that one organization is company controlled. It is true that there are some independent unions upon some Greyhound properties, and no doubt you were referring to these.

We have written to Mr. Birnback and received a reply from him stating that he told the president of the Newark chapter of the Brotherhood of Railroad Trainmen that the musicians were co-operative only as New York City was concerned, but that in other cities they do not become involved in a jurisdictional fight, especially with organizations affiliated with the A. F. of L., Trainmen, or attempting to interfere with those we affiliated.

Anything you may wish to straighten out this misunderstanding will be greatly appreciated.

John W. Wonds,  
Secretary General Executive Board.

son City, Ia., June 15.

Following a one month holiday of "name" crews due largely to torrential rainfalls which kept down grosses early in the season, Carl Fox, manager of the Surf dancery of Clear Lake and the new Terp at Austin, Minn., has booked some more. Hubam Jones into the Terp June 15 and on June 22 Ina Ray Hutton and her orchestra will play a one-nighter at the same spot.

On June 28 Ted Florio comes to the Terp to headline the night to the Terp—75 miles distant, in the annual influx of summer tourists gradually coming into Clear Lake. The town's opening up once more following its winter sleet and a tourist trade which nearly doubled the population of the town furnishes demand. All "name" bands are aired on KGLD at Mason City.

## MCA Vice Michael As Tommy Dorsey's Mgr.

Tommy Dorsey will not replace Arthur Mischaw with another promoter, but will let Music Corp. of America handle his affairs through the bandman's lawyer, John Chasmin.

MCA is under request from Dorsey to obtain a New York spot for him for the fall and Dorsey has advised the booking organization that his relations with MCA will be in a large measure by affected by the fulfillment of this request.

Dorsey and Michael parted after a verbal exchange involving a \$1,100 fine which had been imposed on the leader by James C. Perrillo, head of the Chicago musicians local, for failure to provide a standby man on his (Dorsey's) bus during a broadcast.

## MCA'S BASIE PLANS Famous Door One Idea—Madison Square Garden Showcases

Deal is on for Music Corp. of America to help band leader, patron of the Famous Door niter, N. Y., to larger scale spot as a site for the convention here. Although the city's single Negro band to swingster, Count Basie, anxious to get colored band started after more than a year of so-so results.

Willard Alexander of MCA is behind the colored band department, particularly Basie's. Basie would be the leadoff if and when, but nothing has happened so far. Reported that objections from other "MCA's" haven't helped. Basie's \$500,000 out of stant at Madison Square Garden, June 12, at Swing Fiesta considered part of the building plan locally. Alternated with Benny Goodman.

Lionel Hampton, vibraphonist and leader of the Famous Door, also picked for MCA's plans, if and when. Wonds selected as leader's top crew.

Other plan of planting Basie in a new spot, Plantation Club in Harlem has gone haywire. Sure to take the lower floor and label it Basie's Basement, but no go.

Allen Ross has been named West Coast rep by Harry Ferner, Inc., a New York publishing firm.

## RED STANLEY ON OWN Leaves Valley—George LaLeinie Son as Singer with New Group

Red Stanley has broken away from Rudy Valley to head up his own California Swingers combo and on June 22 at the Holywood House, N. Y. Stanley will be joined by George LaLeinie and LaLeinie, up front as singer.

Stanley will have Jackie LaLeinie, son of the late George LaLeinie and LaLeinie, up front as singer.

## RESORT SPOTS RESUME NAME ORCHESTRAS

son City, Ia., June 15.

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## Joe Moss' Talent Dept.

Joe Moss Music has added an entertainment department, headed by Milton J. Silber.

New setup will cover booking in all phases of the biz, with book-holding stories, scripts and other material.

Wimbs Paul Wimbs, ex-lead line band leader and formerly connected with the jazz club that, has joined Whiteeman's Artists Management Bureau handling Whiteeman's night dates.

# Weber Lashes New Mechanisms As Musician Unemployment Cause; A.F.M. Opens 6-Day Tampa Parley

Tampa, Fla., June 14. A new chapter in the struggle between man and machine was written yesterday (Monday) as Joseph N. Weber, president of the American Federation of Musicians, called for a vigorous attack on the problem of technological inventions that have thrown thousands out of work.

Weber indicated that from the six-day A.F.M. convention they would lay their troubles to Washington in a program of recommended legislation.

"Although I am not a communist," Weber said, "the labor movement cannot succeed without Government help. No matter what anybody says, our unemployment situation was created by mechanical advancement. Technological improvement has absorbed thousands of jobs. One organization cannot solve the problem. The American Federation of Labor can't do it. We need the help of all. Speaking to representatives of a group that has suffered most from unemployment, Weber held out hope that his problem would be solved.

"I am such a believer in the genius of the American people," he said, "I am convinced that in time our technical advances will rebound to the benefit of the masses and not to the few who control them."

Records. Phonograph records and electrical transcriptions will continue to be the target of A.F.M. In its drive to increase employment among its members, it was indicated at the opening sessions of the federation's 43d annual convention here. Although the organization has made much progress in the campaign since it began less than a year ago, Weber stressed in his annual report that there still is considerable missionary work to be done among the independents.

Contracts have been made with 260 distributors affiliated with radio

networks. Weber said, and many independent stations have been lured to employ musicians.

He also urged that a new organization be set up with difficulties to advance the interests of its members as the board had to meet in our new age of the radio industry, the electrical transcription and phonograph manufacturers," said Weber. "We had to deal with hundreds of individual employers. Each of them had their own individual story to tell. There were more than 100 conferences held."

successful negotiations regarding dubbing of music on picture film also were reported. Among legislation the agreement are:

(1) Complete elimination of the use of the sound track except to accompany the picture for which the music was prepared, performed and/or recorded. Identification of picture to be registered with studio as provided in Paragraph 1c.

(2) It is understood and agreed that members of the A. F. of M. are not required or permitted to record music sound tracks for general use, or for any purpose whatsoever, except as provided in Paragraph 1c.

(3) It is further agreed that all music sound track already recorded, commonly referred to as "library sound track," will not be disposed of, leased or used for any picture or purpose except to accompany a revival of the picture for which recordings were originally made.

(4) It is further understood and agreed that members of the A. F. of M. will not be required or permitted to apply music sound tracks for any purpose in violation of the terms herein provided.

(5) It is understood and agreed that library sound track may be used to accompany trailer for pictures providing the pictures advertised by (Continued on page 54)

5815  
1000 15th St. N.W.

The Coming No.  
**WHEN THEY PLAYED THE POLKA**  
Words by Lou Mohr

The New Bolled Hit  
**THERE'S A VILLAGE IN A VALLEY**

**AS LONG AS WE'RE TOGETHER**

The Smash Hit of the Season  
**DON'T BE THAT WAY**

**MOONSHINE OVER KENTUCKY**  
By Pollock and Mitchell  
From the 20th Century-Fox Production  
**"KENTUCKY MOONSHINE"**

**ROBBINS MUSIC CORPORATION**  
799 SEVENTH AVENUE, NEW YORK CITY

# RKO Dates in Drop from 101 Weeks Of Vaude's Boom Days to One Sesh

RKO is going into the summer with but one week of regular vaude playing-time. All-time low for the circuit, which at one time had 101 weeks. Palace, Chicago, is the last stan in the RKO book with an interrupted series of stagehouses planned for the summer.

Cleveland, Boston and Kansas City are possibilities for occasional weeks of flesh, contingent upon headlines being secured who will work on percentage. None has anything lined up for the hot months, however, and there is at present nothing looting. Flow of Hollywood players for persons has ceased with names, figuring that they can get the time in the fall or winter, with the same percentage terms and possibly more guarantees. And there is almost certainty to do more at the box, with cooler weather.

## L. A. Par Brings Back Stage Shows; Lewis Leads

Los Angeles; Jun. Paramount theater will resume stage shows Thursday (18) after eight weeks of straight show, the result of an argument between Fanchon & Marco and the stagehands' local over time pay.

Ted Lewis and his unit will be the first performers under the new policy.

## Peyton Sells Pitt Cafe

Pittsburgh, June 14. Eddie Peyton, night operator and band leader, has sold his roadhouse near here to Joe Becker, who owns spots in Buffalo, Cleveland and Detroit. Becker will place the Lincoln Terrace, with Peyton pulling out for the Coast and a rest.

Becker, recently divorced, for the bankrupt Hollywood Restaurant, N. Y., but deal fell through.

### CAS FRANKLIN

HARBOR

TENTH WEEK

MANNY WOLFS

Also Appearing as M.C. at COCOANUT GROVE

WEEK-END REVIEWS

## The THEATRE of the STARS



### Marcus Loew

BOOKING AGENCY

GENERAL EXECUTIVE OFFICES

LOEW BLDG. ANNEX

160 WEST 46TH ST. NEW YORK

DYAN 9-7800

### J. H. LUBIN

GENERAL MANAGER

### SIDNEY H. PIERMONT

BOOKING MANAGER

## Saranac Lake

By Happy Benway

Mrs. Willi chored at Can tion for the

Frank Hearn (Atlanta) had success- p Intermission for rest. Al (Winnemac) Bros. did it here, manager. tre, Chicago. Al DeLauri of 'Doc' Woodruff. Birthdays for Arnold Farkas and Vera Stanton, which shoot them out of their teens.

The Will Rogers and his face washed and he was 'manicured.' Old Dan Sherman and his frau, with a one-nighter, troupe here, looking us over and paying, route to the Will Rogers.

Mrs. Walter Ruth Stewart her mother. Joe McCarthy gunning hash and soft boiled eggs, molars all at one. Melvin Fox, a Will Reposite, first-ty a month, his first away from the san.

Ben Schaffer, with a relapse, is strictly bed-ridden. Francis (Hooper) Dee to Water- town, N. Y., for a vacash with Lee LaMarr, who did so many years in this up here, 'kored' with a motor in a trouper in a motor, says. Friends should shoot her a cheerful line at Box 47, Covington.

Russ Kelly, Francis Dee, Freddy Randall (all ozoners) now doing an act over local WNBC. All clicking too.

Three 1 nite-spots, 1ch Orpheum, Eddie Cantor came into the with orchestra and floor shows: Pot- ter's, Durgan's and Birke's. 'Ma', Sgt. Pat DeVany, who wears a Congressional Medal of Honor, here for summer. A loyal booster and helper to the directors Colony. Jimmy (Ray Noble) Cannon pack- ing a mess of fat after two years of bed. Now at the Clancy cottage, and back to the road.

Write to those who are ill in Saranac and elsewhere.

# 'Won't Arrest Violators,' Says Aide To Pa. on Agent Law Enforcement

## French Follies' Unit's Split Weeks in Pitt Zone

Pittsburgh, June 7. On strength of full week's booking at the Lane Stanley here, Columbia's "French Follies," has landed flock of additional dates, mostly split-weeks, throughout the district. Show is being booked around this section by Joe Hiller and went from there to Wheeling, W. Va., and Grifton.

Berni-Vicci show will stay busy in this district for at least a month, chiefly on strength of the Stanley date. Although a one-time ace attraction at the Penn several years ago, the standard unit for last few seasons has been unable to crash into the Penn season.

## Currey's Det. Takeover

Detroit, June 14. Bert Currey, former manager of swank Blossom, has taken over management of the Oasis, formerly headed by Myron Lloyd and his son, Myron Lloyd, Jr. Blossom Field, which Currey ran and had a healthy southern reception is up for sale. Has been raided several times in past year for gambli- ng.

## 15 YEARS AGO

(FROM VARIETY AND CLIPPER)

After a break-in at the Brooklyn Orpheum, Eddie Cantor came into the N. Y. Palace and slaughtered them. Did four songs, told a dozen stories and had to beg off. No stories to tell all the work himself. Made Yes. We Have No Bananas's lady.

Avon Comedy Four (Smith and Dale) topped at the Bushwick, Brooklyn, Arthur, Piers and Harry Goodwyn completed the four. Fields was new in the act.

Brighton music hall put six of the eight acts in lights on the marquee. At Coney Island and bathhouse, Adelaide and Hughes, Al and Fanny Steadman and Ruth Roy topped.

15th Ave. went to early bird prices. Two bits until noon and again at the supper sitting.

'Vincent Lopez's band at the Palace, and doing excerpts from 'H. M. S. Pinafore.' In their third week Van and Schenck did 12 songs and then insisted upon quitting.

Plenty of talk that the chains were crushing the independence of independents, still chains, still crushing.

The 36 theatres in the Allen chain, Canada, purchased from the receiver for \$600,000. Had been reported that First Nat. was interested.

Talk of a British company to invade American picture industry. Reputedly backed by the Hudson's Bay Bank and Bank of Canada. Just conversion.

Metro announced 32 pieces of which 24 were assigned dates. Keaton to make his first five-reeler.

Announced for fall production on Broadway was a Japanese marionette show which had run for 95 years in the house. Didn't get here.

Five in the baggage room of the Penn R. broke up vaude schedules. Many performers lost their costumes and props.

Keith circuit paid \$100,000 for a site at Lexington Ave. and 86th St., on which the 60th St. theatre now stands.

Circus lots in larger cities getting scarcer all the time. Circus men talk of urging local men to build amphitheatres.

## MCA Facts Texas Casa

\$30,000 4-Wk. Guarantee. Arrangement, however, calls for the city to get 90% of the gross over weekly takings of \$17,000.

## Mrs. Ike Rose's Midget Revue for RKO Spots

A circuit of RKO houses has been in up for weeks. It's small time-very small, a midget follies, and strictly on one-night stands; though old former 'Family time' around New York, starting June 17.

Fit together by the widow of Ike Rose, show comprises 15 shorties and will be called Rose's Parisian Midget Follies, with singing, dancing, etc. Goes into rehearsal at the uptown RKO Hamilton today (Wednesday), with Billy Jackson booking.

Time set by Charlie McDonald, district manager, includes Madison, N.Y. Prospect; St. Kenmore, 21-22; Chester, 28; Coliseum, July 1, White Plains, 5; Flushing, 6; Fordham, 8; and Hamilton, 9. Last six houses will play two shows.

## Asks 10G in Crash

Hartford, June 14. Damages of \$1000 are being sought in a suit brought by Mrs. Jean Delmar, a dancer, of Hartford, against Sines and Vincenzo Rossitto, of New Britain, as a result of an automobile accident Aug. 8, 1937. Aves in which she was riding driven by her brother-in-law, was struck by the defendant's car.

## Nitery Reviews

motif of dancing the advanced thumba tune, called the coup.

The octet they splits up into as many dance teams, and they in turn invite the dancers from the audience to dance with them. It's a dance-party stunt, akin to the dancing D'Avalos has done before at the Rainbow Room and El Chico, N.Y. A lot for good audience fun and at the same time interesting.

Nick Prouni, Arnold Rosafeld and Johnny Borjani aren't cheating on the budget, however. Joe Grafton (New Acts) gives out with the vocal solos, giving the show a nicely balanced variety. Abel.

## PENNSYLVANIA ROOF (HOTEL PENNSYLVANIA, N. Y.)

Ray Kyszer's orch, with Ish Kabib- ber, Sam Sennau, Harry Babbitt, Sally Hason, Lynnas Gaudes.

The Hotel Pennsylvania Roof is one of New York's plums for a name band and the Stalter management always sees to it that its attraction is hot. Right now Ray Kyszer, on the budget, is the current attraction, following some last company. However, it's a smart booking and should be a big success. The show just comes around, meaning when it comes around. Prouni on the record.

The oldest June 1 on record. Kyszer, with his versatile organization, in the line of the string of current bands in New York on a full-time basis, has a commercial appeal and the dance job. Rudy Valle at the Hotel Roof never forgets for dinner on account of the early 8 p.m. asked for the Gelatine show. Kyszer's strike broadens Wednesday at 10, permits him to stick around until 10 or so when Ike Marel becomes the relief comic. Dick Humber, just re-opened at the Essex Rooms, Casino at the Park, is another who must virtually blow his Monday dinner show because of the beer commercial.

With the N. Y. ban analysis, quite a clubby situation has cropped up late, with the contemporary midgets doing perambulations at one another's premises, sending the midgets to the door with a touch of chieftain from the Music Corp. of America, which more or less has things tied up, occupying the lists. (Continued on page 53)

## Philadelphia, June 14.

rd. state officer charged with enforcing new Pennsylvania licensing law for agents, was put on the spot last Thursday by licensed bookers here, who charge that politics is interfering with Girard's enforcement of the act.

It is claimed by Entertainment managers Assn. has been ducking them. Last week, finally persuaded to attend one of the group's meetings, he was asked what he intended to do to enforce the law. His answer was "Nothing."

The 31 members of the EMA, each of whom has paid \$100 for license, were infuriated. Florence Bernard, prez of EMA, named numerous agents who refused to become licensed. She asked Girard if he would arrest them if he pointed them out. He said he wouldn't. "You mean you can't?" Miss Bernard asked. "I mean I can, but I don't want to," Girard is reported to have replied.

EMA taking steps to go over Girard's head to have the law enforced. Members declare the \$1 they have to pay for certificates has been wasted, as they are getting no protection from cheating agents in return. The board declared flatly that no Philadelphia agents will take out licenses next year unless present conditions are remedied.

At least 10 important local bookers, each of whom has paid \$100 for licenses are operating here without licenses. Miss Bernard maintains. Some of them are openly boasting that they don't need licenses, it's said.

EMA was organized only a few months ago from combo of Contractors Assn. and Cabaret Bookers Assn. Members came in and demanded a promise that it would drive out of biz the office-holders who rigid enforcement of high license fee.

## Tobacco Fiesta

Lynchburg, June 14. James H. Rowland, president of appointed business manager of his fourth annual National Tobacco Festival, will be Agent at South Boston, Sept. 8-9.

Name band and enteral tunes will be engaged.

## CHILDREN FENTON

Loew's Garden, New York is Week (June 16) PRESENTING The Allen Stanley Phil Ellis Studio SONG ARRANGEMENTS

## EDDIE DARLING

Presenting

SIDNEY FISHER

75-77, Shaftesbury Avenue, PICCADILLY, LONDON, ENG.

## MOUNT ROYAL LONDON

MARBLE ARCH, W.1. APARTMENT HOUSE, TIKKER WALK, W.1. 10/6 per night Two Shows 10/6 per night

## WANTED COMEDY-PARTNER

Am Seeking Partner for Good Solid Nerve Comedy Act

Variety, New York

## THE KELLER SISTERS

(FORMERLY REEFER SISTERS AND LYNCH)

Appearing at PALACE THEATRE, Weeks June 16 and 17th

Thanks to GEORGE GHOOS



# EMA in N. Y. Follows Up Charges Vs. Wine Smoking, Police Benefits

In following through on its charges of unfair and unethical dealing against the Honor Legion of the New York Police Department, the Entertainment Managers Association (EMA) has been busy this week. Besides having to prove claims, all of which have been denied by EMA, it also has been faced with attempted outside organization of the club date which, it handles. Vine, one of original organizers of the American Federation of Actors, is behind the move to unite the last of the smaller groups. He adds that he will flatly refuse to answer the call issued by EMA, for hearing and defies their job-ousting strength. One of the meetings was scheduled for last night (Tuesday).

Vine states that the managers would not like to clean their own house first if they need to be clean. He chiding and bring about more standardized business, instead of trying to bag him for alleged bookkeeping. He says that he will still attend the show while still an actor. Both he and Billy Glavin, latter said to have stated same thing. Because of EMA surveillance, though also denied, has stated that they will abide by no EMA dictation. He says that he will work unless assigned of income by same group. Pat Rooney, manager for the show at White Plains, N. Y., May 27, didn't show. Denied it was because of EMA, adding that other commitment made was changing plans.

**"Only Paid Off"**  
Vine states that the show was not his, but was booked by Bobby Sawyer, an agent. Vine is said to have paid for Sawyer, who couldn't attend, and also helped off the couple of acts. Also denied that he was relieved of columning job for a theatrical weekly adding that Franklyn, a manager, complained to his editor after he had already quit for the summer, and that he reported that he (Franklyn) was responsible for exit.  
It was stated that Vine was watched while paying off and that it was informed by acts that he booked the show. It was stated that he was only acting for Sawyer, is the complaint. It was stated that it has further information on Vine's booking activities in the past and will air previous material. It was stated that he was probably mean involving several outside people, heretofore not involved in press case.

Police Honor Legion was quick to deny charge lodged with Commissioner Valentine. It was secured cuffs services of acts for boot outside June 1. P. D. and Mayor LaGuardia issued order against such practices recently. Sgt. Miller, of H. L., stated that he has receipts for all performers on the bill although EMA says it has witness in one act who was not paid. EMA also states that the payment was made before after story appeared in Variety June 8. One act is reported to have been paid the payment.

Fact that some acts signed blank receipts might have been a cover-up. One of the administrative orders it's contended, EMA maintains that if it was to be a paid show, how come it was called on to be a paid show later, for pay-off, rather act, it is contended, was requested at boat time to appear following the receipt of a testimonial dinner for a cop. No mention of money was made, but it is supposed to be made before even going on. All of which came with story break of complaint, it's contended. EMA states that it is the H. L. regarding club (therefore it went on). It was stated at other end that H. L. never had any money and that acts were glad to do it free. One act admitted signing a blank receipt in getting receipt of money.  
Although at first unwilling to feed the P. D. names, etc., the EMA will be reported, if it is not made further. Wanted P. D. to its own investigating. EMA would also like to see the receipts. One who was also on the H. L. show, was paid, but knows nothing of others on the show.

**Yachtmen in Roadhouse**  
Yacht Club Boys, under contract for a party, may go into Ben Blue's here, N. J., on Saturday.  
Nominations look to an entertainment there for one month.

## Veloz-Yolanda's Concert To Raymond Scott Music

Veloz and Yolanda are dickering with the Palmer House, Chicago, to set aside a special night of their blooded lowest engagement for a special concert some time in July. They will use Raymond Scott music exclusively, with Scott writing one special tune for the occasion.  
Arrangements have been made with Columbia Artists under Scott's services. He is also scheduled for a Chicago theatre appearance around that time, and would double for the concert. If failing to get the Palmer-og, Y.V. would try it in a theatre, or perhaps in New York later. Deal with Met opera in New York for dance scene in opening performance of Carmen next season is still in the air.

Dancers open at the Palmer House June 28 under the direction of D. Also on the show will be the Four Kraddocks, Michael Loring, Don Maston, C. Roy Smith and Marionettes, Grace Ditt and the Abbott Line.

They go into the Babylon & Katz Chicago for two weeks following the Empire stay.

## AGENT GROUP TO DRAPE CODE OF ETHICS

Following meeting with N. Y. License Commissioner Paul Moss last night, the Theatrical Agents and Artists Representative (vaude-nite) group prepared a resolution on distribution. Its membership and other persons still outside. The group is making a list of abuses and evils of the business to supply materials for a code of ethics to be put before the Board of Censorship for the group. Latter will also start work on a constitution this week to meet next meeting in about a fortnight.

Vauders made no promises to Moss. Theatricals, Inc., is not a business, took out license last week. Ready to cooperate, they are telling artists who actually do booking and employment agencies, to take out tickets. Other than that they are making other moves, but do not see just what Moss can do for them here and in Albany.

Moss is thought up his subpoena with letters threatening agents with tickets unless answering his call.

## MANAGER SUES RENE LA MAR OF '3 BABIES'

Rene La Mar, who heads the vaude and night club dancing act called "The Three Babies," was sued yesterday in N. Y. by the manager of the court by Billy Creedon, 364 West 33rd street, as assignee of John W. Bonney, who was the manager in counting of earnings the team made since March, 1935. Plaintiff claims Miss La Mar signed up with the tract with Bonney in 1934, under which money was to supply costumes and all the accessories needed for the act. In return he was to receive all the earnings after expenses were deducted.  
Agreement went along smoothly for a while, but after the first performance, complaint states, cancelled the contract and since has neglected to turn over Bonney's share of the earnings.

## Palumbo's A. C. Spot

Philadelphia, June 14.—Frankie Palumbo, 47-year-old here, will close his local hotchery for the summer here on July 15. He is to be replaced by Bonnett Turner, on the Boardwalk, Atlantic City, at year's end. Palumbo is reported to have been here that it stuttered for it at the operating.  
This will be his first attempt to succeed outside his own South Philadelphia bulwark.

## N. O. Court Mulls Plea Of Maceo in Dope Case

New Orleans, June 14.—An appeal of Sam Maceo, a question night club operator, from the decision of the Houston Federal Court denying him a writ of habeas corpus, was heard by the U. S. Circuit Court of Appeals here Wednesday (10). Case was later on appeal.

If the court upholds the decision of the Houston Federal Court, Maceo will have to go to New York to face the dope ring charges pending against him there. If the court reverses the lower court's ruling, Maceo will be a free man.

## DET. RUM OKAYS OUT FOR YEAR

Detroit, June 14.—Detroit police officers will not issue 1st out licenses for at least a year, leaving town about 300 licenses under its quota of 2,300. Out of the 300 spots didn't get licenses renewed this spring because of financial conditions, while many of them were not approved by police for license renewals because of law violations.

Police also decided last week to bar liquor spots in vicinities of two new federal housing projects here, which'll be completed late this summer. Undecided on action against rum spots already established in areas.

After 30 days' suspension by state rum board, Club 20 Duffield resumed floor shows this week.  
Niteri was found guilty last week of closing spot or dropping floor shows for 30 days. Prop. Abe Kattner elected to drop shows for the month and then received okay from board to restate em.

## 2 INDICTED BY U. S. IN PHILLY TAX CASE

Philadelphia, June 14.—Thomas German and Mrs. tella Wilner, president and treasurer of Shubert's Theatricals, Inc., were indicted by the Federal Grand Jury here on charges of failure to pay \$3,918 in amusement taxes allegedly collected when they operated the Shubert theatre in the past year at burley house. German was manager of the theatre. Mrs. Wilner is wife of Max Wilner, N. Y. burley operator, reportedly lessee of the Shubert.

Theatre was closed in March when Federal men seized scenery and costumes from the theatre. Payments on taxes collected during three previous months. Props are being stored in a room. Two defendants are out on bail.

## NVA's Internal Split Seen Healed As Factions Face Threat to Group

Palms are being passed around at the National Variety Artists' Assn. New York this week and factional differences may be settled. Disturbances in the membership and administration and internal politics are being diplomatically smoothed out. It is said that the club's existence is threatened by the threat to the club's existence.  
With overtures started by both sides this week after weeks of wrangling, organization, it is believed, will pursue its course as a national group out of its internal feud. Opposition to President Lou Handlin's policy is being smoothed out. It's been the major point at issue.  
Passing of new amendment to by-laws is being discussed. The helped matters, with entire outfit in accord, it's said. Measure calls for a new constitution and membership in local complaint on members' side. Rules Board will hear if continued.

## AFA-BAA Jurisdictional Dispute Again in Air; Both Deny Petition

### Zorine, Nude Terper, Awarded Det. Decree

Detroit, June 14.—Zorine, nude hooper, week was granted a decree from yron B. Lloyd, Jr., son of the former of the Oasis nightery here. She sued after he had lost his suit for divorce. Zorine, who recently sued Samuel Goldwyn and Vera Zorina for alleged infringement

charged that Lloyd's recent divorce bill, asserting she danced in the nude at their wedding party, was not only "scandalous" but also cost her several engagements.

Frederick Smith, an agent, supported Zorine's testimony before Judge J. Wayne J. Joyce in the case. Judge Joyce also awarded \$100,000 in damages to Zorine, \$1 in fees and decided hooper should resume maiden name of Zorine Blanche West.

## PHILLY WOULD BAN CAFE MIXING

Philadelphia, June 14.—Niteri running wild in breaking down pay scales for lent patrons and in keeping night working until the wee hours Tom Kelly, head of United Entertainers Assn., charged this week.

While he previously had been reluctant to help his group with the American Federation of Actors, he is now said to be looking forward in getting together on a deal with Phil Whitehead, AFA prez. By joining AFA, USA would have control over the Musicians Union through AFL affiliation of both. With the leaders back of him, Kelly is confident he could improve pay and working conditions for the performers.

As the first step towards a cleanup, Kelly during the past week has distributed large cards for niteri to hang in their dressing rooms, approved by the Pennsylvania Bureau Control Board, and banning mixing of entertainers by the violation permits Control Board to lift booze license.

## A. C. SUMMER BURLEY

Philadelphia, June 14.—Globe theatre, Atlantic City, reopens this week for the summer, by Izzy Hirst from Warner Bros.

It will open with burley.

Interqu Artists Association and the American Federation of Actors have officially denied that the latter had any part in the decision of the Artists and Artists of America for Jurisdiction over burley performers. The decision was decided at AFA's wish by pres. Paul Gilmore out of town. Reports are that AFA again denied that it had any part in the decision. Penny, BAA board member, brought charges of neglect, failure to reimburse Times Square district, etc., with Four's last week.

Following Penny's charges, the Four's instructed Tom Phillips, prez, to hold a meeting. Penny contended that BAA had ceased to function and that members were no longer paying dues while still being permitted to sit as directors and retain membership. Meeting will be held today (Wednesday) and Phillips will report back to the Four's next Monday.

Attitude of the AFA is that it wouldn't be a bad idea, anyway, in view of fact that BAA, due to lack of work among members, cannot antagonize the meeting. Meeting will be held today (Wednesday) and Phillips will report back to the Four's next Monday.

Attitude of the AFA is that it wouldn't be a bad idea, anyway, in view of fact that BAA, due to lack of work among members, cannot antagonize the meeting. Meeting will be held today (Wednesday) and Phillips will report back to the Four's next Monday.

Meanwhile AFA states that it will not be a bad idea, anyway, in view of fact that BAA, due to lack of work among members, cannot antagonize the meeting. Meeting will be held today (Wednesday) and Phillips will report back to the Four's next Monday.

AFA also held a meeting with the matter back to the Hotel Association, which passed the buck. AFA also held a meeting with the matter back to the Hotel Association, which passed the buck. AFA also held a meeting with the matter back to the Hotel Association, which passed the buck.

## FOUR MIDWEST VAUDE HOUSES OPEN IN JULY

Los Angeles, June 14.—The Westland Theatre Co. is opening its new vaudeville theatre in July. They are the Mesa, Grand Junction, Colo., Starlight, and the Hotel Association, July 6, Pueblo, July 8, and Varsity, Lincoln, Neb., July 10.

New time being booked by Pau Savoy out of Hollywood, opening at the Westland Theatre, Los Angeles, July 10. Savoy is the manager of the Westland Theatre, the Barcelonetas and one act.

## Chi Sots Name Bands

Chicago, June 14.—Sots name bands. Sots Goodman is set for two weeks at the Chicago, opening at the Westland Theatre, Los Angeles, July 10. Savoy is the manager of the Westland Theatre, the Barcelonetas and one act.

## Friend's Loew P.A.

Friend's Loew P.A. is set for two weeks at the Chicago, opening at the Westland Theatre, Los Angeles, July 10. Savoy is the manager of the Westland Theatre, the Barcelonetas and one act.

Variety Bills

NEXT WEEK (June 20) THIS WEEK (June 13)

Numbers 1

REO

Chicago (13) ... Paul Jackson ... Washington ...

Low

New York City ... Pittsburgh ... Will Osborne ...

Paramount

New York City ... Dallas ...

Warner

Manfield ... Pittsburgh ... Washington ...

Independent

Atlantic City ... New York ...

London

Week of June 13 ...

Provincial

Week of June 13 ...

Cabaret Bills

New York City ...

Miner ...

Hotel Naper ...

Hotel St. George ...

Hotel St. Morris ...

Hotel St. Paul ...

Hotel St. Peter ...

Hotel St. John ...

Hotel St. James ...

Hotel St. George ...

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N.Y. City Rules to Curb Outdoor Rug Cutters

Name band leaders in quickie guest appearances will lead the WPA Federated Music orchestra in its two-weekly concerts in the mall in Central Park...

Rules governing admittance to the asphalt footwalk area are strict. Dogs and dogs' hips are under restrictions as, no breaking in; no pairing of female partners to discourage pick-up and pull-backs...

Marilyn Keller's Divorce

Chicago, June 14. On a plea of desolation, Emma Suetter, with the Elmer Cleve divorce last week from William Suetter, Jr. non-pro...

Townsend's Paris to Rio

Paris, June 14. The Townsends, dancers, closed a six-week engagement at the Casino de Paris...

Sherek to London

Henry Sherek, former circus barker, was presented by the illness from collecting any major deals during his stay in the U. S.

PHILADELPHIA

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# THEATRE

## Helen Hayes' Tour Ends June 25 With \$1,200,000; Played in 47 Cities

Los Angeles, June 14. (Indi.)—A season of 41 weeks the curtain falls on her final performance in "Victoria Regina" as Helen Hayes will have brought to a close tour that probably goes down in history as the most successful legitimate tour ever staged in the U. S. At the final curtain, Helen Hayes, her entourage, presented by Gilbert Miller, will have played 25 states, two Canadian provinces, 27 cities, and amassed a total gross that will run close to \$1,200,000.

More than 10,000 miles have already been traveled by the Victoria company since it opened its tour last Sept. 16 in Hartford, Conn. With a special jump back to New York from Los Angeles, total mileage on the tour will have swelled to 13,835.

A total of 28 full week seasons was played. Four were spent in Boston, three in Philadelphia, eight in Chicago, three each in San Francisco and Los Angeles, and one each in Toronto, Pittsburgh, Cleveland, Cincinnati, Detroit, Milwaukee and St. Louis.

at a season of the play time was divided among one, two and three-night stands, with company hanging up its inevitable record book having had a single unprofitable engagement. Heaviest individual single night's gross on the tour was the \$49,649 garnered at the Auditorium, Des Moines, and next heaviest solo take \$71, at Madison, Wis., in the capacity are said to have been broken in 43 spots. Largest gross during a week play was \$32,927 at the Broadhurst, Philadelphia. Highest split-week figure of \$42,691 was divided between Des Moines and Madison.

Heaviest grosses were piled up in Iowa, Nebraska, Texas, Canada and California. Top California grosses were \$3,300 night and \$215 matinee. Only layoffs during the entire tour were for four days in San Francisco and Christmas and a Holy Week layoff in Texas. These rest periods were utilized primarily to enable the players and the members of her supporting cast to catch up on much-needed rest. Company is carrying a complete exclusive of the advance, and requires three baggage cars to transport scenery and baggage. In addition to the several hundred-odd performances of "Victoria," six special performances of "Cecilia" were given.

**\$100,000 for L. A.**  
Angle of the unprecedented tour is that in every spot played the advance yielded 75% on the day of receipts before troupe arrived in that particular city. In Los Angeles, where close to \$100,000 will be received for 10 performances, advance totaled between \$75,000 and \$80,000.

At the closing of the day following local closing, company goes to New York, where Miss Hayes will suffer for a week before heading for the city of "Merchant of Venice" in Suffern, N. Y. No plans have as yet been completed for next season's tour. It is determined whether or not "Victoria" will again be sent on tour. Indications are, however, that the actor's all-time record gross, that early September will again see the company on the road to the many cities and towns not included during the present season. There's also a possibility of a limited Broadway repertory.

"Victoria" engagement winds up the 1937-38 season at the highest level it has in its longest and most successful season in years. Opening in 1937, it went on with the weighty "Amphytrion," following the close of their regular season. Billmore has played 16 weeks of straight light without a losing stain.

**Reinhardt's S. F. Hdq.**  
San Francisco, June 14. Max Reinhardt has established offices here to register his new company. It is Hollywood Theatre workshop, in which he will train talent for three (two) shows in the film capital this

## Kortner's Busy Sked

Hollywood, June 14. With three legit shows awaiting him, Erik Kortner planned for New York last week. His jobs are playing the lead opposite Scotty Cornell, in "Hered and Marianna," set for September; stage direction of an untitled Jed Harris play in October; and supervision of "Spell Your Name," a Broadway play he wrote in collaboration with Dorothy Thompson.

## Schwab Seeks Alien Actor Lift In Equity Rules

Laurence Schwab, who is returning to show business with Hammerstein II, the open air presentation of "Knights of Song" at St. Louis, Aug. 1, has asked Equity to make a concession for alien actors. He wishes to see that he can complete the cast. Several English players will appear in the show, which is based on the play by G. B. Shaw. Most of the cast has been secured on the Coast, whence the manager returned last week.

In his application, Schwab stated that he searched three months for an actor to play O'Doyl Carie, an important personality in the history of G & S, but none are available, except Reginald Kaveh, whom he wishes to engage for the St. Louis tryout in addition to the Broadway presentation. Equity's council does not meet until next Tuesday (21), being on a bi-monthly meeting basis, and there is no assurance that an exception will be made.

Concessions on aliens are occasionally made but rarely for stock show-biz, in which the St. Louis season is classified. Equity takes the position that it has several hundred English actors among its membership, with managers not only bringing them to America but also utilizing them as resident alien rating but a number have more or less recently filed papers for citizenship because of foreign actor agitation.

Under Equity rules, an alien player is required to lay off six months before he can be considered for Broadway's last stage appearance terminated March 5 and he will be eligible for the regular presentation of "Knights" due late in September. Those engaged for St. Louis include Nigel Bruce, Gilbert William Williams, as Sullivan and Natalie Hall as Bradway.

Four straight plays on the Schwab schedule will probably be "Once Upon a Night," the Milton Lazarus play, "The Regulars," which plans a title of "Knights of Song" may be changed by the time it reaches Broadway.

**Nichols-Bentham Would Muscabize 'Married'**  
In conjunction with Anglo-American Productions Ltd., British firm, Nichols-Bentham will produce a musical production "Just Married," former Broadway success, as a musical-farce, with the play being presented. Anne Nichols, with Lynn Overman set as straight comedy.

## SUNG OUT, BUT HUGE ADVERTISING

Councilman Straus Seeks Measure to Outlaw Failure to Remove Signs, Etc., Closing—Half of Legiters old Offending

End of a pernicious practice, that of permitting dead billing to remain on Broadway theatre fronts for indefinite period, long after have closed, is in sight. An ordinance may be introduced into the city council with the idea of outlawing such billing as false advertising and calling for a fine for failure to block off painted signs covering billboard paper within a time limit.

Councilman Robert K. Straus, who has been friendly to show business, is considering such a title. He has that kind of regard for the theatre's welfare and explained that managerial carelessness was responsible. In showing his interest, he regarded as a disgraceful condition, attributed to petty economies. Straus also said he would confer with Paul one license commissioner, to find out if there are laws under which he might force action. If it is found that such a measure exists, he is expected to stipulate that licensees are revokable if they permit signs to remain within a reasonable period after closing.

**Half of**  
A tour of the theatre district resulted in evidence that nearly half of Broadway's legiters are offenders. On 44th street, between Broadway and Eighth avenue, four out of five houses are still carrying billings on shows that have gone out. With summer starting and no new shows listed, such matter may remain until fall, to the confusion of the visitor and the resentment of residents.

The Winter Garden is plastered with credits of "Hokey for What," which has shown about 20 months ago. At the 46th Street theatre, "Censored," which lasted nine performances, is still billed. Theatres on nearby all streets in the show zone are similar offenders, or have been at one time or another during the past several seasons. The practice, however, appears to have grown worse.

**No Effective Restraining**  
There have been movements to check and eliminate dead billing, but none have been effective. League of New York Theatres, which includes most theatre operators, has an executive committee that has urged operators that dead billing is an evasive, if not an indication of decadent and degenerate theatre. A resolution condemning the practice, but found no way of forcing action, was passed last year.

The drive to clean up Broa way may include theatre fronts, with the idea of outlawing the practice. It is expected to support the proposed ordinance regarding dead billing. The theatre Council's agenda items last season did not include the dead billing problem. It is expected to be a proponent of support from N. Y. World's Fair visitors, but this billing is not included in the tour program. It is not calculated to lure patronage.

**Al Lewis' Play**  
Hollywood, June 14. Al Lewis left for the 1st Monday (13) to set the Broadway production for "Farwell Performance." He sails on the steam May 22 for the 1st Monday (13) to set the Cloton Reservoir, 1938, N.

## WPA Salary Slash May Be Reversed, According to N. Y. Information; Report Being Regarded Sceptically

### A Dampened Hope.

Hollywood, June 14. Bob Hope was an individual flood victim just before curtain time for "Roberta" at the Philadelphia last Thursday (9). Deluge came from a brassie sprinkler in his dressing room and soaked him so thoroughly that the curtain was delayed 20 minutes until dry habiliments could be rounded up.

Reported early this week that a revision of the Washington order slicing \$40 per year from the WPA's security wage, to become effective June 30 for the entire theatre group, had been secured and that the \$1000 per person budget is out. Such reaction to the mass protest has been opened for, but the report is being accepted skeptically in New York show circles. Around WPA theatre headquarters it was indicated that an order from the ex CPA had not been received, but details were supposed to be a secret. Technical chatter about a new 'man month' and 'man year' has been heard, the terms refer to the pay unit month and year. Theaters are usually paid every two weeks. Preparations are about completed for the summer season with stage unions slated to start Friday (17) on the radio in N. Y. to enlist public support. Equity was asked to assign actors to make addresses, to listen to speakers to protest to

## TMAT in Coast Clash on Film Chain Accord

International clash between the stagehands union and the Theatrical Managers, Agents and Treasurers union on the Coast arose last week when Lodewick Vroom, TMAT head, sought a basic agreement with a picture house chain there and was advised that the International Alliance of Theatrical Stage Employees had declined the offer of the same. For that reason, Vroom, who had returned east from the Coast, planned to meet (12) after being in New York two days. He had filed a protest with the National Labor Relations Board and a hearing was expected to settle the controversy. Vroom also returned to the Coast to complete the organization of mutual race ticketless about 200 of whom have already joined TMAT. There are 288 racing days on the Coast, including the meets of all tracks. Total number of mutual ticketless windows is 200, each one to sell the other, to put to rest. As that means more than 500 ticket jobs, the union figures the race tracks are supplying the important group in the exact increased membership.

The difference in pay will mean about \$4.50 less weekly, which would mean a 20% cut for those receiving \$23.86 per week, the top security wage in white collar jobs. Conflicting opinion exists within legit ranks concerning the slash order, but stated by one WPA head that the protest of the so-called arts union is not bringing about the desired revocation of the used budget order. There also are confusing figures on the front of the WPA office, including Washington.

From D. C. it was stated that the reduction in pay would be \$4.50 annually, but that the maximum pay would amount to \$1,000. The figures do not jibe with those already mentioned, particularly concerning the pay per month. One explanation is that the reduction would be applied with 10 months figured instead of 12.

## CONNELLY SUED IN 'CAIRO' FODD

Michael Todd, through attorney Cyger Wolpert, has served Marie Connelly in a damage action dealing with Viola Roche having left "The Man From Cairo," which Todd is producing, to go to the WPA office. N. Y. to join Connelly's "The Two Bouquetts," currently at the Windsor, where the negotiations were being conducted. It is stated that the WPA office damaged to the extent of \$10,000.

Notice of closing had been posted for "Cairo" but on the last day of performance, Todd decided to keep the show going. Miss Roche had signified her intention of withdrawing and her notice had not yet been received, by the rules that a managerial closing notice supersedes that given by the actor.

Plan to reform "Cairo" for Chicago this summer has been shelved.

## Kenny Baker to Sing In London's 'Mikado'

Hollywood, June 14. Kenny Baker has been signed to play the title role in the London production of "The Mikado" at the St. John's Hall, London, England, which will start for England about July 1.

## French Hit for Kit

Current French hit, "Chère Compagnie," the Kyriane Corbin schedule. No date yet announced either for the production or for the actress's adaptation from the German.

## BIDE DUDLEY-KELCEY ALLEN'S \$1 A MO. RENT

Takerover of the Fitzgerald building, Times Sq. landmark, by the New York Life Insurance Co. recently revealed that Bide Dudley and Kelcey Allen had been tenanted in the building for over 10 years on the bullet. Dudley and Kelcey, the late Joe Lebling, pair never paid any rent. To keep its books straight the New York Life insisted on a rental, and scribbled a year's rent, \$1 monthly. This will last for two more months, when building will be razed.

## Eliot Cabot Replaced By Duncan as 4A's Rep

Augustine Duncan was named yesterday (Tuesday) by Actors Equity, as a new rep in replace Eliot Cabot, who left the Broadway production for "Farwell Performance." Cabot was critically injured Monday (13) at the Cloton Reservoir, 1938, N.



Thomas Boosts Time\* to \$31,500. Wife\* Out in 2d Wk., \$5,500; Frisco\*

San Francisco, June 14. "Blossom Time" with Frank Charles Thomas in the role of Franz Schubert, did big at the Curran... Equaled business done by Helen Hayes in "Victory Begins at Midnight"...

Estimates for Last Week. "Blossom Time," Curran (177); \$3,85 (1st week). Biz almost capacity with John Charles Thomas...

relapse to Gloria Alcazar (1,269-\$110) (4th week). Closed Saturday night (11) after four weeks of near capacity biz.

SEEK EASE OF BWAY TRAFFIC

League of New York Theatres will ask Police Commissioner Valentine to modify traffic rules in the Broadway sector for the summer. Pointed out the same region is closed now, when there are but 15 legit houses open...

N. Y. TALENT SOUGHT FOR COLUMBIA FETE

A musical show is proposed for Bogota, Columbia, as one feature of the country's fourth centennial celebration during August. Benj. Habib, a Bogota business man, arrived in New York by plane early this week to assemble a cast and chorus for the show...

Drama Guild to Pick Season's Best Comedy

Dramatists Guild council will meet late this week or early next to select the winner of the annual Ben Cooper Memorial prize for the best comedy of the season. Excite date for the season hasn't been set.

LYONS' TENT RE-PLACED

Check Boys' tent now company's comes is down to stay the summer (22).

Road Legit Grosses

Table with 2 columns: Title, Grosses. Rows include 'HAYES \$30,300', 'ROBERTA\* 24G', 'N. L. A.'

HAYES \$30,300, 'ROBERTA' 24G

Los Angeles, June 14. Los Angeles reported \$54,300 into the coffers of two legit theaters during the past week...

Helen Hayes, on opening week of her best-selling third week at the Biltmore, hung up a non-musical take record of \$29,300...

Current Road Shows

Chicago, June 14. Plenty of party trade for 'Pins and Needles', with indications pointing to fighting tonight before pulling stakes...

ENGAGEMENTS

Arnold Koff, Richard Clark, Harold off John Marston, Lynn Phillips, David Selva, Frances Brandt, 'lography' Red Barn theatre, Chicago...

'SING' OPENS TO \$3,500, 'AFRAID' OUT, 43G, ST. L.

St. Louis, June 14. "Of Thee I Sing," a musical play to win the Pulitzer prize, opened big at the Washington...

Future Plays

"It Shouldn't Happen to a Dog," by Sidney H. Hirschman, a comedy about Jewish life in New York, will be produced by the Warrenton...

'Blow Burns, Blow'

"Blow Burns, Blow" by Joseph Schab, a comedy, with the King of the Dancer is Jerome Meyer, who will also direct. Title is a switch from the original...

'Blow Burns, Blow'

"Blow Burns, Blow" by Joseph Schab, a comedy, with the King of the Dancer is Jerome Meyer...

'Take It' Gets \$8,000 In 2 Canadian Stands Vancouver, June 14. Road company of 'You Can't Take It With You' grossed about \$8,000 last week in stands at the Royal Victoria theatre, Victoria, and the here.

CHI'S PARTY BIZ

Chicago, June 14. 'Pins and Needles', with indications pointing to fighting tonight before pulling stakes. Turned in a profit leg take for the week...

WPA Legit Grosses

Table with 2 columns: Title, Grosses. Rows include 'Estimated total last week \$153,300', 'Total grosses same week \$146,500'.

Current Road Shows

Chicago, June 14. 'Pins and Needles', and Opera House, Chicago. 'Helen Hayes' (Helen Hayes), Biltmore, Los Angeles...

ENGAGEMENTS

Arnold Koff, Richard Clark, Harold off John Marston, Lynn Phillips, David Selva, Frances Brandt, 'lography' Red Barn theatre, Chicago...

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Current Road Shows

Chicago, June 14. 'Pins and Needles', and Opera House, Chicago. 'Helen Hayes' (Helen Hayes), Biltmore, Los Angeles...

B'way Continues Generally Dull; 'Susan Closes Strong at \$14,000, 'Take It,' 'Circle,' 'Angel' Perk Up

B'way Legit Grosses

Table with 2 columns: Title, Grosses. Rows include 'Estimated total last week \$153,300', 'Total grosses same week \$146,500'.

used prices helped

'Pins and Needles,' Labor Stage (28th week) (R-500; \$2,75). Stated through survey that Saturday (11), engagement extended when business slumped; quoted at \$8,500.

Broadway's business during the second month of June was little different from the start of a generally dull month. Weather was humid and the cooling systems recently installed in some theatres did a wondrous job...

There were exceptions to the so-so takings last week. 'Susan and God' banged through for a fine final seven performances for a count, around \$14,000.

'I Married an Angel' aimed for a cleanup, and while Broadway may close up rather Be Right! improved, and so did 'You Can't Take It With You'...

'Take It With You' later dropped but with a pop sale of \$2,200 top and taking in about \$8,000, its gain was not figured much longer than the other Broadway shows...

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'WAGON FINALES' OVER \$14,000 BOSTON

Boston, June 14. 'Star-Wagon' ended season Saturday (11) after two weeks at the local boards blank, except for 'Crested'...

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N. Y. WPA Lifts Curb On G. B. Shaw Satire; Saw Politics Backfire

George Bernard Shaw's "On the Rocks" will tonight at the WPA's 63d Street, N. Y., tonight (415) under WPA auspices, after it had been understood that the presentation was definitely. Play had been rehearsed for months and production set when postponement was ordered...

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News From the Dailies

is department contains rewrites that... news items as published during the week in the daily papers...

East

Winthrop Rockefeller the Fall Guy... at a meeting... in suits and sinners... Finalists in the 'Test Pilot' model...

fell in during the floor show Sunday night, injuring 11, nonseriously... (Nite club shows active...)

Cost

Among the 34 suits filed against the city of Los Angeles for property loss... (The suit was filed by the heirs of Ralph Bellamy...)

Hollywood would not be present... (The suit was filed by the heirs of Ralph Bellamy...)

Harold Wenter was exonerated... (The suit was filed by the heirs of Ralph Bellamy...)

Wedding of Edith Skous and Jack Jungmeyer, Jr. is set for June 18... (The suit was filed by the heirs of Ralph Bellamy...)

Eric Skous, leading light of the Danish Royal theatre in Copenhagen... (The suit was filed by the heirs of Ralph Bellamy...)

Jackie Coogan mother and stepfather... (The suit was filed by the heirs of Ralph Bellamy...)

Marin Davis, Edgar Berger... (The suit was filed by the heirs of Ralph Bellamy...)

Garrett (Ottob) Bailey... (The suit was filed by the heirs of Ralph Bellamy...)

Canada's Demands

(Continued from page 43)

traveled collection agency... (Continued from page 43)

Proposal to exempt 'small hotels'... (Continued from page 43)

While the CPBS has never asserted... (Continued from page 43)

Legal point to be brought forward... (Continued from page 43)

In protesting the Canadian proposal... (Continued from page 43)

British protest, to be submitted to the Canadian government... (Continued from page 43)

BIRTHS... (Continued from page 43)

Mr. and Mrs. Duke Prince, son... (Continued from page 43)

Mr. and Mrs. Robert V. Fisher... (Continued from page 43)

OBITUARIES

ELTON T. MIDDLETON... (Continued from page 43)

ELTON T. MIDDLETON... (Continued from page 43)

FRANK SPEER... (Continued from page 43)

LESLIE LA MAR... (Continued from page 43)

JAMES DONLAN... (Continued from page 43)

BIRTH MARY MEYER... (Continued from page 43)

LOUIS SCHMIDT... (Continued from page 43)

JAMES E. PRITCHETT, JR... (Continued from page 43)

EARL CHAPMAN... (Continued from page 43)

LILLIAN F. ROGERS... (Continued from page 43)

Garrettsville, O... (Continued from page 43)

DURAND HANSEN... (Continued from page 43)

FRANKIE WILLIAMS... (Continued from page 43)

MARRIAGES... (Continued from page 43)

MARY NICOLA... (Continued from page 43)

IRENE YERBY... (Continued from page 43)

AFM Convention... (Continued from page 43)

such trailer employ music... (Continued from page 43)

AFM Convention... (Continued from page 43)

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# WORLDLY

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15¢

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NEW YORK, WEDNESDAY, JUNE 22, 1938

56 PAGES

## WORLDLY

### ICE MAIN STILL SOME KID ON MAIN ST.

Despite the development of mechanical refrigeration, the ice man is back in popularity along Broadway. Nearly all the cooling systems in the legit theatres make use of ice blocks, as much as five or more tons at each house daily. Some systems also call for large quantities of water, which is "washed" or aerated for re-use.

Ice blocks are usually put into place during the afternoon, and last week when the icemen started making deliveries the noise disturbed matinees. Some house managers then requested a change in the delivery schedule on days when performances are played in the afternoon.

Icemen had never really disappeared from the Times Square zone because of the supplies needed by the numerous bars.

### Theatre Man Suggests \$50 Fascist Largesse Go to Refugee Fund

Washington, June 21. Delicate diplomatic crisis involving \$50 of Fascist money given to a local Jewish theatre manager "in appreciation" for the use of his house for the screening of a Hitler picture, remained in mid-air over the weekend.

According to the story of Manager, Elio Tolkin of the Rialto theatre, Italian Ambassador Signor Fulvio De Savio desired the use of the Rialto's (Continued on page 21)

### SEA-GOING BARGES A BREAK FOR CHORINES

Anticipated peak summer layoffs for chorus girls looks to be averted with arrival of river boats and reports of a couple of burley strip-teasers going into summer action. River boats are not exactly a new idea, but the floating bare-much barges were first suggested last season as an escape from N. Y. Justice Commissioner Paul Moss' restrictions.

The ready water way has usually good-looking lines, due to the fact that they have the pick of the crop. With their own private nighties dispensing with line and the girls in summer musicals, plenty of girls are available for the river theatricals. Means work for long dead-end theatre.

Kay Parsons, operating a restaurant about on the Hudson, waved the dailies with a protest against incursion of nudity on the river. Stated she would appeal to the authorities to keep the water pure.

### Brady-Frohman, 75-80

William Brady celebrated his 75th birthday Sunday (19). Oldest active manager has no thought of retiring and is seeking a play for next season.

Eyesight of Daniel Frohman, who is 80, has been failing. Last week he went to a health camp with the hope that dieting will strengthen his vision.

### Dailies' Labor Grief a Boon To Pitt Radio

Pittsburgh, June 21. Newspaper strike here, with suspension of both afternoon dailies, is a lifeline for local radio stations. A lot of them are deluged with more business than they can handle and come at a time when broadcasting outlets have been complaining. De-partment stores in particular crying for time, any kind of time, to keep shooting through spot announcements all through the day with stations for the first time in months finding themselves in the enviable position of being forced to turn down dough.

Some department store trade was expected to be diverted to morning Post-Gazette but when that sheet, playing along with other publishers, refused to accept more (Continued on page 32)

### LULL IN HOLLYWOOD; OPTIONS ADRIET

Flock of Legit Names Available for Stage—Situation May Alter When Studios Renew Prod.—Most Deals by Personal Contact—Agents Can't Be Both—r e d —Transportation Increases Cost

FEW SHOWS LISTED

Indications are there will be a heavier talent flow from Hollywood next season than at any time since Broadway casting was affected by the lure of picture salaries. Reported that because the studios have not picked up anywhere near as many options as formerly, a flock of legit names are available for the stage next season.

When studio activity is stepped up, it is likely that situation will be reversed, but at this time legit managers are successfully securing people who have been on the Coast for years and intended remaining there permanently. Already half a dozen showmen have done their major casting in Hollywood.

In most instances, contracts have been made as result of personal (Continued on page 34)

### Guest Customer

Shop on 47th street, New York, carried the following sign in its window last week:

"Rudy Vallee will appear as guest of honor at our sale of antiques, between 3:30 and 4 p. m. today."

See \$900,000,000 Ultimately Into The '39 N.Y. Fair

More coin will be spent on the New York World's Fair in 1939 and 1940 than any previous exposition, recently revised figures show. Now estimated that in the two years which the N.Y. fair is expected to run, approximately \$900,000,000 will be poured into the enterprise for all purposes, with the fair corporation heading the list with \$470,000,000. Despite the large total, presumably for the first year only, exhibitors and concessionaires will lay out more than \$45,000,000.

The New York exposition's total of nearly \$1,000,000,000 compares with about \$700,000,000 spent at the Century of Progress, Chicago, in 1933-34. The \$200,000,000 which New York City is spending at the fair includes numerous permanent (Continued on page 31)

### JURISDICTION IN TELEVISION ALREADY?

Although commercial television is conceded to be at least a few years off, the question of jurisdiction over performers in the field has already been raised. Indications are that the Associated Actors and Artists of America, parent performer union holding a franchise from the American Federation of Labor, will take steps to brush out the matter this summer, at least on a preliminary basis.

Television jurisdiction issue, which the Four A's had purposely been ducking until the course of the new industry would be more clearly developed, is raised in the Actors Equity house organ. To forestall any possible objections, Equity's council claims jurisdiction over television and intends to organize the field as and when it develops.

### Gene Tunney Urges Likkor Reforms Lest Prohibition Returns

Detroit, June 21. Distillers and licensees will be out of business within 10 or 15 years unless the industry as a whole mends its way, Gene Tunney told the Protective Liquor Alliance, group of nine spot operators, at the organization's meeting here last week.

Ex-heavyweight champ, hoar chairman of a large eastern distillery, here referred to an analogous charity boxing show, declared that "the greatest evil is the industry's alignment with politics. Suggesting the greatest need is a nationwide organization to eliminate abuses and save liquor industry from prohibition's return, with the outfit patterned along lines of local alliances, formed recently to combat liquor evils in drinking spots, etc."

### FILM GLORIFIES 100 YEARS OF BASEBALL

National Baseball League is producing a four-reel industrial film, "100 Years of Baseball," for August showing, commemorating the birth of the national pastime in Cooperstown, N. Y., in 1858 under the sponsorship of Abner Doubloffe. Film is being made in Chicago and Mike Watt is directing.

Letter is in N.Y., without authority to persuade President of the National League, Grant Doubloffe, William H. Flowers, the first organizer 1829-1902, an father.

## Film Industry Watching 'Blockade' As B. O. Cue On Provocative Themes

By JOHN C. FLINN

Hollywood, June 21. Boxoffice career of John Howard Lawson's original film "Blockade," which Waller-Wanger has produced for United Artists release, is being closely watched from the Hollywood office. It is a picture that is being discussed in political organizations concerned with the Spanish conflict and is presiding their enthusiasm to attend. Circular to that effect was distributed by political conscious individuals of Leftist views by Spanish Dependents' Aid Committee.

When the film goes general British release in the fall, Trades Union Congress (official) equivalent, based at CIO, is planning a spontaneous lecture amongst millions of workers urging them to see it locally. Hopes to cash in by having collectors stand outside theaters to receive funds for Spain.

### Labor Supports Pic

London, June 21. One reason why "Blockade" has smashed the house record at the London Pavilion is that political organizations concerned with the Spanish conflict are voluntarily supporting it and presiding their enthusiasm to attend. Circular to that effect was distributed by political conscious individuals of Leftist views by Spanish Dependents' Aid Committee.

When the film goes general British release in the fall, Trades Union Congress (official) equivalent, based at CIO, is planning a spontaneous lecture amongst millions of workers urging them to see it locally. Hopes to cash in by having collectors stand outside theaters to receive funds for Spain.

in plot, they fit in theme and if "Blockade" can successfully clear the obstacles of international distribution then "John's Delight" more positively charged with personalities, is likely

to touch satisfactory income figures.

Films have fought up of stories which treat of European dictatorship, of which handle as entertainment the economic problems of foreign nations. There has been a search also of films which hold up the mirror to the American economic struggle. Sinclair Lewis' novel, "I Can't Think Here," which has been the property of Metro, has been definitely removed from the future list of Leo's productions, although it is reported this week that Wagners may buy the property from Metro as a starring vehicle for Paul Mann. Reported generally as a dangerous piece of anti-Nazi propaganda which might create disturbing in American theaters because of the ruthless development of the idea of Nazism in this country, the previous elements of the Lewis story fall rather flat when WPA approved the presentation of the dramatic version as a score of Federal Theatre Projects.

Wagner apparently is as openly scornful of first status from "Blockade" to proceed immediately with Vincent Sherman's "Personal History" to turn over the rights (Continued on page 35)

Shrewd stories bear no similarity



# CURTAIN UP ON THE YEAR

## A GROWING CENSORSHIP?

When the Legion of Decency moved in on the picture business, forcing what virtually was a self-imposed censorship, the suggestion was made that this was perhaps but the first step in a move to impose the will of the church element on a constantly growing field until even the daily press became involved.

Publishers of daily papers merely smiled indulgently. The Legion of Decency and its associates were merely putting over a long deferred and much needed cleanup campaign. It would not dare touch the Fourth Estate. They whopped it up for the Legion as something new and desirable.

Last week the same organization moved in on the sensational magazine *Es*, announcing they would leave the obviously obscene to the corrective forces of the police and concern themselves chiefly with the borderline infringements which did not belong to the police department.

In other words, the magazines must conform to the Legion's sometimes peculiar ideas as to the fit and the unfit.

Again the newspapers have given the matter serious and appreciative consideration. Probably the same thing will happen when the League, with the magazine publisher's prodding, will move on fiction, later descend on the stage and eventually demand arbitrary powers over the daily press.

No one for a time seriously considered the machinations of the Anti-Saloon League, yet persistently brought resulted in prohibition and the development of the gangster element, which merely switched to narcotics, kidnaping, labor racketeering, and similar sources of revenue when prohibition was finally abandoned.

The self-elected censors will continue a small group of earnest thinkers will in the entire nation in every form of art.

It is interesting to note that the need for regulation in certain instances. It does not seem intelligent to permit a comparatively small sector of the populace completely to impose its standards on the whole world of art and literature, merely because there is no organization to oppose their efforts. With each fresh victory the Legion will find it easier to take the next step in the campaign.

The time to halt this usurpation of personal liberty is before the organization grows too strong to be resisted.

## UA DOUBLES UP TO KEEP DOWN COSTS

## \$199,975 COMMISS SUIT VS. GRIFFITH

Hawke-Volck agency has sued Edward G. Griffith for \$199,975, alleging contract breach. Coin sought is for his four-year contract at 20th-Fox. Various allegedly negotiated by the agency.

Over that period it will earn the director \$7,166.

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## M. SILVERSTONE BACK IN 2 WKS.

Shortly after his return to the States, in about two weeks, as quickly as company machinery will permit, Murray Silverstone, general manager, will be elected president and chairman of United Artists, and will be succeeded by Alexander Korda, U. A.'s resident partner, in London, and the sales convention, succeeding Dr. A. H. Gianni resigned.

## Indies Pook-Poohed

Although the struggle for rentals commensurate with production costs continues with both chain and independent accounts, the charge that independents are paying more for pictures in comparable situations than chain-controlled theatres do is pook-poohed by major distributors.

The exceptions where films are from affiliated theatres are few and far between. Sales contention is just where the well-trenched circuit may, through its buying power, be able to bargain advantageously on price, in the long run, if the product is good, that chain isn't going to derive the full answer lying in the figures grossed for the distributor. It is pointed out by spokesmen for the latter that regardless of affiliate chain status and buying power, in the end films usually get equitable rentals from the entire market on current conditions. These prices will average up between the chains and independents, even if it fell among distributors that, in view

Henry Ginsberg, Selznick-International v. p., in charge of the consolation, told a meeting of UA production staff Friday that the two departments will be reorganized on the same basis.

Merging of story and casting departments is out of the question, Ginsberg said, owing to competitive agencies involved, but savings will be made possible through interchange of writers, directors, stars and featured actors.

Over that period it will earn the director \$7,166.

Beverly Hills offices which housed Silverstone's executive staff, will be shuttling July 1. Corporation built a new office building in New York. Meeting was attended by Samuel Goldwyn, David O. Selznick, Edward G. Warner, Walter Wanger and Milton Eisenhower, representing Hal Roach.

Following confab with Alexander Korda, U. A.'s resident partner, in London, and the sales convention, succeeding Dr. A. H. Gianni resigned.

## Walker Reaps Rich East

Before leaving for Coast Monday (20), with stopover in New York, United Artists' Chicago sales meeting, Hal Roach appointed Thomas J. Walker, his eastern representative, for 30 years associated with Dr. A. H. Gianni, Walker had held the post of vice-president with UA. Originally in banking, he entered the film field some years ago.

## U. S. QUIZZERS MOVE OVER TO RKO STUDIO

Federal probes looking for anti-trust law violations, finished their work at Universal last week and moved over to RKO yesterday (Monday).

U. S. Smith, Jr., Arthur Kelly, Harry Buckley, Monroe Greenleaf, Ben J. Winkler, A. H. Minton, George West, and an unnamed Silverstone, were interviewed. Walker, who was launched on a wild goose chase for a change in the pub-ad setup.

After a week on the Coast come back with Roach and others will return east to assume his new duties.

Hal Roach's studio in Culver City will be enlarged by a combined wood frame and office building, construction to get under way next fall. Producer needs more room since he

## THUS, PARENTS UNWOLDED BEIPPED

## More Indie Theatres Would Tend to Increase Distribution Revenue—Regardless of Divorcement, Chains are Inclined to Unload

## FILM PEEVE

When it comes to the improvement of the picture business, the industry doesn't favor a reduction in producer-controlled theatres—legislation that is dubious of enforcement—the next few years may see a gradual weeding and disposal of producer-controlled theatres. This would create a larger independent field and larger competition for the producer-distributors.

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## WEISL, HICKS ADDED TO PAR BOARD

Adolph Zukor draws \$150,000 yearly salary from Paramount but holds no contract with the firm. This, Barney Balaban, president of the company, revealed to stockholders at the company's annual meeting, held in the Par home-office yesterday (Tuesday).

Zukor was reelected to the board and, presumably, will be renominated for the next meeting. Balaban, who by vote of stockholders, now numbers 16 members. Whether the board so acts will be known until tomorrow's (Thursday) meeting.

More than a dozen directors chosen by stockholders are Edwin L. Weisl and Charles E. Hicks, Jr. Weisl, president of Paramount, is a member of the downtown law firm of Simpson, Thayer & Stewart. Hicks, president of the firm in charge of Par's foreign operations. In naming him, the stockholders added another management member to the board.

## Universal Emerging from Cloudy Zone; Product Prestige Better, Credit Stronger; Cutting Knots

London, June 21. Cheever Cowdin, Universal board chairman, joined Joe Selznick, U. S.'s foreign head, here on a new quest for about \$1,000,000. This looks to be coming through the

same bank group which recently lent U. a previous mill, particularly in view of the fact that payments have been coming through faster than scheduled.

Local reports on U.'s new product is another favor's factor to facilitate the liquid currency which Universal now needs to carry on its Hollywood production schedule.

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Blane Blumberg, president of Universal, is back in New York from Hollywood. He will remain in east all summer on production selling campaign. Cliff Work will sit out the Coast studio situation.

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U. might work out a releasing arrangement as well as U. A., course, excepting that the present Universal will prefer to release pictures through its own facilities on the usual rental basis, if Rogers wants to. Former executive production v.p. of U. since settling his deal with company, is going to be known until tomorrow's (Thursday) meeting.

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INDEX	
Vol. 131	No. 2
Bills	45
Chatter	53
Concert	50
Dansapatt	23
Exploitation	23
16 Years Ago	19
Film Booking Chart	19
Film Reviews	14
House News	44
Inside—Legit	46
Inside—Music	40
Inside—Picture	41
International Film News	13
International Show News	51
Jack-Ostermer	2
Legitimate	46-50
Literary	52
Music	37-40
News from the Dailies	54
New Acts	42
Nite Clubs	41-43
Obituary	51
Outdoors	55
Pictures	2-23
Radio	26
Radio-International	30
Radio-Reviews	29
Units	11
Vanoverbilt	41-43

Talk by 88 Cleveland Indies to Shut Down Kicks Back at B. O. as Press Over-Emphasizes Poor Pix' Squawks

Threat by directors to cut theatres here down to a half-week basis turned out to be a hornet's nest, with both the indie and major downtown exhibitors joining in some tender spots in the ensuing battle. Final vote on the question comes up Thursday...

Recent candid remarks made off by George W. Erdmann, the association's rep. who in first statement said that proposals... Division managers for downtown RKO, Warner and Loew's circuits as a result let out terrific howls...

While the 113 "three" weren't livable in the indie plan in the first place, circuit heads tried to counteract it by saying they wouldn't curtail their nabs' playing time...

Bombergazed by its own shohs, the CPEEA then came out saying (D-1) its real kick is not wholly against current product, it against the present booking contracts...

BARTHELMEUS GETS HIS B.A. 20 YRS. LATE

Bartholomew, June 21. Ric ved Barthelmeus, holder of bachelor of arts degree from Tri City College here Monday (21), 22 years late... He was awarded the B.A. in accordance with a faculty custom of giving degrees "hunc pro tunc"...

Giannini Sails

Dr. A. H. Giannini, with his wife and son, Bernard, sail today (Wednesday) for Europe, to be abroad perhaps four or five weeks...

JONES THREE-FIVE

Triple-header in the writing game is the current chore of Grover Jones at Tucson, producing up three screen plays.

New Orleans' on Tap

McCoy, June 21. Jeanette MacDonald draws "In Old New Orleans" after she completes "Sweethearts" at Metro. Yarn has a pre-World War background...

RKO DROPS HUB BIJOU; OTHER SHOOTINGS

RKO will drop the Bijou, Boston, which it has operated for a score of years, when the lease on that house expires June 30...

Additional to 11 summer closings in the metropolitan New York area, RKO has or will shutter until the fall the Trenton, Trenton: Regent, Rochester, Strand, Syracuse, Holy 3, Majestic, Columbus, Albion, Providence, June 30; Shubert, Cincinnati, June 24; Orpheum, Champaign.

Houses in the met are to be shuttered in about a fortnight including the Shore, Parkway's 23d, Empire, Cosmo and the Metropolitan at 42d St.

Re-negotiation of the RKO-Skouras plan in the RKO-Skouras and the Skouras Academy theatres, on 14th st. 1, for the summer, is in prospect in view of RKO's plan to shutter the Jefferson in about two weeks.

Pat Hill and the Strand, mentioned above, are in Yonkers; the Parkway in Mt. Vernon.

Mortimer Fishel, attorney representing eastern independent-theatrical interests, is in town looking over the situation in Tucson, which is being operated by Balaban & Katz, but has been dark for several weeks.

Mormons' Film Windfall

Accidentally, but profitably, the Mormon Church is in the picture business. Intent on building a temple, the organization film company, Harold Lloyd's Westwood property, on 11 is a New York city street set, will be ready in two years and a cost of \$100,000 and still one of the best layouts of its kind.

Church officials are gathering in Chicago, June 21, to discuss the details that they are wondering whether to let the set stand and build the temple somewhere else.

Tucson, June 21. Once a famous old west town, Tucson, Ariz., has offered to build a new western street as a location for advertising touring shows.

Kornville and Lone Pine, equipped for hors opera in a w.e. professed about \$100,000 from film companies in the last year, Harry Sherman's "Mysterious Rider" gang will leave about 25 and Tucson during their current stay of 12 days.

Hitchcock Ogles Coast

Alfred Hitchcock, June 21. Director, is here from London taking his first gander at American celebrity life. His newest production, "The Wheel Spins", was completed before he left England. He will be here about a month.

LAUREL-HARDY WILL FLESH IT IN EUROPE

Hollywood, June 21. Stan Laurel and Oliver Hardy are set for a personal appearance tour of Europe, calling for two weeks each in Paris, Berlin and London, with a \$750 weekly guarantee.

PAR GETTING 14 READY FOR FALL

Hollywood, June 21. Paramount has 14 pictures in various stages of preparation and production, to be released during September, October and November, the first quarter of the 1938-39 season.

First to be released, according to Neil F. Agnew, sales head, is the Bing Crosby-Fred McMurray starrer, "Sing Your Sinners", now in the cutting process. Following on the list are "Return of the Fox", a production of Sherman's "Mystery" and "Sons of the Legion", in preparation.

"Arkansas Traveler", with Bob Burns and Fay Bainter, and "Campus Confessions", directed by George Archainbaud, will complete the September release.

For October, the releasing roster is "I'll Be King", with Ronald Colman; "Men With Wings", "Touchdown, Army", "King of Alcatraz" and "Mysterious Rider". Last mentioned three are still to be shot.

November releases are the Jack Benny-Joan Bennett picture, "Hands Across the Sea", "St. Louis Blues", "Escape From Yesterday" and "Sou'wester".

Two pictures rolled at Par yesterday (Monday) and one goes before day tomorrow. The latter, "The Big Show", a total of 10 active productions on the lot. Yesterday's starters were "Zand" and "Touchdown Army". Bob Burns' starrer, "The Arkansas Traveler", is next to go.

James Hogan completed the Par film, "The Texas", which will be ready for preview this week. Its next dirt-tiny job will be "Sons of the Legion" for the Harold Harty unit.

ECONOMY WAVE SWEEPING WB

Hollywood, June 21. Further economies were mapped out last week at Warners where a general curbing of unnecessary expenses has been going on for three months.

Harry and Jack Warner told producers and exhibitors that the amount of income, and that expenses must be cut down to match the i.o. slump.

Bernstein Sailing

David Bernstein, vice-president of the American Community Council for Europe on June 25, on business in London. He will also visit the continent.

Heifetz's Film Debut

Hollywood, June 21. Jascha Heifetz makes his debut as a screen actor in Sam's "The Durand Age" some time this summer. Picture will introduce Heifetz and Tullio Gurie as a romantic starting team. Picture will be based on a youth problem story by I. A. R. Wyllie.

GANG'S M-G TEEOFF

Hollywood, June 21. On with the Wind! A take-off on you know what, initials Our Gang on the Metro lot. Produced by Douglas direct.

Hectic Hollywood Economies

Home office ict to little down expense is said to be heading one of the major studios into a literary traffic jam. Studio writers are put to work only on "must" yards for immediate production. Boys have to do hurry-up jobs, frequently imperfect, for another day's crew is rushed into action, and sometimes a third and fourth. Result in several cases is that the producer's original idea is lost in the shuffle and they have to start all over again, causing the same loss. Meanwhile a lot of writers are drawing pay for doing nothing. Producers don't like the idea of cutting costs from 15-20%. They predict it will show in the pictures.

A Tale of Hollywood Film. A story from another major studio shows how economy sometimes is a double-edged sword. Being a studio, it was a matter of a few after hours, was a lone electric light burning and promptly turned it out. He did not notice that the light was hanging directly over a tank of small tropical fish which needed that exact amount of heat to keep them alive. Next morning they were dead. Studio saved a couple of cents on juice and lost a hundred fish.

Cheaper to Build Than Travel, Axes Falls on Unkets; Only 4 on Location

Fred Niblo Retires

Hollywood, June 21. Fred Niblo is retiring from show biz and has headed west to live on his farm near Bakersfield, Calif. Executive of silent films has been in radio during recent years. Unit last October, when NBC stationing parroll purge, Niblo was talent scouting for NBC Artists Service.

BIRTH OF BABY WINS IN N. Y. AND A. C.

A temporary injunction prohibiting Levett Productions, Inc. (Sam Cummins) from exhibiting either a still or motion picture bearing a title similar to that of "Birth of a Baby" was granted Monday (20) by N. Y. Supreme Court Justice Bernard L. Shientag pending trial of the suit for a permanent stay. The restraining order was granted on the application of the American Committee of Maternal Welfare, Inc., producers of "Birth of a Baby" and who have complained the defendant corporation has exhibited a motion picture in New York and nearby towns under various titles including that of "The Birth of a Baby" to the apparent purpose of misleading the public, the complaint states. In granting the temporary injunction Judge Shientag said in his opinion: "The plaintiff has expended considerable talent, skill, time and effort towards the creation of its motion picture which has received a great deal of favorable publicity and is therefore entitled to receive the protection of a court of equity. Bond is fixed in the sum of \$5000."

"Baby" Title Contempt. Howard Atlantic City, June 21. The film "Sinful", was found guilty of contempt by Vice-Chancellor W. F. Scoop here this week. Sentence will be imposed later on in the week. He is charged with violating a January 21 injunction and using the same matter in theatrical advertising.

Underwood was halted into court by the American Community Council for Internal Welfare on allegations that he ignored an injunction handed down by Vice-Chancellor John O. Bigelow in Newark on May 12. This order forbade Underwood to use the "Birth of a Baby" name in the advertising matter of his film. It is the contention that Underwood is ignoring missed the public into believing his film was the same as the "Birth of a Baby", a picture which has been widely endorsed. Cards and other advertising matter were placed in connection with this owing to the fact that Underwood produced in the Hollywood were produced in New York. Underwood claimed that the injunction did not cover anything but a direct title, and he did not use "Birth of a Baby" as a direct title.

Truman Bradley, radio announcer in the middlewest, has been reassured to contract by Metro and will report on the Coast Aug. 1. He had been tested some time ago. Bradley, and RKO, are getting ready for a good voice and athletic build. Talent scouts for Metro in the east are honing for an unusual 15-year-old juvenile type. Although nearly 30 candidates have been interviewed, the cooperative talent executives are hopeful of finding a youngster not unlike Mickey Rooney but not the same.

RIAM'S BETTE PIC. Hollywood, June 21. "Comet" roadshow; with Miriam Hopkins in the top spot, goes before the cameras July 5 at Warner.

Bette Davis was suspended several weeks ago for refusing the role of "Comet" roadshow; with Miriam Hopkins in the top spot, goes before the cameras July 5 at Warner.

's OWN R.R. Cecil B. DeMille, June 21. A section of the old V.P.R. trunk railroad in Nevada for his forthcoming Paramount film, "Union Pacific". The film, which stars John Indians, will be used in the production.

ated Women's Clubs but even in opposition house heads. "Comet" named in many parts of the country was reported because house couldn't get "Triple Holiday" for that week.

Hollywood, June 21. producers are sticking close to their own backyards these days, one will not be instead of lavish caravans locations, the boys are at their own studios. Check up on nine major companies last weekend showed all 41 pictures in the "Five of a Kind" outfit is shooting the Dionne Quints at their home in Callander, Ont., an "Splinter Fleet" is being made in the north woods around the Academy at Annapolis, Md.

The other two locations are for westerns, not far from home. Harry Sherman's "Mysterious Rider" gang is working near Tucson, for Paramount release, and RKO is getting ready for "Desert" in Red Rock Canyon, Cal.

Patsy Kelly Trims Down For Roach Romantic Role. Hollywood, June 21. Patsy Kelly is set for a romantic role with Frank Brennan in a running mate in "The Lady and the Cowboy". Under contract to Hal Roach, actress goes to work for Sam Goldwyn and the cooperative talent executives are hopeful of finding a youngster not unlike Mickey Rooney but not the same.

Metro's Radio Recruit. Truman Bradley, radio announcer in the middlewest, has been reassured to contract by Metro and will report on the Coast Aug. 1. He had been tested some time ago. Bradley, and RKO, are getting ready for a good voice and athletic build. Talent scouts for Metro in the east are honing for an unusual 15-year-old juvenile type. Although nearly 30 candidates have been interviewed, the cooperative talent executives are hopeful of finding a youngster not unlike Mickey Rooney but not the same.

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### Pix Stills as Comm' Bally Abroad

Use of American motion picture stills and photo enlargements in store and business window displays in Swedish cities is becoming a widespread practice, particularly in the larger cities, the Department of Commerce was advised by the office of the American commercial attaches at Stockholm.

Though motion picture cuts were first introduced in Sweden more than a year ago, they were used primarily to advertise American films, the report states.

It has now been discovered that "they have a strong driving power for both customers and window shoppers," attaché observed. "Good will for American trade is being fostered by the use of Hollywood stills, it was noted.

### HAYSITES TALK PARTICIPATION IN '39 FAIRS

Initial discussions on the possibility of film industry participation in the N. Y. World's Fair are held last Wednesday (15) when directors of the Motion Picture Producers & Distributors association met in quiet session. Hays office directors will meet again today (22) when the exposition will be discussed further.

Though Haysians have not decided on what scale they will participate in the N. Y. fair or if the industry as a whole will spend coin for representation, possibility of various methods companies turning out an epic feature called, "Cavalcade of America," is under consideration.

It is one of several ideas in mind for the definite action has been taken. "Cavalcade" for the New York exposition would be the film industry's contribution to a \$300,000 Federal exhibit it.

An advisory council of leading statesmen and educators is being considered with the Hays office co-operating in outlining scenario. Much of material would be trimmed from historical facts already completed by principal film companies with commentary or narration added and possibly a few new scenes shot.

Matter of industry's participation in the San Francisco exposition would be handled by the Coast association. Hays office directors elected Paul Terry and Terrytons to membership in the association.

### ACAD UNLOADING ALL BUT ARTS, SCIENCES

Hollywood, June 21. Divorcing itself from all economic responsibility, the Academy of Motion Picture Arts and Sciences last week dropped administration of the academy director's office.

Code, effective since 1934, assured freelance staff assistants a bonus of 10 per cent at the completion of an assignment.

Academy has been gradually unloading economic responsibilities, including freelance actor contracts and the writer-producer code.

### Ben Lyon's Quick Visit

Ben Lyon arrived from London last week and immediately went to the Coast. Ben Daniels remained in London to settle final plans for the couple.

Lyon will remain on the Coast only about a week to see their children, then will hurry back east and will for London to rejoin his wife.

### Now to Get Mad

Hollywood, June 21. Barbara Stanwyck draws the top role in "RKO's" "Mad Miss Manton," to be produced by P. M. Wolfson and directed by Leigh Jason.

"Picture," scripted by John Monk, "is a fast-paced thriller," says Eleanor Hansen's debut as an RKO player.

### 'SAVED OLD MONEY' SAYS U.S. NEWSMEN

No Change in ing out the Film the Past Two or Three Years—Film Editors Wondering When Will New York and Hollywood Learn

#### SOME POINTERS

Failure of picture company publicity departments to improve either the quality or method of handling newspaper publicity is coming in again for arraignment at the hands of film editors on the dailies. Squawks registered this year, many of which come from the nation's film editors now in the east on vacations and out of their usual haunts, the newspapermen claim there has been hardly no change in the routine by film publicists in the last two or three years. The manner in which they dished out copy for film editors was faulty and it has continued that way.

It is overwritten yarns and failure of publicity boys to appreciate the nature of newspaper requirements are the chief causes of complaint, the deluge of stuff from both the New York and Hollywood desks is tabbed as the biggest evil. Picture editors contend that the junk, overblown, and overdone of the more sent, the more published, is still blashfully followed by most film companies. Some aver it merely makes up for a meager output.

Not only are too many publicity releases mailed out but too many pages of copy are crowded into each envelope. Average is so disheartened after wading through the first page that he usually abandons the rest without further perusal. Admitting that perhaps one or two years might be found acceptable after reduced in length, the film editor has neither the time, patience nor inclination to wade through the mass of material for such stuff. Small city desk men argue that a picture company publicist are silly even to think that the newspaperman is going to edit lullaby copy which should have been edited and trimmed before it left the company headquarters.

Odd feature of this situation confronting many film editors is that they probably could use several small items from any number of picture companies in their files, but they do not. It is a little change of landing if not offered in more usable style, they currently believe.

#### Hollywood Copy Worse

Opinion expressed by several visitors to newspaper desks in the Hollywood copy is much worse than that sent out from New York home offices. The picture editor in the city of this is that the Coast copy frequently lacks any semblance of editorial sense, is overblown, is highly exaggerated and a blow-up feature matter and, besides, too much is sent from Hollywood.

Picture editors in cities of 200,000-300,000 rewrite part of this landslide of publicity letters and send them out by airmail. This is the exception rather than the rule in cities with 100,000 population.

Many editors think the habit of sending out galley proofs from the picture editor's desk is a bad one when only one or two companies did it but now they all practice it. Idea is to let the copy go to press but in practice—being to get papers to run the whole year or nothing. Sending out galley copy on press is needless editing, it frequently needs nothing gets in the paper. Newspapermen contend that if stories are sent out by airmail they should be double-loaded so the editor can edit.

Editing of publicity is an habit that doesn't need a th: (Cont'd on page 21)

### Studios Turn to Femmes in Profesh, After Overboard on He-Man Fare

#### Not All Fanfare

Los Angeles, June 21. Madge Evans spent \$7,284 on necessary wardrobe, worked 43 weeks and had no time for fun in 1934, she told William W. Arnold, lab examiner, explaining a deficiency of \$2,337 in her income return for that year.

Also listed as professional expenses were \$2,667 for travel, \$883 for wages and make-up, \$125 for fan photos, and \$338 for entertainment.

Hollywood, June 21.

film producers are ready to cycle of femmes-in-the-profess pictures. In addition to a list of years based on woman (often, in the biz world, and set for immediate production) studio story editors scanning their files, as well as the literary markets, for additional contributions.

Paramount's 'etis Fargo' an heavy returns on 20th-Pix's "Chicago" sets 1938-39 schedules overboard on outdoor action stories, momentarily forgetful that it is the woman of the house who usually does the family shopping when it comes to a matter of screen entertainment. To offset the slight to ladies, when status for the new season's product have long since been announced, the production biggies are lifting the blue net over something in the way of soap. Because women seemed to have turned sums down on both drawing-room dramas and comedies, it was necessary to dig for a new brand of bait. Many stars were offered, but most of them were kajoed early, due to the fact that Mrs. John Public has long since become a fixture in the "Love Life of an Average Working Girl." Then there came forward a bright young man who suggested that universal heroines be made to aim for loftier goals, with necessary romantic angles secondary to the struggle to attain success in a chosen field of endeavor.

### OFF - THE CUFF TIFF, WYLER OFF 'LADY'

Hollywood, June 21. Sam Goldwyn slapped suspension on William Wyler as climax of the director's argument over shooting off-the-cuff on "Lady and the Tramp" H. Foster has been given the assignment.

Wyler's three-year contract, calling for \$50,000 per film has 18 months to go.

In explaining his position Wyler said, "I made certain demands to be left alone while filming the picture, giving Goldwyn the alternative of letting me withdraw entirely. My request was not met so I asked for and was given my release. I asked to be relieved before the picture started as there was no script, but finally went ahead at Goldwyn's request."

Around the lot it was said Goldwyn pulled Wyler and handed the assignment to Foster because Wyler didn't start shooting until around noon and demanded too many takes on scenes.

Wyler said he will rest until assigned to direct "Wuthering Heights," as Goldwyn declined to cancel his contract and the Hecht-McArthur yarn is next on the director's list.

### McCAREY AWAITS RKO PACT; 9 PIX IN WORK

Hollywood, June 21. Leo McCarey meets with RKO studio last week as producer-director, although he is still waiting out a contract.

While his agent is working out a few pact changes with prey Leo McCarey is getting a good line for his first production. His first assignment will be "Love Affair," with Irene Rich as "The Girl in the Red Top" and "Smiling the Camera."

RKO lot hits a new production high this week, when three pictures get in the studio, ready before the cameras. Linup will tax the capacity of the studio. Sub-budget films slated to go are "Gunga Din," "Room Service" and "The Mad Miss Manton." Others at work are "Carnegie Hall," "The Painted Desert," "Smashing the Rackets," "I'm from the City" and "Birthday of a Stogie."

### Snow White in Ballroom

Bridgeport, June 21. Adriana Caselotti, voice of Snow White in Disney film, one-night Broadway star at Pleasure Boat ballroom. Miss Caselotti's a Bridgeport girl.

Smoking and playing. Four-hour dance job will be Joe Henry and his: Washin' tonians. (Cont'd on page 21)

### CANTOR TO FINANCE 300 REFUGEE YOUTHS

Hollywood, June 21. Eddie Cantor will extend his philanthropies beyond the Atlantic when he sails July 6 for England at the conclusion of his current radio series. It is his plan to finance the rehabilitation of 300 Jewish children in Germany, Austria and Poland by sending them to Palestine.

He abroad he hopes to enlist the aid of government officials to make some of the persecuted youngsters.

### INDIE ADDING VAUDE TO AID POOR PIX

Lancaster, Pa., June 21. Reversing standard summer procedure, indie producers and exhibitors announced that it will go into part-time vaude policy Saturday (25) and will continue to use its stage from the end of the last three days a week for the balance of the summer.

Reason advanced for new policy is weakness of screen product and general apathy of local public toward pictures.

### Baynes Loses Attachment 'Suit on 'Thunder in City'

Warrant of attachment against the property of Atlantic Film Productions, Inc., and services of summons in connection with the \$300,000 suit brought against the British picture outfit by George McLeod Baynes, agent, were vacated last week by N. Y. Supreme Court Justice Samuel J. Rosenberg.

Baynes claimed Atlantic breached an agreement under which he was to arrange for the American distribution of the picture "Thunder in the City." Baynes avers he was instrumental in getting Columbia to finance the picture. He says the agreement with Atlantic he was to receive 10% of the gross.

### M-G Perking 2 Puck Pix

Toronto, June 21. Church parade, graduating exercises and parade ground maneuvers at Royal Military College were filmed by Metro production crew for inclusion in "Hands Across the Border," working title for a Robert Taylor picture, which will be directed by Harvey Hayslip, also included the dismembering of station of prom-trotters arriving for RMC's traditions. The crew has been shooting exteriors for a week. Script has not been written yet nor Taylor's wardrobe selected, says Hayslip, but Taylor will be a West Indian and the Canadian captain will be named Frederick. It will be filmed at M-G studios this summer. Picture will be released at "The Hot Holiday season and will resemble another hockey film which M-G has skidded for Clark Gable.

First go the full route, though it will be Warner, which will offer Jay Francis as a media in "Unlawful" in the final stages of filming. Republic within the month will go before the cameras. Dr. Judith Randall, with Frieda Inescort as its star, and RKO are also on the hunt for woman doctor sex-pis.

Gone Raker, 20th-Fox producer, is likely to be offered with a screen play titled "Talsipin," based on who drive planes through the air. Republic within the month will go before the cameras. Dr. Judith Randall, with Frieda Inescort as its star, and RKO are also on the hunt for woman doctor sex-pis.

More dramas of this variety will be added to the '38-39 lists of each major plant as soon as worthwhile vehicles can be uncovered.

### Loew Preps Another, Spikes Key Reports

Hollywood, June 21. David E. Loew started reading a new Joe E. Brown film, "Fishing With Friends," last week, putting an end to reports that he planned to revive the Columbia-owned "Fishing With Friends." Loew's present releasing agreement with Columbia winds up with the studio's releasing the picture. Whether the new picture through the same Loew depends on his grossing from "Cladonia."

### 'Gulliver,' Full Length Pcn-n-Inker, for Par

Hollywood, June 21. "Gulliver's Travels," new feature-length cartoon, was assured that week by a contract between Max Fleischer and Paramount. The cartoon requiring 18 months to make, will be for the 1939-40 studio schedule. It will be produced by Fleischer and New York to write script.







Ted Lewis Brings L. A. Par Back to Life

Local's still quite strong for recognized stage names when played in connection with films...

Aside from the Paramount big house, Joeette at the State and...

Estimates for This Week Chinese (Grauman-FWC) (2,024; 30-40-55-75) - Joeette (20th) and...

Downtowns (WB) (1,800; 30-40-55-75) - Blockade (WB) and Little Miss Thoroughbred (WB) dual...

Four Star (F.W.C.U.) (900; 40-55-75) - Monte Cristo (UA) and Cover Wagon (UA)...

Hollywood (WB) (2,738; 30-40-55-75) - Little Miss Thoroughbred (WB) dual...

Patrol (Param) (2,812; 30-40-55-75) - Age of Paris (UA) and City Streets (Param)...

Swiss Miss (MG) and stage show. After two months of street sound...

Rate (2,872; 30-40-55-75) - Age of Paris (UA) and City Streets (Param)...

Swiss Miss (MG) and stage show. After two months of street sound...

Rate (2,872; 30-40-55-75) - Age of Paris (UA) and City Streets (Param)...

Swiss Miss (MG) and stage show. After two months of street sound...

Rate (2,872; 30-40-55-75) - Age of Paris (UA) and City Streets (Param)...

Swiss Miss (MG) and stage show. After two months of street sound...

Rate (2,872; 30-40-55-75) - Age of Paris (UA) and City Streets (Param)...

Princess (CT) (2,300; 50-) - Joeette (20th) and Mr. Moto (20th)...

Orpheum (Ind) (1; 50) - Jericho (B'nt) and Sky's the Limit (B'nt)...

St. Denis (France-Film) (2,300; 50) - The Sign of the Cross (Param)...

HOLDA' \$15,000, DIGGERS' 0G, DETROIT

Town shot Detroit, June 21. Baseball doubleheaders working hard in game with good product...

Adams (Columbia) (1,700; 30-40-55-75) - The Sign of the Cross (Param)...

Madison (United Detroit) (2,000; 30-40-55-75) - The Sign of the Cross (Param)...

Michigan (United Detroit) (4,000; 30-40-55-75) - The Sign of the Cross (Param)...

Call of Yukon (Rep) and Lone Honor and Babe (WB) dual...

Rate (2,872; 30-40-55-75) - Age of Paris (UA) and City Streets (Param)...

Swiss Miss (MG) and stage show. After two months of street sound...

Rate (2,872; 30-40-55-75) - Age of Paris (UA) and City Streets (Param)...

Swiss Miss (MG) and stage show. After two months of street sound...

Rate (2,872; 30-40-55-75) - Age of Paris (UA) and City Streets (Param)...

Swiss Miss (MG) and stage show. After two months of street sound...

First Runs on Broadway

Week of June 23 (Included in Variety, April 20) Capitol - Reformatory (Col) (25)

Muscle Hall - (2) (Included in Variety, May 18) (25)

Rialto - Gun Law (Faz) (25) (Included in Variety, May 18) (25)

Strand - Banners (25) (Included in Variety, May 18) (25)

Revue - The Rage (U) (1) (Included in Variety, May 18) (25)

Loeb - We're in Current Issue (20th) (2)

Paramount - The Rage (U) (1) (Included in Variety, May 18) (25)

Loeb - We're in Current Issue (20th) (2)

Loeb - We're in Current Issue (20th) (2)

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Loeb - We're in Current Issue (20th) (2)

Conventions No Help to Frisco Biz; 'Blockade' Big 11G, Diggers' N.G. 0G

'Blockade' (UA). Typical summer takings at under \$7,000. Last week 'Crime School' (WB), as expected...

'Blockade' Cracks Cincy for \$13,000; Shubert Shutting (Col) (dual) drew only \$1,500...

Trade for the principal big parlors continues an okay level. 'Loeb' at the Palace is the big pacer...

Golden Gate (RKO) (2,850; 35-55) - 'Everybody's Doing It' (WB) and 'The Sign of the Cross' (Param)...

Orpheum (F&M) (2,440; 35-55) - Son of Sheik (All Star) and 'High Society' (Param)...

St. Francis (P-WC) (1,470; 35-55-75) - 'The Sign of the Cross' (Param)...

Rate (2,872; 30-40-55-75) - Age of Paris (UA) and City Streets (Param)...

Swiss Miss (MG) and stage show. After two months of street sound...

Rate (2,872; 30-40-55-75) - Age of Paris (UA) and City Streets (Param)...

Although 'Crime School' (WB) with conventioners, pie biz is still off...

Strongest of the new bills this week is 'Crime School' at the Fox and 'Blockade' at the United Artists...

Estimates for This Week 'Everybody's Doing It' (WB) and 'The Sign of the Cross' (Param)...

Orpheum (F&M) (2,440; 35-55) - Son of Sheik (All Star) and 'High Society' (Param)...

St. Francis (P-WC) (1,470; 35-55-75) - 'The Sign of the Cross' (Param)...

Rate (2,872; 30-40-55-75) - Age of Paris (UA) and City Streets (Param)...

Swiss Miss (MG) and stage show. After two months of street sound...

Rate (2,872; 30-40-55-75) - Age of Paris (UA) and City Streets (Param)...

Swiss Miss (MG) and stage show. After two months of street sound...

New Stadium Yrks

Buff. Mgrs.; Biz 'Dig Diggers' 7 1/2G

Theatre business looks like nobody's business for the current season...

Rate (2,872; 30-40-55-75) - Age of Paris (UA) and City Streets (Param)...

Swiss Miss (MG) and stage show. After two months of street sound...

'Toy Wife', \$6,000 Tops

Otherwise Dull Portland

All houses show a very good picture to slump. A Major. Boves came out...

Rate (2,872; 30-40-55-75) - Age of Paris (UA) and City Streets (Param)...

Swiss Miss (MG) and stage show. After two months of street sound...

'K'LYN BIZ OKAY

'Comrades' Deal Fair, 11G

Three money makers in downtown area. Loeb's 'Comrades' and 'Toy Wife'...

Rate (2,872; 30-40-55-75) - Age of Paris (UA) and City Streets (Param)...

Swiss Miss (MG) and stage show. After two months of street sound...

Mont'l B's Will in Heat; Taylor Bulls Good \$8,500

L'VILLE PIX, BIZ DULL; 'MICE' DUAL MID 5-6G

Rate (2,872; 30-40-55-75) - Age of Paris (UA) and City Streets (Param)...

Rate (2,872; 30-40-55-75) - Age of Paris (UA) and City Streets (Param)...

Rate (2,872; 30-40-55-75) - Age of Paris (UA) and City Streets (Param)...

Chi Disturbed by Loop's Profitt As Nabes Up; 'Crime School'-Chick Webb 24G, Kidnap OG, 'Nurse' 10G

There is a sharply declining interest in the loop... public; and this goes for the mercantile establishments...

This is particularly striking home with the loop... aggregate coin mark in years...

It is estimated for this week Apollo (B&K) (1,200; 35-55-85) 'Holiday' (Col.)...

'Man's Castle' Revival Big \$6,000 in Denver... 'Man's Castle' (Col.) (reissue) and 'The Hawk' (WB)...

'Man's Castle' Revival Big \$6,000 in Denver... 'Man's Castle' (Col.) (reissue) and 'The Hawk' (WB)...

'Man's Castle' Revival Big \$6,000 in Denver... 'Man's Castle' (Col.) (reissue) and 'The Hawk' (WB)...

'Man's Castle' Revival Big \$6,000 in Denver... 'Man's Castle' (Col.) (reissue) and 'The Hawk' (WB)...

'Man's Castle' (Col.) (reissue) and 'The Hawk' (WB)...

Simone Simon Mild \$6,800 in Omaha; 'Mice' 11G... 'Mice' (WB) (1,700; 25-35-55-85)...

'Mice' (WB) (1,700; 25-35-55-85) 'Crime School' (WB)...

'Crime School' (WB) and stage chick Webb (WB)...

'Kidnap' (WB) (1,200; 35-55-85) 'Nurse' (WB)...

'Nurse' (WB) (1,200; 35-55-85) 'Holiday' (Col.)...

'Holiday' (Col.) (1,200; 35-55-85) 'Crime School' (WB)...

'Crime School' (WB) (1,200; 35-55-85) 'Kidnap' (WB)...

fight pit held to expected \$1800 for 'Dance' (Goldberg) (650; 10-25)...

'Dance' (Goldberg) (650; 10-25) 'Marco Polo' (UA)...

'Marco Polo' (UA) (1,200; 35-55-85) 'Three Comrades' (M-G)...

'Three Comrades' (M-G) (1,200; 35-55-85) 'Holiday' (Col.)...

'Holiday' (Col.) (1,200; 35-55-85) 'Crime School' (WB)...

'Crime School' (WB) (1,200; 35-55-85) 'Kidnap' (WB)...

'Kidnap' (WB) (1,200; 35-55-85) 'Nurse' (WB)...

'Nurse' (WB) (1,200; 35-55-85) 'Holiday' (Col.)...

'Holiday' (Col.) (1,200; 35-55-85) 'Crime School' (WB)...

B'way Tepid; 'Blockade' Mild \$70,000, 'Grove-Norvo 32 1/2G, 'Mice' \$33,000, 'Robin Hood' \$13,000 2d Run, State 14G

roadway takes it between the eyes this week, with business in the downtown area away under average...

First runs getting the most of a small amount of patronage, but all disappointing...

'Blockade' (M-G) (1,200; 35-55-85) 'Holiday' (Col.)...

'Holiday' (Col.) (1,200; 35-55-85) 'Crime School' (WB)...

'Crime School' (WB) (1,200; 35-55-85) 'Kidnap' (WB)...

'Kidnap' (WB) (1,200; 35-55-85) 'Nurse' (WB)...

'Nurse' (WB) (1,200; 35-55-85) 'Holiday' (Col.)...

'Holiday' (Col.) (1,200; 35-55-85) 'Crime School' (WB)...

Patience (WB) (1,700; 25-35-55-85) 'Robin Hood' (WB)...

'Robin Hood' (WB) (1,700; 25-35-55-85) 'Crime School' (WB)...

'Crime School' (WB) (1,700; 25-35-55-85) 'Kidnap' (WB)...

'Kidnap' (WB) (1,700; 25-35-55-85) 'Nurse' (WB)...

'Nurse' (WB) (1,700; 25-35-55-85) 'Holiday' (Col.)...

'Holiday' (Col.) (1,700; 25-35-55-85) 'Crime School' (WB)...

'Crime School' (WB) (1,700; 25-35-55-85) 'Kidnap' (WB)...

'Kidnap' (WB) (1,700; 25-35-55-85) 'Nurse' (WB)...

'BLOCKADE' 6 1/2G, 'HOLIDAY' 9 1/2G, 'BALTO' 10 1/2G

Baltimore, June 21. Favorable weather and general interest to these spots over week-end...

'Blockade' (M-G) (1,200; 35-55-85) 'Holiday' (Col.)...

'Holiday' (Col.) (1,200; 35-55-85) 'Crime School' (WB)...

'Crime School' (WB) (1,200; 35-55-85) 'Kidnap' (WB)...

'Kidnap' (WB) (1,200; 35-55-85) 'Nurse' (WB)...

'Robin Hood' (WB) (1,700; 25-35-55-85) 'Crime School' (WB)...

'Crime School' (WB) (1,700; 25-35-55-85) 'Kidnap' (WB)...

'Kidnap' (WB) (1,700; 25-35-55-85) 'Nurse' (WB)...

'Nurse' (WB) (1,700; 25-35-55-85) 'Holiday' (Col.)...

'Holiday' (Col.) (1,700; 25-35-55-85) 'Crime School' (WB)...

'Mice' (WB) (1,700; 25-35-55-85) 'Crime School' (WB)...

'Crime School' (WB) (1,700; 25-35-55-85) 'Kidnap' (WB)...

'Kidnap' (WB) (1,700; 25-35-55-85) 'Nurse' (WB)...

'Nurse' (WB) (1,700; 25-35-55-85) 'Holiday' (Col.)...

'Holiday' (Col.) (1,700; 25-35-55-85) 'Crime School' (WB)...

Krupa's Cats Up 'Crime School' to 16G In Wash., Danielle Vamping Nice 10 1/2G

Washington, June 21. 'Crime School' (WB) (1,200; 35-55-85)...

'Crime School' (WB) (1,200; 35-55-85) 'Kidnap' (WB)...

'Robin Hood' (WB) (1,700; 25-35-55-85) 'Crime School' (WB)...

'Crime School' (WB) (1,700; 25-35-55-85) 'Kidnap' (WB)...

'Mice' (WB) (1,700; 25-35-55-85) 'Crime School' (WB)...

'Crime School' (WB) (1,700; 25-35-55-85) 'Kidnap' (WB)...

Mpls. Still Falling; Hepburn \$5,500, 'Yellow Jack' \$3,200, Blockade' \$4,200

Minneapolis, June 21. Grosses individually and in the aggregate are still sinking...

Estimates for This Week: 'Tie-Up Girls' (Par.) and 'Nurse from Brooklyn' (U.)...

Indiana, June 21. Valentine belongs to the past as far as the Hoosiers are concerned...

Port. Dito. 'Bluebeard' (Cooper) (1,600; 10-25-35)...

Estimates for This Week: 'Tie-Up Girls' (Par.) and 'Nurse from Brooklyn' (U.)...

Indiana, June 21. Valentine belongs to the past as far as the Hoosiers are concerned...

Philadelphia, June 21. 'Holiday' (Col.) is the only picture...

Acet' (U) and 'Numbered Women' (Mono) dual \$1,600, fair...

Philadelphia, June 21. 'Holiday' (Col.) is the only picture...

Philadelphia, June 21. 'Holiday' (Col.) is the only picture...

Philadelphia, June 21. 'Holiday' (Col.) is the only picture...

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Philadelphia, June 21. 'Holiday' (Col.) is the only picture...

Philadelphia, June 21. 'Holiday' (Col.) is the only picture...

'HOLIDAY' FINE 17C IN DISPLAY

Philadelphia, June 21. 'Holiday' (Col.) is the only picture...

Philadelphia, June 21. 'Holiday' (Col.) is the only picture...

Philadelphia, June 21. 'Holiday' (Col.) is the only picture...

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Philadelphia, June 21. 'Holiday' (Col.) is the only picture...

Future of Harold Orlow productions in feature film field along the Atlantic seaboard will depend on the success of the initial try...

Besides the stress to be placed on audio-visual education at the National Education Association meeting in New York...

When George Hayes, veteran western character actor, stopped off at his home town, Wellsville, N. Y., on his present visit to the east...

Charges that Governor Esterl of Pennsylvania and certain state and Democratic party officials allegedly, among other things, had conspired to collect \$100,000 for passage of the Penny Sunday film bill...

Employees of Radio Corp. and National Broadcasting campaigning to influence Senator Rockefeller's plan to amend the antitrust act...

Who is who in 'As You Are' is causing Republic studio execs to go in for extra supplies of aspirin, argaret Tallchett was borrowed from Selznick with the understanding that she would have the femme lead...

Out of deference to European opinion, the villain in 'Bulldog Drummond' in Africa has been changed from an Englishman to an American...

Downtown reports are that cer in the old Orpheum Circuit studios holders plan to bring a conspiracy suit in N. Y. supreme court against former owners in RKO and their financial interests...

All arner news, feature and art services will emanate from the Burs bank studio hereafter instead of from the home office, S. Charles Einfield, advertising and publicity head, has advised editors of mags and news...

Catch-grabbing rules at the Paramount studios were tightened last week with orders to bar all visitors without the sanction of Adolph Zukor, chairman of the board...

Keeping the spotlight on Sonia Henes skating on 200-foot rink was solved by Johnny Mesall, chief cameraman on 'My Lucky Star' at 20th Fox...

Clayde Elliott, shooting exterior in the alayan jungles for Paramount's 'Boobie', discovered the natives were blacker than they were painted...

New super-speed picture negative is being used in the production of Samuel Goldwyn's 'The Lady and the Cowboy' at a heavy saving in electrical costs...

Harry M. Warner blasted the other producers for alleged film 'hoarding' in the statement that the WB gross picture is the only business for which holding sturdy product will more advantageous weather...

New London film company formed to make two pictures starring Elisabeth Bergner will be at a negative cost of \$450,000 each...

Fay's, Prov., Shutters; 'Holiday' Happy \$8,500

Providence, June 21. Fay's closed Thursday (18) for alterations...

Estimates for This Week: 'Cartoon' (Ray-McG.) (1,400; 25-30-50)...

Philadelphia, June 21. 'Holiday' (Col.) is the only picture...

Philadelphia, June 21. 'Holiday' (Col.) is the only picture...

Philadelphia, June 21. 'Holiday' (Col.) is the only picture...

Philadelphia, June 21. 'Holiday' (Col.) is the only picture...

Philadelphia, June 21. 'Holiday' (Col.) is the only picture...

Philadelphia, June 21. 'Holiday' (Col.) is the only picture...

'Blockade' Good \$4,700 In Seattle; 'Sheik' Pulls

Seattle, June 21. After a weather check the picture is slightly upward with theatres, but outdoors, including baseball and tennis...

Estimates for This Week: 'Blue Moon' (Hamrick-Evergreen) (1,350; 32-37-42)...

Philadelphia, June 21. 'Holiday' (Col.) is the only picture...

Philadelphia, June 21. 'Holiday' (Col.) is the only picture...

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Philadelphia, June 21. 'Holiday' (Col.) is the only picture...

Philadelphia, June 21. 'Holiday' (Col.) is the only picture...

Philadelphia, June 21. 'Holiday' (Col.) is the only picture...

WB's Accessory Meets

A series of regional broker and sales conventions is planned by Warner Bros. for July, first to take place in New Orleans...

Philadelphia, June 21. 'Holiday' (Col.) is the only picture...

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Philadelphia, June 21. 'Holiday' (Col.) is the only picture...

PAN BERMAN'S COUSIN

Morton Lefkowitz, 22-year-old graduate of University of Pittsburgh this week, leaves in two weeks for New Orleans...

Riter, GN Exchanger

Bill Riter, 31, who has been in local branch manager for Grand National Pictures since June 27, Peckay recently resigned...

# RESULTS

Artcinema Associates Inc.  
*Seven Twenty Nine Seventh Avenue*



June 20th, 1938

Variety  
 154 West 46th Street  
 New York City

Gentlemen:

The revival of Rudolph Valentino in "The Son of the Sheik" has met with such sweeping success that you will doubtless be pleased to know about the results obtained from our advertising in the trade press and, particularly, from our ad in Variety on June 8th. Of course, the picture is great too!

While our advertising was necessarily limited, the response in point of speed and volume of replies was astonishing. No less than 750 requests for bookings were received during the ten days after our first ad appeared.

The campaign was "broken" in Variety. During this period approximately 350 deals were contracted, largely as a result of advertising. Every state in the nation was represented. A check-up of the returns established conclusively that the ad we ran in Variety brought immediate results not only in important key situations, but in the remotest rural districts as well.

I shall be glad to supply you with a summary of these engagements, many of which are now playing.

I believe credit should be given where credit is due in view of the results our advertising achieved in the face of sluggish box-office conditions.

Very truly yours,

*P.S. - By the way how soon (after) publication does Variety reach England - I'd bunch of cables arrived from there last week?*

!   
 \*Variety is the only nationally—and internationally—circulated trade paper Mr. Jensen has used to date

# After Razing Allied Members For Backing, Indies Re-elect Steffes; Give \$500 to Atteny Fight

Minneapolis, June 22.—Several officers and a number of members of Northwest All... still are smearing under a verbal lash... Steffes at the convention here for alleged betrayal and doubling-crossing of the independent exhibitors' organization.

The perjury consisted of voting to support the Neely bill and then according to film exchange managers and salesman's requests to write letters opposing the measure... using their influence with state legislators to defeat the theatre divorcement bill sponsored by the Steffes... and buying percentage pictures and making deals for new-season product when the organization was on record against such procedure.

Sparing no punches, Steffes denounced these members as traitors for their actions and accused others of cold feet and called them yellow for failing to appear in person... to testify in the trial of the North Dakota theatre divorcement law.

Except for independent exhibitors' own cowardice and treachery, Steffes insisted, the Neely bill would have passed. It is this record... the Minnesota theatre divorcement law would have been enacted and a "show-up" would have been made by the defense in the divorcement law trial.

After Steffes' violent attack on the "gully" officials and members he was unanimously re-elected president... Members took the floor and expressed indignation that exhibitors should check in blindly and clock them to obtain a line on their business.

Anti-Percentage Pix Going on record in opposition to percentage pictures was actually declared to demand a reduction of at least 25% in 1938-39 film rentals... Members took the floor and expressed indignation that exhibitors should check in blindly and clock them to obtain a line on their business.

cial cooperation." After it was seconded, however, it was withdrawn and the motion on re-electing Steffes to continue in existence. Steffes professed that the body would be "handed" to the public... his history by far, despite heavy expenditures for legal services the past year.

Par's Cut.—The Paramount circuit's out-raise sale of theatre tickets in Duluth... 40 tickets for \$1 and six \$30 tickets for \$1—and in other cities, redeemable until next March, was assailed by Steffes... to protest and to notify John J. Friel, Paramount circuit general manager...

The body went on record to sponsor a theatre divorcement law... in the next Minnesota legislature soon to convene, but failed to get on its feet... it successfully backed at the last session.

Acting to halt further theatre contention in the territory, the organization voted to have the president appointed a committee to investigate the need and necessity of new theatre... in every situation which had arisen and where a threat is threatened.

Film salesmen, acting on branch managers' instructions, if they are charged, have been trying to promote new theatres in situations where they were taken to combat "free shows, which, it was declared, are increasing in the territory with the passage of the film law... Minnesota Screen was notified that members will buy trailers only individually...

Warner's loss was taken to court for holding out four pictures proposed for this season with the idea of charging higher prices in 1938-39 contracts.

## 20th-Fox's H.O. Pub-Ad Dept. Into New Bid.

Twentieth-Fox has acquired the building housing the Catholic Boy's Club... 5600 N. Hennepin Ave., Minneapolis... adjoining the 20th office and will make it the headquarters of the advertising and publicity department.

"The 'Em Back Shootin'" "The Holywood, June 21.—Roy Rogers' new picture, "The Return of Billy the Kid," starting July 15 at Republic... with Lynn Roberts in the female lead. Rogers is now on a p.a. tour.

# U. S. Stymies Bobby Jones

Macon, Ga., June 21. Federal Judge Bascom S. Deaver laid Bobby Jones another setback... Wednesday (15) denying Atlanta's famous golfing champion a permit to travel... \$55,000 in income taxes alleged to have been illegally collected... Jones' first attempt to recover his \$50,000 claim in February and only alterations in Judge Deaver's first decision and his findings last week were several modifications of minor details in his original findings... Jones is expected to carry case to U. S. Court of Appeals.

# Amus. Issues Share in the Market Rise

Amusement shares participated in the second better of the million share day in the stock market yesterday (Tuesday), when numerous shares of the industry were recorded Monday to 1 to 10 points. Most frequent advances were 1 and 2 points. Amusement 1st preferred was the most sensational, with a 4-point climb. General Theatres, Rodco preferred and Loew's 20th-Fox was unusually strong Monday but tumbled out yesterday. Eastman Kodak was up 1/2 points. Nearly every amusement stock participated in the advance. Columbia Broadcasting A stock was up a full point.

# PAR MAY MAKE A NEW DEAL FOR MINN. MPLS.

Although abandoning the theatre under a conciliation clause in the Minnesota, Minneapolis, one of the largest de luxers in the country, seating 4,000, has been a white elephant for some time... Minnesota Screen was notified that members will buy trailers only individually... Minnesota Screen was notified that members will buy trailers only individually...

With Par closing its 4,000 Minnesota theatre June 21, it will be immediately in remodeling and improving another loop house. The Grand days for more than two years. Approximately \$40,000 will be expended in making alterations... Picture brings Glori wanson back to the screen.

## Bringing Gloria Back

Hollywood, June 21.—George Nichols' first job under the new year's producer-director deal with Republic will be "Lady in the Snow." Picture brings Glori wanson back to the screen. PETE SMITH'S FIVE-TO-GO With stints completed, Pete Smith has set five more to wind up his midyear production program. Next to go are "Ace for Mercy"; "Football Rules"; "Weather Reports"; "The World's Greatest"; and "The World's Greatest with the new T. Falomar telecast.

# Hollywood's 5-Day Week

(Continued from page 7) recalled. They insist many free actors now work from 12-16 hours.

Raising the Reclassification of wage scales for extras as demanded by the Guild will vary in amount to abolition of the \$5. Union. Latter would apply only to miscellaneous group of \$5. Union. Latter would apply only to miscellaneous group of \$5. Union. Latter would apply only to miscellaneous group of \$5.

Demanded arbitration was accepted by producers and representatives of 20 studios who had named negotiators to represent them. Murray Kinnel, treasurer of the SAG, has been named as arbitrator for the actors. Since there are 72 signatories to basic minimum contract between producers and the SAG, the arbitrations may last 12 months. Some amount is reached to consolidate the cases or accept the first arbitration as a precedent.

Following meeting of producers, this statement was issued: The committee might to discuss the matters under consideration by committees representing the motion picture industry and the Screen Actors Guild, producers who are signatory to the Producer-Screen Actors Guild Guild has abandoned negotiations by-committee and has decided to arbitrate the arbitration. Notification of the Guild's decision was placed in the hands of the arbitrator... called to confer on various points under dispute.

Choice Up Sides The producers and Guild each will name a arbitrator... then select a third, and in the event they are unable to agree, the third arbitrator will be named by the American Arbitration Association.

The Guild said all points possible for arbitration will be arbitrated... clause of contract will be arbitrated... If the committee cannot reach an agreement, either committee may demand arbitration on the following subjects: 1. Minimum salaries for extras, day players, stunt men and stock players.

Hours of labor for actors receiving \$500 week or under. This includes actors employed by the day receiving \$25 per day... Petition filed by riders, character actors and extras challenging jurisdiction of Screen Actors Guild will be dismissed by the National Labor Relations Board for lack of prosecution. Dr. Towne Snyder, regional director of the NLRB, said he had been unable to locate Don Larkin, who was named as arbitrator.

Screen Directors Guild has announced it will not surrender jurisdiction of studio unit members to the Theatrical Managers, Agents and Treasurers Union. Hal Over, international secretary of the union, stated TMU would claim unit members and studio publicity writers.

Only Approved Benefits American Federation of Radio Artists has adopted resolution prohibiting members from working in benefits unless sponsors of latter have signed contract with Theatre Guild. Norman Felt, executive secretary of AFRA, has been appointed to represent organization on the Motion Picture Artist Guild 664.

has unanimously nominated Herbert Sorrell for reelection as business manager of the organization. Other nominees are, for president, Jack Holen, incumbent Howard Miesner, Stanley J. Kinsler, general treasurer, James Canfield, asx Anderson, Otto Geiser, Tony Stich; conductor, Joseph J. M. Norman; secretary, trustee, Oscar Dethloff, Charles Lee Beau. Election is scheduled for June 27.

Pat Casey, producer labor contact, trained east last week for conferences with international heads of various regional federations, over in Chicago for chat with William Bluff, personal representative of the International Alliance of Theatrical Stage Employees.

# EXHIBS POOL IN OHIO TO BLOCK TAX 'TILT'

Canton, O., June 21. The Independent Theatre Owners and theatre men from all sections of Ohio are planning to block legislation increasing the admissions tax at least threefold, following a survey of the regional directors of the National Labor Relations Board showing favoritism to CIO unions.

The committee recommended that municipalities in local subdivisions be permitted to pay their share of Ohio's \$100,000,000 relief burden the remainder of the year by levying local excise taxes. Two industries which would be hardest hit by the passage of such legislation are the theatres and utilities.

Legislators conceded that committee report will have an effect on the local subdivisions which the general assembly will take in solving the relief problem. The Ohio exhibitors are planning to bring of permit loan to municipalities to issue bonds against anticipated decrease in admissions tax. The committee has this practice, branding it "mortgaging of the future."

# Scott Again Heads Jr. Directors' Guild

Philadelphia, June 21. Income from chain store and theatre tax has been reduced to a mere 10% of the collections of 40 large firms. State had appropriated \$1,500,000 for raises for school teachers.

Hollywood, June 21. Harry Scott was re-elected president of the Junior Screen Directors Guild... Holdovers are Sid Jopet, treasurer, and... displaced Louisa Hough as vice-president. Unit managers named three new directors, while other groups stood pat on current slate.

# Allied's Albany Contab

Albany, June 21. Allied Exhibitors held the first of a series of up to organization meetings at a local hotel Monday (27). The first trial session agreed to cooperate with the New York group and discussed a legislative program... including the Neely bill.

Mac Cohen, owner of eight New York houses, presided. Attorney Harry C. Koch of New York spoke. Watson's Coast Tri William Watson, director of shows for Educational, left Tuesday (21) for Hollywood with his wife. Willing to depart precariously via Detroit and Canada. Uncertain outlook for the Long Island show, attending agreement may or may not bring Watson back in the fall. He directed three of the Long Island shorts, that visited up the present.

## New South Wales Gov't Sees Quota Unconstitutional; Seeks Substitute

Government of New South Wales apparently is convinced that the current quota law is unconstitutional, according to word received in New York. Consequently, it looks as though this statute covering production and another passed. An effort is being made to speed the passage of new law because of pressure from Australian producers who plan sell quota films to American firms.

New law would be the third attempt made in New South Wales to formulate a workable quota. One in 1937 was a only worded and unenforceable, in the opinion of industry people. It was supplanted about six months ago by the present quota act. American companies, declaring it was unconstitutional, refused to fulfill terms.

Latest measure will not only be comprehensive in scope, but there is no longer any doubt that it will be also the likelihood that it will be in force in several months, rather than the preceding ones.

Virtually all producers of New South Wales re quate that a workable law may be enacted, because of impetus it will give to local industry making. Last year, when in view, already has his bid in with several U. S. companies to turn out their quota requirements.

## NEW THEATRE BLDG. LOOMS FOR SO. AFRICA

Capetown, June 3. Canning activities in South Africa's theatre field were outlined recently by Otto Bolle. Besides these here, the building of new theatres will be constructed, although exact locations have not been disclosed.

Initial 20th-Fox theatre at urban is set for opening Aug. 15. The Capetown house is scheduled to open in May next year. In addition, considerable building activity, these coming after several years of surveying conditions in South Africa.

Johannesburg, June 3. No official information is coming from African Consolidated Theatres relative to current theatre activities of 20th Century-Fox in South Africa. I. W. Schlesinger is reported to be organizing the American company's plans to build theatres, which naturally will be in open competition to African Consolidated in this territory. Latter firm has pretty much done in the South African field for years.

Washington, June 21. Establishment of a chain of picture houses in South Africa is planned by a prominent American producer, according to word from the American Trade Commissioner at Johannesburg received Saturday (18) by the Department of Commerce. Major film theatre will be constructed in Johannesburg, Capetown, Durban, Port Elizabeth, Pretoria, East London and other cities throughout the continent. Chain will be built by independent interests with the unassisted American firm related solely in distribution.

German Wiener, home office representative, leaves for Sydney, June 22, in connection with the building picture theatre in Perth and Adelaide. Left Chicago last week, and sails from Los Angeles for Sydney.

Ties for the new Australian houses for M-G were passed on and general setup for construction approved by Arthur Low, head of Metro's international department, on recent visit to Australia.

Reisman Arrives 27th. Reisman, RKO foreign sales manager, is due back in the U.S. June 27 after a trip through the South American key points. He is sailing Friday via the liner "Carnegie" to the middle of last m

## Associated Has Deal With Empire to 1940

Sydney, June 6. Associated Talking Pictures has a contract covering production in connection with British Empire Films until 1940, according to Sid Greisman, ATP local rep. Greisman is at present making a trip throughout Commonwealth, at the same time watching premiere in see spots of George Formby's latest pic, 'See Joe', which is going over the Greater Union circuit.

Formby is regarded as the best British h.o. bet since Gracie Fields.

## JAP COM DEAL ON THE VERGE

Although a break in the Japanese conundrum for film is anticipated by American picture companies and the Motion Picture Producers & Distributors Association, confirmation of a pact had been received in New York by late yesterday (Tuesday). Transmission of proposals and counter-proposals between the motion picture association and Japanese authorities in Japan has reached a point where the latest ban-lifting plan has been shifted back to Japanese authorities.

Most important thing U. S. distribution companies want is a pact permitting the admission of additional features to Japan. Tied in with this plan are several proposals for allowing coin to leave that country, though it may be three years before the money actually is allowed to be withdrawn.

Recent discussions by member companies at the Mays office sessions have centered about the amount of money which eventually will be taken out of Japan and how it is to be proportioned as to pictures, features and shorts.

One company, with only a few high-quality pictures, has been over what constituted a release.

Another company, with only a few high-quality pictures, has been over what constituted a release.

Joe Hummel Due July 6; Epstein Already Back. Joe Hummel, Warner Bros. general foreign sales manager, due back in New York July 6 from his month's cruise through the world territory. He leaves France June 30 for the U. S. Visited Australia, Japan and other numerous European countries while on this trip.

Joe Epstein, Warner's foreign branch manager at Trinidad and the British West Indies, arrived in New York last week for a home office conference.

## Near East Breeding

Portonhoring marriage of Princess Fawzi, eldest sister of King Farouk, to Prince of Iran, has meant a lot of things to both countries. Among the immediate results are: a new source of oil, and dearie feelings between Teheran and Cairo.

At a special session the other day Council of Ministers decided to allow Mahmoud Eff. Handy and his wife, Mme. Bahiza Harat, owners of the Egyptian Film Company, a total of \$100,000 to enable the company to produce the Arabic film entitled "The Children of Saba" (Daughter of the Desert).

## U. S. FEATUERS TOTAL \$6,000,000

Quota Law Wor as Intended—Denham, as Pine-wood, Elstree Again Active—Men Back to Work—Sharing Basis—Few Quicksies.

## SEE NEW ERA

London, June 14. Despite the current prevalence of cooperative or sharing production activity in British studios, the film industry is looking up. Great Britain. Stages at Denham, Pinewood and Elstree are alive with activity and many studio workers are employed again. Revived picture activity is attributed to the new quota law, which has begun put British production back on its feet, as intended.

Newspapers in England are proclaiming a new era of British production, especially in the feature field, being that 10 high-budget features, admittedly being turned out on this front.

## WAGE CLAUSE STUNS FILM PRODUCERS

London, June 16. Recent House of Commons debate on interpretation of the new wage clause in the new films act gave producers a stinger. That, during certain Parliamentary interludes, particularly the labor sect looked askance at co-op and sharing methods adopted by many units as a means to evade the law.

Full committee of Film Production Employers' Federal at combined several hours on the situation. Seeing no immediate way out, it voted to ask advice of Board of Trade on effect of the wage clause.

Films set definitely stipulates percentages of labor costs to be paid to British subjects. It also appears that product on credit or on shares renders ineffectual exact estimating of costs involved per picture.

Federation is also worried by wage agitation by unions representing laborator workers and production personnel over an hourly wage rate. Drafts of standard collective agreement relative to increase allowances have been submitted to the labor unions and documents covering letter to the technical staffs are in process of drafting.

## Aussie Unit to Distrib Religious Films as Church Attendance Hypo

Melbourne, June 6. Unit has been formed to supply similar films to churches of all denominations to increase attendance. It is reported that religious piety is being produced by the Religious Film Supply of London, and the local unit has secured the Australian rights of such productions for its territory. Understood that equipment and films will be supplied to churches at a very reasonable rental. Such churches installing their own projectors may rent suitable pictures for a few dollars weekly from a central office.

Advisory committee has been formed covering the states. Creation of a central office to include member an

## British Fear Admsh-Cutting War: Back-to-Pix Drive as Alternative

## No Oversteering

London, June 15. Showing of films in a Liverpool church has brought back to us galleries used for 100 years. Now, following popularity of screen services, church has had to be re-lighted and reconstructed, and at times shows have drawn capacity houses of 15 to 20 with 600 estimated turned away.

Facts were given by Canon A. L. Shields, the vicar, at summer school organized by Religious Films Society.

## EXHIB-DISTRIB TALKS AT CRUX

Joint negotiations between exhibitors and exhibs are likely to enter new phase, with Cinematograph Exhibitors Assn. now pressing for scope of talks to embrace over leasing of theatres. Cinematograph Renters' Society (British) has already agreed to discuss rental terms to be demanded of small theatres, and has signified willingness to meet C.E.A. committee on this angle.

Due to great secrecy on both sides as current situation, optimism is deferred when parties sank their differences on grading and film hire has not become somewhat of an assumed relations to be in a tender phase, where a false movement might induce further breaking off of negotiations.

Although it was expected the peace pipe will be in constant contact, only one meeting has been held since the peace pipe was handed round, and no clear indication exists when another round-table assembly can be penciled.

C.E.A. has long been pressing for K.R.S. support in its struggle to check indiscriminate construction of new theatres, which, it is widely held, may be the key to whole question of high rates of film hire. Exhibs contend no advantage would accrue to them if lowering of scales induced fresh speculators to enter the field and compete for the product as it hails at present enjoying a fair market.

As the association sees the situation, a saturation point for total of theatres must first be defined by mutual consent. After that, any campaign to give exhibs a little more of the gravy would be entirely beneficial in meeting new avenues of outside income.

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business recession in Great Britain may result in a landslide in admissions figures. Exhibits and distributors continue to dispute over their respective shares of the boxoffice on a hardy street scene, with proposals for a back-to-films campaign. But a more urgent fear is that individuals will set the snowball rolling by panicky price-slashing.

Cinematograph Exhibitors' Assn. has on previous occasions exerted sufficient pressure to avert the menace. But with the general level of patronage down 20% or more on normal attendance, excessive stress has been placed on the loyalty of members. Result is that assn. officials feel a rush to bargain as a panacea for a wilting box.

First crack in the structure has been forced by Stax theatre, in Kingsway, where drastic cuts in admissions have become operative, reducing the top by 80%. Instead of selling down from 80c, changes will begin at 30c, only two grades of cheaper seats being unaffected. Cut applies to almost two-thirds of theatre's capacity and is first time any nearby West End house has resorted to such means of maintaining patronage.

Still theatre is in membership of C.E.A. and the members of the exhibs for follow members by its policy of two super pictures, sometimes three, in a programme. In this time, however, any protest or agitation is unlikely. Many members are now waiting to jump in with price-slashing.

Chances are that where most exhibs are concerned, the distrib, through the Cinematograph Exhibitors' Society, may protest, any tampering with admissions. As sharing is not a new thing, exhibs have the right to veto adm cuts. But while such restraining influence might operate, exhibs will continue to have no check on exhibs who hire product at flat rates.

## 2 MEX UNIONS SEEN IN CONTROL WRANGLE

Mexico City, June 21. Hard battle in the film industry here impending as a result of a row between Federation of Film Workers and Mexican studio workers' assn. Former demands exclusive control of all picture workers in the country. At present it controls exhibs and, while the production phase is pretty much sewed up by the assn.

Fed and exhibs have entered into all contracts with the assn., threatening a boycott on all their pictures if the middle is not obeyed. Boycott is ready to be called by the assn. scale against two home-made. Industry has appealed to the Confederation of Mexican Workers, C.E.A.'s strongest labor organization, which has jurisdiction over both the fed and the assn., to end the row.

## 'Snow White' to Break London Run Record

London, June 16. 'Snow White' will run into its 17th week in New Gallery, is set to break the local all-time record for feature film of 20 weeks, picture, on statement of Arthur Jarratt, G-B booking chief, is set for at least a 20th week. Jarratt is taking it well past the previous all-time record established by 'Buildog Drummond' at the Twain.

Picture made for Metro by Jarratt and Dick Exhibitors, Jarratt also declares that, if business warrants, he will make a Disney film, 'Snow White' to break the previous all-time record.

For general reference, that this is a notable record, that 'Snow White' is still in leading place, that it has grossed more than any other picture in the theatre.

All-time London record still stands with the 'Ben-Hur', with 49 weeks at the Twain.

Amazing Dr. Clitterhouse

Warner Bros. release of First National... Amazing Dr. Clitterhouse... starring Edward G. Robinson...

The Amazing Dr. Clitterhouse was successful on the London stage and mildly so in New York...

The producers have retained the basic idea from the play—that of a veteran physician who specializes in the effects of crime on his patients...

But in many respects it is an outstanding feature film of the genre... The Amazing Dr. Clitterhouse is the excuse for carefully diagrammed gangster plots...

Added to a value lies in the teaming of Robinson and Claire Trevor... The Amazing Dr. Clitterhouse is the excuse for carefully diagrammed gangster plots...

Robinson, in the role of the criminal mentor, is at his best... The Amazing Dr. Clitterhouse is the excuse for carefully diagrammed gangster plots...

Part of the Scotland Yard inspector is adequately handled by... The Amazing Dr. Clitterhouse is the excuse for carefully diagrammed gangster plots...

John Westley and John Huston perform a difficult task in transmitting the play into cinematic form... The Amazing Dr. Clitterhouse is the excuse for carefully diagrammed gangster plots...

Anatole Litvak's direction opens a nice clip and holds a steady pace with suspense well developed and light comedy well sequenced... The Amazing Dr. Clitterhouse is the excuse for carefully diagrammed gangster plots...

LORD JEFF

Hollywood, June 21. Merit release of Sunn production... Lord Jeff... starring Edward G. Robinson...

Lord Jeff is loaded with boxoffice aim and is adequately advertised... The Amazing Dr. Clitterhouse is the excuse for carefully diagrammed gangster plots...

orphan boys of tender years for the responsibilities of seamanship and the glory that goes with Lord Nelson's Majesty's naval service... The Amazing Dr. Clitterhouse is the excuse for carefully diagrammed gangster plots...

Committed to the institution following his arrest as an accessory to a jewel robbery, the boy rebels against restraint and discipline... The Amazing Dr. Clitterhouse is the excuse for carefully diagrammed gangster plots...

Men Are Such Fools

Paramount production and release... Men Are Such Fools... starring Edward G. Robinson...

More familiar dramatic and comedy elements common to the emotionally disturbing situation of a careerist versus the sentimental hubby... The Amazing Dr. Clitterhouse is the excuse for carefully diagrammed gangster plots...

Priscilla Lane is a none too convincing steno who rises to business... The Amazing Dr. Clitterhouse is the excuse for carefully diagrammed gangster plots...

Monk Barrie, as the sardonic mentor-opposite to the career wife... The Amazing Dr. Clitterhouse is the excuse for carefully diagrammed gangster plots...

Woman Against Woman

Hollywood, June 21. Merit release of Sunn production... Woman Against Woman... starring Edward G. Robinson...

This is a well directed and intelligently acted comedy-drama about marriage... The Amazing Dr. Clitterhouse is the excuse for carefully diagrammed gangster plots...

Edward G. Robinson... Woman Against Woman... starring Edward G. Robinson...

Miniature Reviews

"Amazing Dr. Clitterhouse" (Columbia) Edward G. Robinson and Claire Trevor shine in a stonish-in gangster-sleuth

"Lord Jeff" (Columbia) Edward G. Robinson and Claire Trevor shine in a stonish-in gangster-sleuth

"Men Are Such Fools" (Paramount) Edward G. Robinson and Claire Trevor shine in a stonish-in gangster-sleuth

"The Main Event" (Columbia) Edward G. Robinson and Claire Trevor shine in a stonish-in gangster-sleuth

"Men Are Such Fools" (Paramount) Edward G. Robinson and Claire Trevor shine in a stonish-in gangster-sleuth

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"Men Are Such Fools" (Paramount) Edward G. Robinson and Claire Trevor shine in a stonish-in gangster-sleuth

FEUD OF THE TRAIL

Monogram release of Sunn production... Feud of the Trail... starring Edward G. Robinson...

Dustin destiny all the way for 'Feud of the Trail,' which has Tom Tyler in the lead... The Amazing Dr. Clitterhouse is the excuse for carefully diagrammed gangster plots...

Tom Tyler... Feud of the Trail... starring Edward G. Robinson...

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Tom Tyler... Feud of the Trail... starring Edward G. Robinson...

PHANTOM RANGER

Monogram release of Sunn production... Phantom Ranger... starring Edward G. Robinson...

There's action galore in this in... Phantom Ranger... starring Edward G. Robinson...

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THE MAIN EVENT

Columbia production and release... The Main Event... starring Edward G. Robinson...

Robert Marshall is the unhappy male who is completely surrounded... The Amazing Dr. Clitterhouse is the excuse for carefully diagrammed gangster plots...

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MEN OF THE SEA

Monogram release of Sunn production... Men of the Sea... starring Edward G. Robinson...

Men of the Sea... starring Edward G. Robinson...

Men of the Sea... starring Edward G. Robinson...

Men of the Sea... starring Edward G. Robinson...

Men of the Sea... starring Edward G. Robinson...

GUNSMOKE TRAIL

Monogram release of Sunn production... Gunsmoke Trail... starring Edward G. Robinson...

Gunsmoke Trail... starring Edward G. Robinson...

Gunsmoke Trail... starring Edward G. Robinson...

Gunsmoke Trail... starring Edward G. Robinson...

Gunsmoke Trail... starring Edward G. Robinson...

Gunsmoke Trail... starring Edward G. Robinson...

Gunsmoke Trail... starring Edward G. Robinson...

Riders of Black Hills

Rembrandt release of Sunn production... Riders of Black Hills... starring Edward G. Robinson...

Riders of Black Hills... starring Edward G. Robinson...

Riders of Black Hills... starring Edward G. Robinson...



**UNIVERSAL  
BUSINESS  
PICTURES  
FOR 1938-1939**

"A flexible program!...an exhibitors program!...New names will be added...New drawing personalities... to make each picture

up to the moment in every box-office way. We have only one guide... TODAY'S box-office."

**NATE BLUMBERG**  
resident Universal Pictures Company, Inc.



**3 DEANNA DURBINS**

**1** A sequel to "Three Smart Girls"... A story written (straight for the hearts of the millions who have been won to her... Cast, produced and directed with an eye for the charm and comedy highlights that are peculiarly Deanna's!

**2** "FIRST LOVE"... Deanna copes with love!... The girl and the moment of her life the whole world is waiting for!...Story now in preparation...carefully plotted to be Deanna's debut into romance—and a box-office party all around!

**3** The most important assignment the studio has ever had!... Every phase of the picture will see the inning qualities of a Deanna Durbin success... intensified... heightened to its utmost appeal for her audiences!



**2 DANIELLE DARRIEUX**

**THE REIGNING HOLLYWOOD STARS WITH HER!...**

Incomparable beauty who has already conquered half the world!... Whose picture **MAYERLING** broke all known records in this country... Whose **RAGE OF PARIS** is the talk of theatredom!... She comes to you in two pictures of compelling story excellence and unparalleled production quality!



## THE STARS, THE MEN, THE STORIES... THAT WILL MAKE 1938-39 YOUR RICHEST SEASON!

### A JOHN M. STAHL PRODUCTION

A career which has been highlighted by some of the greatest successes in the history of the industry—which has just given you **LETTER OF INTRODUCTION**—will rise to even more important heights with a production of sweeping drama... augmented by the leading stars and players of the day!



### AN EDGAR BERGEN AND CHARLIE Mc CARTHY

An amazed, delighted, and growing fan body can't get enough of them!... They've captured the world with their comedy... They'll tie it up solid with **LETTER OF INTRODUCTION**... They'll puncture every existing box-office record in the new season's production... with co-starring Hollywood luminaries and a tailor made laugh-power story!



### AN IRENE DUNNE

The screen's acknowledged mistress of emotional appeal and brilliant humor in a picture that will be the film event of the year... A production labeled for success in proportions of smash emphasis with patrons and at the box-office!



2

**JOE PASTERNAK  
PRODUCTIONS**

THE PRODUCER OF THE DEANNA DURBINS  
...THE PRODUCER WHO HAS NEVER FAILED  
TO MAKE A BIG MONEY HIT!



**"YOUTH TAKES A FLING"**

with JOEL McCREA • ANDREA LEEDS  
DOROTHEA KENT • FRANK JENKS

**"TROCADERO"** The drama and heart-thrills behind the Sunday night auditions at Hollywood's famous night spot with noted directors present—and the world listening in!



**MARGARET  
SULLAVAN**  
"SERVICE DE LUXE"

Written by F. Hugh Herbert, genius of originality, this will head for top honors as the most hilarious comedy romance of all screen-ti A story of girls who run the romance careers of young men by remote—but not uninterested—control!

**"THE ROAD  
TO RENO"**

starring  
RANDOLPH SCOTT • HOPE HAMPTON  
with HELEN BRODERICK  
• GLENDA FARRELL

Producer



2 **HENRY  
KOSTER**  
PRODUCTIONS



The same director of magical genius who put together 3 SMART GIRLS and fashioned the great 100 MEN AND A GIRL and THE RAGE OF PARIS is ready for the outstanding productions of his career to date... Pictures destined to strike pay dirt throughout the country and the world!

**THE STORM**

One of the most thrilling stories ever conceived for the screen! A perfect vehicle to capture the trend of present day interest! A girl with the surge of the outdoors in her heart and the souls of two men in her hands...to do with as she will!

**THE SUN  
NEVER SETS**

Adventure in human endeavor set against an empire spread three quarters around the world exotic romance and military diplomacy combined strange tale!

# 4 EXPLOITATION PICTURES!



# 4 COLLEGE SPORT PICTURES!

## WITH NATIONALLY KNOWN COLLEGE FOOTBALL AND BASKETBALL HEROES IN THE CAST!

Pictures that Young America—and old!—will dote upon . . . Stories following the exciting careers of the same group throughout their college year—and campus nights!



### TWO TO STAR JACKIE COOPER



### ONE BY ED SULLIVAN

columnist, wh  
corner of the glob  
ONE tied directly to a smash news ev

# 12 DYNAMIC-PACED PRODUCTIONS HUMMING WITH STORY-PLOT EXCITEMENT!

ACQUITTAL  
Pulsating, nerve-  
breathless drama!

PERILS  
OF THE NORTH  
The vagary of men and  
nature in the raw!

TRANSATLANTIC  
FLIGHT!  
Thrills today—so the world  
can come tomorrow!

CRAFT  
The rt Hughes' world ac-  
claimed story of today!

UNDER  
WESTERN SKIES  
Outdoor romance, a heart-  
full, a thrill-full!

NEW ORLEANS  
Life runs wild in the Mar  
Gras . . . love wilder!

WOMAN IN BLACK  
Glimmering beauty...  
a background of a  
table mystery!

# 4 CRIME CLUB PICTURES

Leading detective-mystery pictures, with powerful advertising and exploitation cooperation through Publishers Doubleday-Doran! Produced by LAWRENCE FOX and IRVING STARR.

## WESTERNS • SIX BOB BAKERS



in top man of all Westerns!

SIX ADDITIONAL WESTERNS  
ill sweep all rivals before it in

## SERIALS

FLAMING FRONTIERS with John Mack Brown  
BOY SCOUT ADVENTURES starring Jackie Cooper  
To be produced by Mac

BUCK ROGERS - From famous syndicate strip of same name!  
"RED BARRY" with Larry "Buster" Crabbe  
To be produced by BARNEY SARECKY

SHORT SUBJECTS • 13 MENTONES • 13 GOING PLACES  
13 STRANGER THAN FICTION 26 CARTOONS

COVERING THE WORLD'S NEWS FOR YOUR SCREEN!  
UNIVERSAL NEWSREEL ISSUES  
ICE WEEKLY

# BALANCE OF THIS SEASON'S UNIVERSAL TOP PRODUCT—NOW READY OR IN CUTTING!

## DANIELLE DARRIEUX DOUGLAS FAIRBANKS, JR. "THE RAGE OF PARIS"

AUER • LOUIS HAYWARD

ory and Screen

rnce Manning and Felix Jackson

CHARLES R. ROGERS, Executive Vice-

Pr ident, in Charge of Pr oduction

## A JOHN N. STAHL PRODUCTION "LETTER OF INTRODUCTION"

ADOLPHE MENJOU CHARLES

"CHARLIE MCCARTHY"

GEORGE MURPHY

## DEANNA DURBIN in "THAT CERTAIN AGE"

• JOHN HALLIDAY



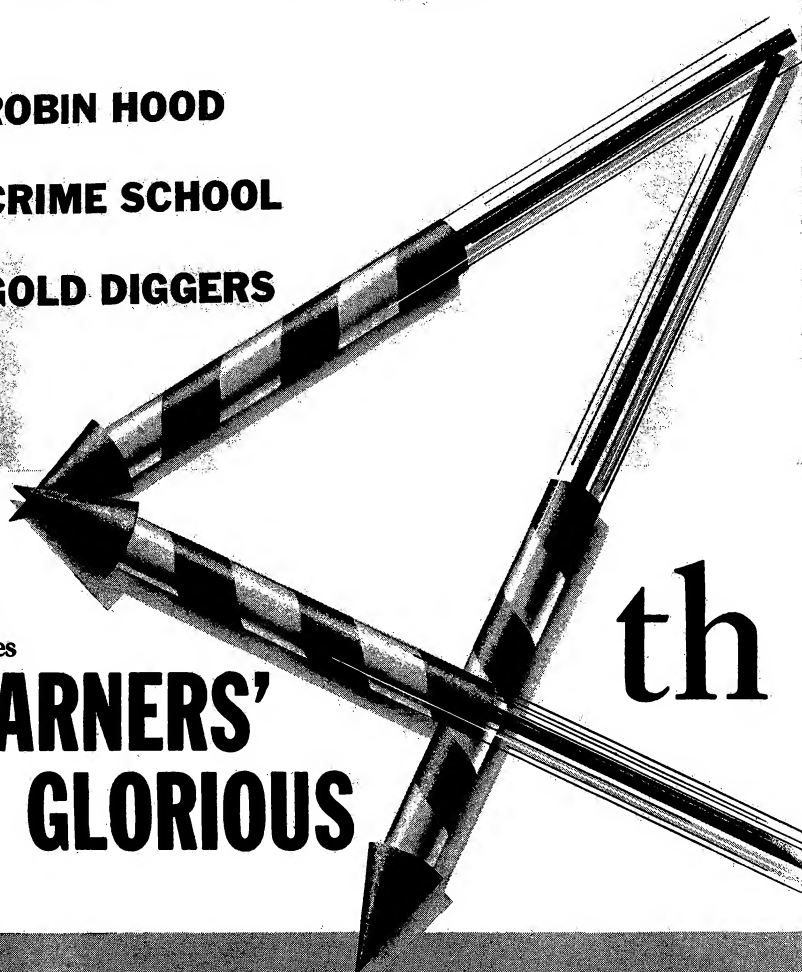
FILM BOOKING CHART

(For information of theatre and film exchange bookers, VARIETY presents a complete chart of feature releases of all the American distri companies for the current quarterly period. Date of the reviews as given in VARIETY and the running time of prints are included.)

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Table with columns: WEEK OF RELEASE, TITLE, W. MacDonald, Col., Meller, D. Terry, C. C. Coleman, Jr., G. B. White, R. Dix, W. V. King, and WHEN REVIEWED. Rows list film titles and their respective distributors and review dates.

- 1 ROBIN HOOD**
- 2 CRIME SCHOOL**
- 3 GOLD DIGGERS**



Now Comes

**WARNERS' GLORIOUS**

th

# White Banners

*From the Immortal Best-Seller and Cosmopolitan Magazine Serial by*

**LLOYD G. DOUGLAS**

*Author of 'Magnificent Obsession' and 'Green Light' . . . With*

**CLAUDE RAINS · FAY Bainter · JACKIE COOPER**

**BONITA GRANVILLE · HENRY O'NEILL · KAY JOHNSON · JAMES STEPHENSON**

*Directed by Edmund Goulding · Music by Max Steiner*

*Screen Play by Lenore Coffee, Cameron Rogers, Abem Finkel*

**A COSMOPOLITAN PRODUCTION**

# THREE ST. LOUIS STICKUPS; ONE IN AMBUSH.

William Hagen, assistant manager of the Avenue, East St. Louis house, was held up and robbed last week of \$88 receipts he was carrying. Hagen was taken to a bank for night deposit. Hagen, carrying the dough in a sack, was passing an alley when he was ambushed by whom flourished a cat, ordered him to lie face down on the ground as they matched the sack and the dough.

The stickup occurred just a short distance from the theatre and on one of the town's main thoroughfares.

The Big Apple in St. Louis County territory was held up a few nights later by a lone bandit who copied \$25 from the till and about \$50 from customers. Threatening the patrons with a gun the bandit forced them to get out the wall and take their money, made them lie on the floor.

Helen Menges, wife of Illinois State Senator Louis J. Menges, operator of several picture theatres in East St. Louis, was robbed of \$25 by two men who accosted her and two friends last week as she was riding her car on the highway.

At St. Louis, another stickup occurred in Fairview, a suburb of East St. Louis. Mrs. Menges suffered a brain shock and tonight is in St. Mary's hospital. No arrests made in any of the stickups.

## DETROIT, June 21.

Eighting an employee and leaving six others gagged, two thugs last night ambushed the Palace Theatre in Muskegon, Mich., of \$2,000 in weekend receipts and escaped. Contrary to reports, the robbers entered the theatre shortly before noon and forced four men cleaning up house into basement where they held them at gunpoint. Another employee, was slugged when he tried for help after walking in room.

When Martin Christiansen, Regent manager, entered theatre, bandits forced him to open safe containing the weekend box receipts and then tied him up in the wash room.

## Stickup Near Western

Three gunmen got about \$600 cash each when they held up the Reg (M&P) in Detroit, Mich., Sunday (19) night 3 1/2 after the red of the show. Police Commissioner Joseph F. Tompkins, who had left the house about 10 minutes earlier.

Assistant Manager Marvin Huban handed over the petty cash, but told the thugs that the manager, who had left for home, had a key to the safe chest containing the weekend receipts. Richard Crowley and Paul Sullivan of the front house staff and John Fitzpatrick, parking attendant, were jammed into a closet with Huban by the holdup gang when they left the manager's office.

# Pioneer Canadian Exhibit In Auto Fatality Jam

John N. Bae, 21.

Archibald J. Mason, proprietor of the Capitol, Springfield, Mo., a pioneer film exhibitor of the maritime provinces, is facing a charge of manslaughter as a result of a way fatality early on the morning of June 14.

Miss Stiles, 25, of Upper Napa, N. S., was killed by Mason's veteran fireteam at a street crossing. Stiles was seriously injured but is now expected to recover, although early reports were that she had died. The Mason car struck Stiles and Nelson, who were on bicycles. Mason directed traffic from a box on the corner, where a preliminary examination on the manslaughter charge will be held on June 22. The coroner's jury brought in a verdict of not guilty to blame either Mason or Stiles, but that the prosecutor had been dissatisfied with this lack of action, hence the manslaughter charge against Mason.

The question of Stiles enters into the case, as it is stated none of the bicycles involved in the fatality bore lights although all lights were on.

Mason was one of the first maritimers shown in turn to pictures, and was active in politics and sports in his home area.

# Carthay's Friendly Suit

Los Angeles, June 21.

Carthay Court Holding Corp., Landlord of Carthay Circle theatre, a Fox-Warner subsidiary, is seeking a court interpretation of a 10-year lease in a friendly suit.

Carthay's alert that the lease, running until 1944, provides for an annual basis of profits, for another clause calls for a quarterly basis of determining profit. Landlord demands \$4120 for four months in a test case.

# COOPER'S 25¢ ENDORSEMENT FOR THE MONTH OF FEB.

Lincoln, June 21.

An endorsement in Nebraska was handed the Union of Nebraska this week by H. Cooper, midwestern actor, to be split up into \$500 fellowships annually for worthy students.

Cooper named the fellowships in honor of two men with whom he had considerable business dealings which he recently discussed.

They will be called the John E. Miller fellowships, after one of the burg's best known educators, and the business administration college, the one in honor of Charles Stuart, founder of the town (St. Paul, Minn. which Cooper rents), in the College of Agriculture.

Each of these men served on the board of trustees for Cooper's \$1,000,000 foundation, which was established after several years of work for aid of underprivileged children.

Cooper, important in the midwest show business, has been active for more than 30 hours scattered over Nebraska, Colorado and Oklahoma.

# Press Profile

(Continued from page 5)

the picture editor. He has been fooled too many times and has decided that the element of truth generally is not involved. It merely means that these letters hit the headlines ahead of regular mail and the film company pays double in postage.

**Don't Bother With Heads**

Placing heads on publicity stories is wasted effort, too, eds aver. It merely annoys them and usually means extra work in cutting and preparing for the printer. One industry editor says that most movie picture companies would eliminate all such fancy trimmings and limit each publicity story to one line about the picture, with a publicity yarn, it would win favor with many eds.

Practice of clipping separate pages of publicity copy together with a metal clip also irks editors. And all view with suspicion the film story marked "exclusive".

One city newspaper ed bawling forth the novel suggestion of having all important publicity material placed in an envelope and addressed by a stenographer instead of being photographed. His objection was that this might salvage a few envelopes from the ashcan. He also cited the example of a newspaper paragraph, no matter how brief, had a better chance of an ing on the newspaper page than a headline. He stresses that a break with their attraction notices, than the long-winded story.

The editor estimated that two newspaper publicity letters per week by each company were sufficient. He cited the example of a minor company which uses only one page of copy per letter and seldom submits more than one picture. "This picture outfit gets the most breaks for that reason chiefly," Zimmond explained. "The picture company, he said, might help in getting lines in newspapers because they are generally are edited out anyway."

# Safron Wins Again

Los Angeles, June 21.

Leader in the drive to eliminate Gas Day will end next week, was Jerome Safron, western exhibitor. (Continued from page 10) whose six western branch offices won bonus awards.

Safron is one of our out of the five national drives since taking over the western management.

# Refugee Largesse

(Continued from page 1)

projection equipment for small Fox-Warner subsidiary. The Bianchi local travel agent who negotiated the deal, failed to disclose that the picture was being financed by a fund that 1,200 people including the D. C. Chapter of Italian War Veterans, would go on hand to applaud the picture.

Tolkins, an orthodox Jew, fully received the \$50 gift and suggested the picture be financed by the Italian Ambassador to the German refugee fund which cares for individuals persecuted by the Reichsfuhrer. Bianchi declared he could give the money to anyone or anything in the name of the Ambassador, but suggested Tolkins could give it to the fund himself.

Manager of the Riello replied: "The theatre was loaned presumably for the use of the Italian Ambassador and if the guests who wanted to see a motion picture and did not have the projection equipment to display it, they should have gone to the Ambassador to let the \$50 be donated in his name."

Asked Mrs. Louise Noonan Miller, co-director of the film house, had suggested that the Ambassador's friends might use a smaller theatre for the exhibition. The offer would be available after 11 p. m. This offer was turned down, however, because of the embassy officials.

Ushers seated in Fascist black robes and wearing military gaiters gave the Fascist salute to members of the embassy staff and the Italian Ambassador and Hitler and Mussolini were cheered by the audience.

"Later we found out that invitations had been issued to members of the Italian colony here, and that the invitations said the show was sponsored by the district of Columbia Chapter of Italian Veterans," Tolkins snorted in indignity. "How could we have been so stupid as to give money for such a Fascist demonstration?"

Five dollars is still kicking around until proper use of it can be made by one side or the other.

# NUISANCE SUIT OVER DRIVE-IN'S NOISINESS

Detroit, June 21.

Operators of Detroit's first Drive-in theatre, a market place, were fined five years' imprisonment or a \$2,500 fine as a result of the nuisance suit filed against them last week by residents in eastside district where theatre is operated couple weeks ago. Warrant for arrest after complainant submitted petitions signed by 3,200 residents in the area against the drive-in theatre, the noise issuing from sound apparatus is so loud residents are unable to sleep.

Named in warrant are Philip Smith, of Brookline, Mass., treasurer and principal stockholder in the Drive-In Theatre, Inc.; Marion Smith and S. Sidney Sloneman, of Brookline, and Emmanuel Kerland, Newton, Mass., directors; William J. Sobel, district manager, and Alden J. W. Royal Oak, Mich., the local manager.

# Detroit's Woodward Ave. Signs Go to Legal Test

Detroit, June 21.

After George Trendle, president of United Detroiters, rejected a compromise agreement, common council decided last week to proceed with its lawsuits to force removal of all projecting signs on wood Woodward Ave. Wrought Iron and Palms-State and the indie Fox Theatre, along with several smaller theatres, are the target.

Trendle again led the long fight against the city's action, petitioning the council to suspend the ordinance for at least three years. While denying petition, council did agree to postpone enforcement until July 1, 1940, provided owners remove their signs then without further litigation.

City officials insist, however, that the plan would not be acceptable, arguing that the ban on signs on Woodward Ave. would be a hardship on Park, does not take effect until 1940, after which property owners can remove their signs.

City officials also stated that the plan would not be acceptable, arguing that the ban on signs on Woodward Ave. would be a hardship on Park, does not take effect until 1940, after which property owners can remove their signs.

# Philly's Switch on Banko, Quizo, Held Legally OK; Other Spots Tabu

Philadelphia, June 21.

Pennsylvania Supreme Court on Saturday (18) for the second time returned a decision in a supposed case which would allow continuance of bingo, bank night and other games here and in other parts of the state to fall. High court acted on request of law firm of former Attorney General James J. Margolis, represented by Ross J. It has already turned down a request by Sam Robertson, operator of the Palm theatre, Margolis is considered an expert on lottery law and was called in to fight the decree of Judge Harry S. McDevitt in Common Pleas Court here banning the games. It was Margolis who succeeded in getting James J. Davis freed when he was charged with a lottery violation in connection with the Moose.

In the meantime four new games have been declared legal by the City Solicitor's office and numerous theatres are signed for them. Most popular is "Quizo," or the same thing, but tagged "Gussos," both put out by Dave Bourne of the former Philadelphia. "Quizo" will get a sneak preview tonight in three hours in various parts of the city.

Other games: "Hollywood Movie Stars Party," which pits celebrities against the public, and another which has been going on for three years ago by Dennis Games but never caught on strongly because of the same objection. Fourth of the new games is "Action Night," which paper money is used. The game is saved until patrons then buy at auction prizes offered on the stage.

## Louisville's Ban

Louisville, June 21.

Handbooks, church bingo games, and all forms of gambling were prohibited to the public-at-large, have come under the ban in an edict which was signed by Mayor W. P. McKeskin. He observed, this administration is loath to be quite liberal in its attitude toward gambling. He kept within the liberalism my agency. But in my brief period in office I have found that tolerance often is taken for license.

Handbooks have the tendency to proclaim themselves as gambling places with bill sheets, bill speakers and other paraphernalia. They have even invaded residential districts with these devices and have haunted their activities in the faces of those who are offended by such practices.

"We will not tolerate this conduct. As a start, we are going to assume that all of those churches and societies are operating bingo on a public scale. While on the subject of gambling I wish to state that churches and societies are operating bingo on a public scale. I am inclined to follow the policy of my predecessor (former Mayor Neville Mayor, now paid president of the National Ass'n of Broadcasters), and I wish to state that churches and societies are operating bingo on a public scale. I am inclined to follow the policy of my predecessor (former Mayor Neville Mayor, now paid president of the National Ass'n of Broadcasters), and I wish to state that churches and societies are operating bingo on a public scale.

Itally no profit and to prove that it was all in fun were presented, but the DA won the round.

Beginning Monday (13) and continuing through the week operators staged a campaign for business, using radio, handbills, newspapers and other equipment. The DA had last week of operation. In slipping down his order to close shop, the DA gave the boys 10 days which they used for merchandise and equipment.

Reading and Berks counties have been one of the major hotbeds of the fascinating fives of corn in this section and is one of the last holdouts. Surrounding counties cracked down several months ago.

Extent to which the game was played here is shown by the fact that several of the best operators devoted to the weekly gatherings.

In handing down his shut-up shop order, Ritzer said "This goes for civic, church, social and religious organizations. It includes Bank 'ight, Lucky and all 'at games."

## PHILADELPHIA

decision of Judge Harry S. McDevitt, who found that bingo and similar games were illegal. An appeal from this decision is now before the supreme court and if the holding is upheld, the games would be illegal throughout Pennsylvania.

# DIXIE EXHIBS CASCADING OK BALL

Richmond, Va.

Richmond, Va. exploitation has clicked for several exhibitors in southern Virginia. The eye-opening New York picture executives make the swing through the south.

Several exhibitors predicated their ballyhoo of features on the theory that the exhibitor would take care of themselves and that what exhibition they require is to be found in the elaborate home office campaigns. They concentrate their original campaigns on flat rental pictures and exhibitors are obviously making extra effort to put them over.

One theatre operator in a city of less than 20,000 centers his exploitation on some novel feature. The exhibitor claims that his patrons soon would catch on if deceived about his show. He had discovered that the campaign which is most successful is the one that creates the most excitement.

Typical of his creative exploitation was the campaign he put on when his new coupling plant was installed. Local theatres made a big bet by the refrigeration company. Instead, the exhibitor staged a contest offering a small cash prize to any patron attending and able to work up a lister in his theatre.

# Barovic Wins in Tacoma

Tacoma, June 21.

Following a suit for accounts receivable in Superior, Wash., has decided that the "Barovic" is the sole owner of the Barovic and Barovic was here, one in Puyallup, and one in Sumner. Barovic was here, one in Puyallup, and one in Sumner.

Pete Constanti, son of the late owner of the houses, contested Barovic's interest in the houses. Barovic's second runs as are the Puyallup and Sumner.

# BOB HUFEMAN'S WOE

Lincoln, June 21.

Troubles bunched Lincoln, Neb. Hufeman, city manager, is in a bad way. On June 18, he showed up from New York, Newark, N. J. Conner, the owner of the theatre, had been in Lincoln for some time and was suffering from summer animosity. One of his four theatres was in Lincoln and one in Lincoln.

# STARS

in the  
summer  
sky!



Leo's answer to your box-office  
now and in the hot weeks ahead!



Clark  
Gable



Myrna  
Loy



Robert  
Taylor



Margaret  
Sullivan



Luise  
Rainer



James  
Stewart



Freddie  
Bartholomew



Judy  
Garland



Mickey  
Rooney



Florence  
Rice



Franchot  
Tone



Robert  
Young



Frank  
Morgan



Mary  
Astor



Walter  
Pidgeon



Lewis  
Stone



Melvyn  
Douglas



Herbert  
Marshall

**THREE COMRADES** with Robert Taylor, Margaret Sullivan, Franchot Tone, Robert Young, Guy Kibbee, Lionel Atwill, Henry Hull.

**THE TOY WIFE** with Luise Rainer, Melvyn Douglas, Robert Young, Barbara O'Neil, H. B. Warner.

**WOMAN AGAINST WOMAN** with Herbert Marshall, Virginia Bruce, Mary Astor.

**SHOPWORN ANGEL** with Margaret Sullivan, James Stewart, Walter Pidgeon.

**THE CROWD ROARS** with Robert Taylor, Edward Arnold, Frank Morgan, Maureen O'Sullivan, William Gargan, Lionel Stander, Jane Wymán.

**LORD JEFF** with Freddie Bartholomew, Mickey Rooney, Charles Coburn, Herbert Mundin, Gale Sondergaard.

**FAST COMPANY** with Melvyn Douglas, Florence Rice, Claire Dodd, Shepperd Strudwick, Louis Calhern, Nat Pendleton, Douglas Dumbrille.

**LISTEN DARLING** with Freddie Bartholomew, Judy Garland.

**LOVE FINDS ANDY HARDY** with Lewis Stone, Mickey Rooney, Judy Garland, Cecilia Parker, Fay Holden.

**TOO HOT TO HANDLE** with Clark Gable, Myrna Loy, Walter Pidgeon, Walter Connolly, Leo Carrillo.







# ENTERTAINMENT WEEKLY

## BEGGING PROGRAMS

Just as some years ago the Fleischmann's Yeast pimple copy turned into a gag, half-ginger and half-nauseous, at now looks like the recent extravaganza of begging for sale, may create widespread public reaction to the Chase & Sanborn "appreciate Charlie McCarthy" campaign. Cer inly for the A and B homes, if not the C and D, the sloberly, sales-grubby and deadily-dull selling continually of the last several Sundays is a most a cinch to stir up reaction. Word-of-mouth comment is free already.

Radio is a great advertising medium—no doubt of that. ut, periodically the advertising agencies who run the show have to be reminded, it seems, that there is such a thing as common sense and good taste. The public does the reminding. Or the Government. In the thick fumes of their self-generated hot air, advertising men sometimes abuse their privileges. This latest rampage of sledgehammer "show your love by buying" is on the same radio program that, some months ago, had a bitter fill of violent public reaction to bad taste. All leading with the chin.

Individuals who "beg" or "int" or demand "gratitude" are among the least popular of mortals. Is this rule of human reaction to whiners not valid when applied to advertising?

Public gratitude may conceivably express itself in thinking favorably of those coffee brands that don't sour a popular entertainment with large doses of advertising chicanery.

## TALENT MGRS. SHUN BUYERS' MARKET

Some of the managers of radio talent express themselves as being anxious to enter into fall contracts this time. They figure that conditions being what they are, it's become too much of a buyers' market and that it would be better for them to stall along for another month or so when sponsors and their agencies will themselves get anxious about having their fall contracts made. It's a common theme for these talent agents to insist on knowing that the account is, at least, a long-haul or coverage will be before they do any price quoting. Also whether it's a seasonal program which will limit the act to a 26-week run, or what the opposition to the completed or contracted spot will be.

## If Present Deals Jell: Penner for Log Cabin, Baker with Colgate

Ben & Bowles is talking to Rockwell-O'Keefe, Inc. about placing Joe Penner under the Log Cabin Syrup banner this fall. Lyons & Lyons about timing up Phil Baker in Colgate-Palmolive-Peet. Baker has an entirely new idea for his next series and is figuring on spending as high as \$2,000 a year for a staff of writers to handle the Lyons & Lyons' asking price for Baker is \$12,500. Log Cabin show wouldn't start until the fall, John Nesch says. Baker's place on CBS Sunday nights, while Penner parls with Coconelli (R. B. Davis Co.) in a couple weeks.

## SEEK ADOLPHUS HOTEL WORKS FOR DALLAS SHOW

Dallas, June 21. Tracy-Locke-Dawson, local agency, has handled both the Pepper Co. and Adolphus hotel, is trying to bring the two together on a deal. It would be that the new Art in Century Room of the hostelry be made available for the weekly "Pepper Linger" program which the agency feeds out to a regional hookup of 24 stations.

Sunday (18) Don Bestor's orch., current at Adolphus, was used with WFAA talent on the program, which in this week the band will be used.

## Ben Rocke Mendi

Ben Rocke, indie program producer, has gone to the New Hampshire hills to recover from his lengthy illness. Expected back at his office in a few days.

been out for nearly three

## ONE-TWENTERS HAD LONGIVE SEASON

There Were 1,650 Different Persons on Commercial Programs During 1937-38 as Contrasted with 1,354 Year Ago

**MOSTLY EXPENSIVE**

Though variety type programs on the whole declined in number during the past radio season (1937-1938) the aggregate number of guest artists increased. These statistics from records of the Variety Radio Directory (Vol. II due shortly), emphasize that (1) a new guest artist list is an excellent programming feature, and (2) the increase in guest artists, despite a decline in variety program, shows a wider use of the single-timers, notably in dramatic and musical shows. In fact, the guest artist today is apt to be plunked into almost any type of show any time.

From June 1, 1937, to May 1, 1938, the commercial network program hired a total of 1,650 different guest artists, as opposed to 1,354 in the previous season. The 1,650 performers made 2,882 guest appearances, the difference in totals between performers and appearances being due to the fact that 489 artists made more than one appearance. In the previous season the 1,354 performers made 2,438 appearances, with 402 of the performers garnering multiple jobs. During 1937-1938, variety shows a wider use of the single-timer. She made the rounds of 16 different stanzas.

These figures, incidentally, include only bona fide guest artists, and do not count in amateurs or audience-participation mike-huggers.

## CBS Scouting New Competitive Tact from NBC

sales department has Jack Green out making the rounds of advertisers and agencies with charts and an extemporaneous "sell on the radio" technique as the red net (WEAF) and blue (J2) networks. These talks, which run from anywhere from an hour and a half to four hours, are based on material Green has been collecting for a couple of years.

Green calls it a "competitive selling story" and an explanation of why NBC continues to be the leader in network broadcasting. Contents of Green's lectures has aroused the curiosity of Columbia's promotion department to the point where it would like to plant one of its men in one of Green's audiences so that it can get a line on what tearing-down Green might be doing on CBS' coverage claims.

## Prentice Winchell Joins Doug Storer Agency

Prentice Winchell, who formerly handled radio production for N. W. Avery agency, has joined the Doug Storer agency in New York in the last week of June. Winchell was shifted from the Avery radio department in New York to the firm's Philadelphia headquarters at the time the radio department was shaken up.

## Gets Hunk Over Air

Buffalo, June 21. Clinton Buehman, m.c. on WGR's "Musical Clock" is getting even with Franklinkline in the when he was punished for speeding recently. He has been kidding the incident (and the singer) in his morning show. Franklinkline's "Franklinkline" is a great place where they extend the life of the show. When I went there a lovely fellow met me and said pull over to the curb.

But that isn't all, hehman was fined \$5 for his offense. He's hooked on "The We Love" series for the Sammy Davis act next. So he has his little price \$5.

## Persons on Commercial Programs During 1937-38 as Contrasted with 1,354 Year Ago

**MOSTLY EXPENSIVE**

Though variety type programs on the whole declined in number during the past radio season (1937-1938) the aggregate number of guest artists increased. These statistics from records of the Variety Radio Directory (Vol. II due shortly), emphasize that (1) a new guest artist list is an excellent programming feature, and (2) the increase in guest artists, despite a decline in variety program, shows a wider use of the single-timers, notably in dramatic and musical shows. In fact, the guest artist today is apt to be plunked into almost any type of show any time.

From June 1, 1937, to May 1, 1938, the commercial network program hired a total of 1,650 different guest artists, as opposed to 1,354 in the previous season. The 1,650 performers made 2,882 guest appearances, the difference in totals between performers and appearances being due to the fact that 489 artists made more than one appearance. In the previous season the 1,354 performers made 2,438 appearances, with 402 of the performers garnering multiple jobs. During 1937-1938, variety shows a wider use of the single-timer. She made the rounds of 16 different stanzas.

These figures, incidentally, include only bona fide guest artists, and do not count in amateurs or audience-participation mike-huggers.

## DODGE FARM TRUCKS TRY RADIO PRO TEM

Dodge farm trucks will be ether plugged for the first time via a test series of spots on WNAJ, Yankton, S. D. commercial network, radio possibly follow. Ruthrauff & Ryan is the agency on the account.

Through the summer, placements for Dodge passenger cars continue to be sporadic. Bluffs are placed in groups of six in localities where the sponsor wishes special sales pressure.

## Form Ivey & Ellington

Philadelphia, June 21. ew agency, Ivey & Ellington, has been organized in Philly by Neal D. Ivey and Jesse T. Ellington. Ivey resigned last month as v.p. of ckec, Albright & Ivey. For some years prior to that he was with N. W. Avery, specializing in merchandising and account servicing, and at the time was ad director of the Platte River.

Ellington has just resigned as v. p. of the New Market NBC's agency in New York.

Ivey has taken along with him the Bayuk Cizars account.

Ivey has had her ticket number 13 weeks as writer of "The We Love" series for the Sammy Davis act next. So he has his little price \$5.

## Ruthrauff & Ryan, with 8 Accounts, Zooms in Chi Air Production

### FRED MAYER SUES

Radio Talent Agent Claims 33% of Freddy Arlin Dance Orchestra

Frederick Mayer, radio talent agent and promoter of the recent Lou Holtz show, is suing Freddy Martin on a three-year management contract dating from January, 1938, asking for a 33% accounting of the net profits. Mayer avers he was to share one-third in the net, but arlin was not to earn less than \$17,500 for himself, after all expenses, else the contract became voided.

Bandman's defense is just that; his net income fell under \$17,500, thus the contract became automatically void.

### Tone Up Tums Copy and's Oke, Says CBS

Kantor agency and Columbia's Radio Sales, Inc., may get together on a schedule for Tums, despite the network's policy on medicals. Agency wants to use practically every market on the RSI list and the web is agreeable prioring the copy on the product is made to conform to strictures laid down by CBS officials. Proposed Tm campaign would be framed around a series of transcribed musical shows, each running 15 minutes.

Agency is also buying lots of spots throughout the country for Four-Way Cold Tablets. Most of it is announcement stuff, with 15-minute periods occasionally included. CBS won't take this one because the compound includes a laxative.

### CAPT. TIM HEALY'S CLUB TO NEW ACCT.

Pure-Pak, a division of the Excelsior Corp., is trying radio for first time with a test commencing over WJZ, N. Y., on Monday (27). Account, handled by Perry-Henly agency, is taking Capt. Tim Healy's Stamp Club Mondays and Thursdays, 5:55-6 p.m. Healy's name will be dropped from all billing, and show will be tagged "Capt. Tim's Stamp Club."

Stamp Club loses sponsorship of Temu soap out of this week after having been bankrolled for 11 stanzas. Temu was also an account which had not used radio as a medium before.

### Wright to Lord & Thomas To Service Luckey Strikes

James H. Wright is leaving Baton Rouge, La. to become an account executive with Luckey Striker in the Lord & Thomas agency. He succeeds James Rogers, who quit to go with Benton & Bowles.

Wright's new account right was account per on the Curtis Publishing Co. (Sat. Eve. Post) account.

### Ernest Boyd Joins NBC

Ernest Boyd, the bear critic, has joined NBC's production in New York.

Boyd had written editorials for the N. Y. Post and authored essays as well as a hit of H. H. Menckens. Radio magazine writer after the war he was on the Irish diplomatic

Chicago, June 21. Dominance of Chicago and mid-west radio shows by Buckett-Smith-Hummert is being challenged seriously by the Ruthrauff & Ryan agency which is bounding to the front seat on new radio accounts and programs. From a small office department handling a couple of spot accounts, the local radio setup has grown to the largest in the Midwest, as far as number of accounts is concerned. And the department, from a single man, has jumped to a staff of 23 under the guidance of Ros Metzger. With the addition of a great chunk of the Quaker Oats account which was yanked away from Lord & Thomas by R.R. of Chicago, has a lineup of eight radio accounts, all of which are active.

Programs are now lined up for Quaker Oats, Holland Furnace, American Aids, Sterling Brewing, LaFendrich tobacco, Oshkosh overalls, Campbell's Malt products, midwest Dodge and Chrysler, LaBrie cosmetics. This represents more radio activity than any other agency in town and is pushing R.R. to the forefront of radio

Network shows are being planned for Quaker, Holland, American, LaFendrich and Campbell's, with spot shows for Sterling, Oshkosh, Chrysler and LaBrie.

## 'HOLLYWOOD' FORMAT REVISED BY WHEELLOCK

Ward Wheelock agency, Philadelphia, is overhauling several film names to emcee "Hollywood World" program on fall resumption for showing in the field to Louella Parsons is definitely not renew due to coin trouble.

Other titles considered are Dick Powell, William Powell, C. B. DeMille, Herbert Marshall and Robert Williams.

Reported that film previews will be reported for plays, with picture players' enacting 108, and that show will have complete new format after four years in same field.

Only personality set so far for program renewal is Frances Langford.

## Literary Agency Finances And Produces Series For N.Y.C. Showcasing

Liething-Wood, Inc., first of the big literary agents to get into the field of 30-15-in. radio scripts, is also entering the production field to help exploit and attract commercial sponsorship for dramatization. As yet, other than Liething-Wood, has overlooked the exome as an outlet for their clients' output.

Liething-Wood with WMCA, N. Y., for station to start carrying a scrip series, which is part of God's beginning effort this month. Broadcaster, which has made such arrangements before, will donate its facilities and wave-length in return for the free programming given by the agency. Latter will underwrite the production costs.

**SUMMER RETURNS TWO**

Mutual network lines two shows when Don Ross leaves agency with the July 1 bona fide, and Court of Human Relations, (Vladco Sales Co.) concludes on July 9.

A mutual present of either program returning in the autumn, Ross, the other, may night show.

# Radio Goes Nuts—Sustaining—But Thinks Fan Mail Cute for Scrapbooks

Heavy mail response was the result of the surrealist broadcast recently aired by the Columbia West Coast. To the surprise of the producers, reaction was mostly favorable, and many readers repeated letters. Letters were strongly pro or violently opposed in terms of "are you nuts or not?" NBC mail-pile is a similarly divided.

One listener, seemingly informed on the subject, wrote two networks stating he "didn't fully appreciate the CBS program until he heard the NBC show which he branded as 'phony' and tailored to more popular appreciation." One art lover thought that the NBC was a "step of much greater importance than the 'Toscanini series.' Another stated 'radio was the worst ever heard on the air.'

Some writers sent in drawings and poetry to CBS but most hilarity was the result of a gag which read: "Dear Sirs: I'm positively nuts over your surrealist program. You are crazy if you don't repeat it. My notebook's title 'From Ooh to Aah' and play it backwards, thus making it more understandable. I'm sure you certainly food for thought, and to wish you our appreciation we are, folks! It's the best I've ever heard on the air. I remain, Tom P. Dillon, President, Psychiatric Ward, Bellevue Hospital."

"P.S. The Alcoholic and is having a new program too. You should hear them."

Reported that CBS has several surveys in the air. One is on the subject of consideration, and that NBC may do a repeat.

## P. & G. CONTESTS DEVELOPING ALBUMS

Fargo, N. D., June 21. —Ter & Gamble last week conducted a merchandising stunt in behalf of its contests, by staging a radio broadcast over WJAY. Soap company discovered that ten people living in this area had in the past two contests whom they should have conducted on its various programs, so they were rounded up for a program.

Show was dressed up as an interview, and P. & G. contacted and paid the expenses of the winners who came to Fargo to broadcast. WDAY produced the program which was designed to heighten interest of listeners in entering air contests.

## WPEN RAIDS WADS SHOWS

Philadelphia, June 21. —WPEN, which came under management of Arthur Hays Sulzberger a couple of weeks ago, continuing its raids on WADS shows. Latent to go into writing bouts last Wednesday and every week hereafter. WADS has been carrying the wrestling circuit for years, and the winners replacing it with a musical show.

This is third program snared by WPEN in two weeks.

## Wooten Makes It 20

empis, June 21. —Hoyt Wooten, owner of WRCC, has renewed here on station status of Peabody hour. Wooten says WRCC has been located in the hostility already for that length of time.

Architects are now drawing up plans for enlarging studio quarters and the layout will be air-conditioned this summer.

## Therese Lewis to L. A.

Therese Lewis, of Young & Rubicam agency, is coming in a vacation on Coast circuit. She is being arranged to line up film talent for the dramatizations which return to the air this fall for International Silver.

Show will ride CBS as they did last year.

## Appropriate

Regional network work which makes "new service" follows custom of slipping advertising blurb in frequently disguised form.

ASCAP register of these songs reveals that news service's signature is Misquerade.

## Brotherly Love Absent As Dailies Pan Radio At Advertising Rally

Detroit, June 21. —Closing sessions of Advertising Federation of America's 34th powwow here last week witnessed continuing of newspaper exec's attack on radio, and expounding of vital program, and of the National Assn. of Broadcasters.

Insight of Newspaper Advertising Executives Assn.'s blast at radio during the final sessions yesterday afternoon (21) was results of a purported survey reported by Chester M. Champbell, ad manager of Chicago Tribune, who asserted that during a daytime ether sponsor made a telephone check on listeners to his programs and found that not one of the dozen or more surveyed was tuned in, he said. Champbell urged newspapers to stand with radio against similar surveys, and thereby "provide themselves with additional ammunition against radio."

Other speakers indicated that newspapers' deletion of radio news stands recently by several outlets will be carried still further and made more widespread, in the hope that "radio rates will not be cut to pay space rates for listings, etc."

Stetson Be-Namees

Final Graham McNamee of the AFA saw George M. Stetson, publisher of Automotive News, Detroit, rejected press of federation, with Mason Britton, of McGraw-Hill Pub. Co., re-named chairman of board.

New York, which harbored the AFA convulse last year, outbid Chicago and New Orleans for the 1939 convention, to be held in conjunction with the World's Fair.

## Prof. Coulter

Douglas Coulter of the Coli in New York, which harbored the AFA convulse last year, outbid Chicago and New Orleans for the 1939 convention, to be held in conjunction with the World's Fair.

## Transamerik Hires 20

Chicago, June 21. —Transamerik Broadcasting & Television Corp. has hired Harold A. Holman and J. Whyte alker to its local sales staff.

Whyte, who worked from WBBM, local CBS key, while Holman was formerly in the magazine and newspaper field.

## 40% of Listeners Heard Both Of 2 Sportcasters, Contiguous on Sked

Tyrol has renewed for Leo Bollie's sportcast on WGY, Schenectady. It's a three-week schedule, with the renewal good for 13 weeks, starting July 13.

Dennison & Mitchell, agency on the account, recently took a survey to determine how Bollie's program stood up against Chester Wooten's review with Paul Douglas, which immediately precedes the Tyrol session. Bollie's checks out better.

Programs quizzed listened to both programs and that was a 50-50 top-up split, which sportcaster was preferred.

## Agency-Sponsors

Progressive Optical System, through Emil Reinhardt agency, Oakland, signed for 137 broadcasts of its quarter-hour live talent, "Heart and Soul" talks, three mornings a week on KFRC, San Francisco, and KQW, San Jose.

Industrial Training Corp. through James R. Lunke & Associates, Chicago, has transferred quarter-hour program, "Camera Speaks," twice weekly on KFRC, San Francisco.

Mills Agents & Distributors signed for five-minute participations twice weekly in the "Morning Hostess" live talent program over KFRC, San Francisco, for 26 weeks, through Emil Reinhardt agency, Oakland.

British Myers Co. (Mum), through Pedlar & Ryan, New York, spotting one-minute transcribed announcements on KFRC, San Francisco, three daily, Mon y through Friday, to Aug. 19.

Bauer & Black (Lue Jay), through Rutherford & Ryan, New York, spotting 15-night announcements on KFRC, San Francisco, through July 15.

Bank of America has added KVCN, New Don Lee affiliate in San Luis Obispo, Cal., to the network releasing the Sunday night "House of Melody" broadcasts from KFRC, San Francisco, which is now aired in 13 California stations.

Roma Wine Company's "Toast to the Town" program has been renewed for another 13-week stretch on night announcements on KFRC, Los Angeles; KFXX, San Bernardino; KIDM, Eureka, and KDON, Lewiston, Idaho.

Hinton, who has written original musical-variety show, uses soprano Alma Cella Mead, tenor Byron Stone, and contralto, Mrs. J. J. Davidson and a dramatic cast. James Houlihan agency, San Francisco, handles the account.

WCAU, Philly., signed by Campbell & Howard, Detroit, to carry new Chevrolet summer series of transmissions of James Melton, songwriter, on WCAU, Philadelphia, and Arden Orch. Started June 1 for 14 weeks.

N. W. Ayer agency has taken over control of John Puhl Products Co., Chicago, includes Little Boy Blue Bluing and Little Bo Peep Ammonia.

George Jennings, program director of WJAY, Seattle-Columbia, has accepted a job as radio director for Chicago public schools.

Lad Gluskin taking over from Victor Young for the remaining four shows of the current Al Jolson series.

Paul Stewart left for the Coast yesterday. (Tuesday) for the Tommy Dorsey show there. Back in about six weeks.

## Showman Ed May's Transfer Affects WHAM

Rochester, June 21. —Edward A. May, manager of WHAM theatre, Seine house, and director of Rochester Community Choir, largest chorus in U. S., has been transferred to WYLL, which is sponsored by WHAM by First National Savings & Loan Association, is taking steps to transfer under new director, Dr. Howard Hanson, director of the Newman School, public, co-operating to keep the enterprise intact.

## Kitty Doner's Literary Trailer Lends Air Spot

Kitty Doner, former vaudeville and musical comedy headliner, has a byline article in the current Liberty. Deals with her information from a theatrical celeb into an egg farmer in Westchester county, after the fashion of the "New Yorker."

Partly as the result of the Liberty publicity, the William Morris agency set for the warm up of "Vocalists Home on the Rudy Vallee program.

# NETWORK TOBACCO ADVERTISERS

MAY, 1938

Agency	Local	National	Foreign	Total
Blue Mutual Total	\$2,104	.....	.....	\$2,104
Chickie Kelly	.....	.....	.....	148,214
Raleigh-Kool	.....	.....	.....	37,852
Kentucky Derby	.....	.....	.....	10,824
Old Gold	.....	.....	.....	184,861
Paul Morris	.....	.....	.....	57,900
Model	.....	.....	.....	10,824
Bugler	.....	.....	.....	114,485
	.....	.....	.....	42,210
	.....	.....	.....	5,600
	\$423,003	\$289,277	\$5,104	\$20,180
	58.9%	7.5%	.8%	2.8%

Total of total networks tobacco advertising dollar volume

## Newspaper Guild Is Held Bargaining Agent For WTGN Office Help

Washington, June 21. —Certification of Local No. 2 of the American Newspaper Guild as employees of WTGN, Inc., Minneapolis, Minn., announced last week by the National Labor Relations Board. With the exception of engineers, musicians, salesmen, executives and other employees, all workers at the innesota Broadcasting Corp. station will use the Newspaper Guild of the Twin Cities, Minneapolis and St. Paul, as their bargaining agent, board ruled.

Action was based on comparison of Guild membership cards with a list of the 17 employees in the unit, resulting in a finding of majority representation by the Guild.

A. F. of L. local of the International Brotherhood of Electrical Workers, which had intervened at the hearing, backed its appeal to the C.I.O. organization to avoid jurisdictional conflict.

## AFRA-CHAINS' PACT NEARS CLOSING

Although the networks and the American Federation of Radio Artists are in agreement on virtually all points, signing of a pact awaiting the okay of attorney General Cummings. The pact conference was for 14 hours on Tuesday (20) and was in another long lull yesterday (Tuesday).

With all essential terms of deal ironed out, Lawrence Belessen, Coast attorney for AFRA, returned Monday night to Hollywood, leaving Henry Jaffe in entire charge of the contract's legal affairs. Expected the contract will be inked later this week.

## Actors' Union Signs Non-Web KJBS, Frisco

San Francisco, June 21. —First contract to be signed with KJBS, Seattle-Columbia, has been inked last week by Ralph Brunton, local indie station, according to report John B. Hughes of AFRA's western unit. Agreement is for one year, with automatic renewals, and provides for a five-day, 40-hour week, minimum wage of \$35 per week, and automatic salary increases.

Hughes states that a concerted drive will be made by AFRA to sign all radio stations in the West. He pointed out stations both here and in the Pacific Northwest.

## Boy Gabler Grows Up To Be—Guess—A Lawyer

Pittsburgh, June 21. —Charles F. Davis, who was "The Web Philosopher" on WWSW in 1932 at the age of 12, home for the summer from University of Wisconsin Law School and inaugurates a new series of weekly shows tonight (22) on WWSW. He returns to college in the fall.

Davis also did his "Web Philosopher" with a couple of Coast stations for a spell.

## From Nuts to Butts

Hollywood, June 21. —Burns and Allen button up with Grape Nuts first in August.

When they return after the mer sabbatical it will be Chester Connors, University of Ray is returning from England to handle the music on the ciggie show.

## Grauer In for Winchell

Ben Grauer and an audience quiz show will replace Walter Winchell (Jergens) when the columnist takes a four-week sabbatical starting July 5. Grauer, who bats out the blubs for Winchell the year 'round, will quiz persons selected from a studio audience.

Four from an audience will be questioned on each 15-minute program, and \$50 prize money will be split up, to get on the summer replacer will be \$1,000 weekly.

## Gershwin Death Marked

CBS will broadcast a memorial program for George Gershwin on Monday, June 27, first anniversary of his death. Works of the composer will be played and sung on the 90-minute show, which will start at 7 p. m.

Paul Whiteman and his orchestra set for the program, as well as CBS' big symph unit. "Vocalists" are now being lined up.

Ben Stauffer in Hollywood to (L) as fall show with program & Rubicam swivel chair gang.

### Stations Ask Wax Moratorium

Program library services and equipment manufacturers are having the best put on them by smaller stations about granting them a moratorium during the summer months.

### CBS LIBERAL TO CUSTOMER COURTESY

Practically every one of the more instantaneous recording companies now has a wire running into CBS main panelboard. This includes WOR's Newark recording service. Columbia figures that making the direct cut-in available is providing an added service to clients.

### WLS WINS PROTECTION ON NAME RESEMBLANCE

Chicago, June 21. (rairie) Farmer station, WLS, won a court decision against the R. Van Arnam York, which restrains Van Arnam from using the name "National Barn Dance," "Uncle Ezra," "Lulu Belle," and other terms identified with WLS.

### WAPI Rate Revision

Chicago, June 21. Rate card on WAPI is being revised downward immediately. Kelly Smith, sales manager for Radio Sales, Columbia spot organization, hustled into New York yesterday (Monday) to sit with WAPI execs to set new rate structure.

### WLW's Al Fresco Music

Chicago, June 21. New 30-minute musical show on WLW is a 30-minute musical show under direction of Joseph Cherniavsky, to be aired on Sundays at 5 p.m., EST, through the summer months.

### Ben Pratt's New Berth

Ben Pratt has joined Harris & Steele, N. Y. radio talent and management agency. Pratt has been launching air program ideas last couple of years since leaving NBC.

### Lorraine Parker's New Berth

Lorraine Parker, radio hostess, is divorcing from Herbert C. O'Brien, N. Y. radio personality. Parker is a former CBS actress.

### Transradio Into Hartford To Supply WTIC Locally; Drop Boston's Yankee

Hartford, June 21. To obtain a complete news coverage of the state, WTIC shifts service to Transradio NWS on Sept. 1, dropping the Yankee News Service at that time. Station will operate a full time news bureau and will install ticker service.

### WTCB to Drop Boston's Yankee

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### HEDDA HOPPER WAXED FOR AGENCY HEARING

Hedda Hopper, film actress, is being offered by NBC a five-weekly script, "rent house." Piece is penned by Ted Sturgeon, who authored "Candide" series.

### Salute to Henry Ford

Detroit, June 21. Big civic fete, honoring Henry Ford on his 75th birthday July 30, will be carried on all networks, according to plans being worked out here.

### Ray Peterson's New Job

Indianapolis, June 21. Ray Peterson has been appointed advertising manager of Stokely-Van Camp's.

### Looks Like Sherman K. Ellis, Inc., Benton & Bowles-Chicago and Ruthrauff & Ryan

Chicago, June 21. In the general war between the Quaker Oats company and the Lord & Taylor agency here, it appears that the three agencies will garner the bulk of the ad business.

### Bert Lytell's Spy Stories

Continental Productions has waxed a pair of addition discs of a script serial starring Bert Lytell in an interesting spy yarn.

### 100% AUDIENCE SHOW

WCAL Experiments—Pats Volunteer Actors—On Their Own

Philadelphia, June 21. Still skull-scratching for alternatives on the baseball hour, on the Philadel. 100% audience show, WCAL has evolved a new show tabbed, "Play the Plot."

Idea is for Bill Dyer, who runs Philly Bandwagon, the time-consuming show to select from the audience a cast of volunteer actors.

Worked ago, it plenty of humor, when tri director: ith pro talent.

### EDUCATORS' SHOWMANSHIP

Chicago, June 21. First general school-teacher conference here brought together some 140 educators and radio men from 10 states.

Conveners went on record appointing Kent and Bildeuse to guide the destiny of the organization and to appoint a governing council.

Week-end confabbers all agreed on one major point: the decision to seek more utilization of educational broadcast in classroom work and instruction.

Shawmanship was stressed as the important factor in educational broadcasting.

Skelly's Columbia web dunks the air on July 3.

### Frank Stanton, research director of Columbia, goes to the Coast for first trip to the host horizon of radio.

Dr. Stanton, research director of Columbia, goes to the Coast for first trip to the host horizon of radio.

### Three Agencies Divide Quaker Oats

Chicago, June 21. In the general war between the Quaker Oats company and the Lord & Taylor agency here, it appears that the three agencies will garner the bulk of the ad business.

Sherman K. Ellis will have the bulk of the business, and Ruthrauff & Ryan will have the bulk of the business.

Continental Productions has waxed a pair of addition discs of a script serial starring Bert Lytell in an interesting spy yarn.

### Wants Double Average

Johnny Walker, who once was a radio pitcher who became baseball notable of this year by last week's performance, is asking \$1,000 for a radio guest appearance.

### Staff gets S.O.S.—It's a Phoney; Boss Drills 'Em to Meet Any News Emergency That Comes Up

### Historic Data

NBC's next promotional piece will be about the history of the commercial broadcasting field.

Cardon as the first networ commercial, ith WEAF, N.Y., the originating point and Feb. 12, 1924, the date.

WTAR, NORFOLK, BLUE OR RED

Norfolk, Va., June 21. WTAR has become available to clients of both the NBC blue (WJZ) and red (WEAF) lines.

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Johnny Walker, who once was a radio pitcher who became baseball notable of this year by last week's performance, is asking \$1,000 for a radio guest appearance.

Get down to the studio as fast as you can to see the history of the breakerwater, and we're putting it on the air within an hour.

It's a fake, just a five-drill-it test you boys, but get to work as if there was a real freighter burning out there.

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# Follow-Up

...the Hotel last Friday night (17) offered a dramatization from RKO's forthcoming "Mother Carey's Babies." Playwrights Robert Douglas Wilton's venerable treble and the play's director, George Costello, played Paul Bainter, Ruby Keeler, Anne Shirley, James Allison and the God.

Piece was admirably handled, since it crossed all the usual radio-time stopping over into bathos, dramatic false-buffetings that were the fiction-writing style some years ago. The piece, which was turned into a sophisticated story by the standards of the day, was so good that the playing had to be direct enough to avoid hole shot, but, yet so sincere that the emotional quality would register.

That delicate task is precisely what the players achieved. Bent was Paul Bainter; as Miss Carey, she was given a tough assignment, since it contained most of the "happy" stuff and required a severe change in mood, but her performance actually turned out to be a very good characterization. Her tragic reading of the simple line when she recalled word of her husband's death was direct and stirring, while the scene when the family was dedicating its home to the "right" was a touching and grateful when her young son's life is threatened.

Of the others, Ruby Keeler and Anne Shirley were both convincing as the children, and especially distinguishable as the two daughters, and because Allison was naturally very satisfactory in smaller parts.

"Don't You Believe It" novelty show plugging Sensation cigarettes, is now being aired over Mutual of all stations at 10 p. m. on Thursdays by P. Lorillard Co. Previous to this, it was being aired on the same net. Retains the identical outline and adds "Don't you believe it," but this content gives the music a new and exciting background.

Although none of the crowd-brought forth anything a reasonable well-informed listener should know, he has known already, it was an acceptable program. It was a good one following, particularly for the time and type of program. However, about midway in the stanzas a lengthy interlude was inserted and a few of the listeners were certainly few listeners will be interested in "Don't you believe it," but some question may be raised at the relevancy of the program that kind, it might be broken off.

Just Entertainment label has been shown in the 7-15 slot over CBS from Chicago. But with the exception that it is not a novelty, it remained in its final hearing about 15 minutes. The Andrews Sisters in act, popular, sentimental ballad by Jack Tilton, with one number by the orchestra. Pre-club-league, but probably acceptable for a certain audience.

On show caught (16), the Andrews Sisters' "Land of the Sky" chorus of a "Land of the Sky" was a parody, then wailed by the Andrews Sisters. The chorus, all extensively lazed harmonizing with the Andrews Sisters' (Lorraine Lawrence and Maxine) later on. A similar workout. Fillion of "You Take My Breath Away." Married in an act that is melodious, soft and on the "precious."

Wiley's commercials plugged the "Wiley" brand of toothpaste. A crisis "relieves tension." Also claimed that it "stimulates" the nerves.

Strains Rioris (auto accident) is shown in an out-of-focus picture of one Lee in action in the WMCA. A studio ballad, but the picture remained in its final hearing about 15 minutes. The Andrews Sisters in act, popular, sentimental ballad by Jack Tilton, with one number by the orchestra. Pre-club-league, but probably acceptable for a certain audience.

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...also usually ships over the bit on the run-producing stanzas and the play's director, George Costello, played Paul Bainter, Ruby Keeler, Anne Shirley, James Allison and the God.

"The O'Neill," very script serial riding both CBS and NBC for Procter and Kitchen. The play is a marred currently by hammering emotion, but it is a good one about a contest giving away a motor car. Down on figurative knees because of the audience to enter competition, although just now the story is in the hands of high-order emotional mixup stuff.

Dancer of the family is packing off Chicago to a double-cross script serial formula which calls for them going to New York to find her husband who has grass-widowed her. She goes two babies on her hands, (super dose of heart-kill) to further complicate the complications. And there are some letters, which suggest piece might have been written by a novelist.

Benny Goodman, ethering over CBS from the roof of the Ritz-Carlton, Boston last Tuesday night (16) showed exceptional playing and tempo were nicely varied—as is, as far as Goodman's playing—although the latter shot in the twinkling of an eye, but it was particularly effective when he followed the crowd in playing "Swing with the Sentimental," "Something Old," and "Swing with the Sentimental."

While Goodman's distinctive music undoubtedly has unique temperamental appeal, his playing of the kind of swing has a tendency to grow monotonous. The latter is little suitable to it and no suggestion of a new style in reserve. Martha Tilton, a popular vocalist, has a distinctive, pleasant air to her singing. Her final number on the program, "Swing with the Sentimental," offers grand lyrics, but she chewed the words and slurred essentially. The latter is a few of the lines were intelligible.

Sammy Kay's orchestra broadcast over CBS from the main ballroom (16) at New York, where it was playing for the first time. The program, Kaye's music of the session caught the attention of the audience and deft, with the woodwinds mellow and the brass not blaring. Two numbers were particularly noteworthy: "Somebody Loves Me" and "Swing with the Sentimental."

Among the acceptable moments, Betty Hutton's "I'm a Little Bit of a Country Girl" and "Lovely to Look At" and Tamara and the orchestra's "I'm a Little Bit of a Country Girl" and "Your Hand," new march by Sigmond Romberg was given its first performance. The latter was particularly effective, he dubbed it on the spot in the "Festival March," turned out to be a so-so number, but fair for marching due to some odd effects and elusive melody, but fair enough as a musical comedy overture.

Shows such as this one are frequently a disappointment, but they are informative and spontaneous, but they are not as good as the others. The latter is a pretty decent one, but it is a little bit of a disappointment. The latter is a pretty decent one, but it is a little bit of a disappointment.

Chaudette Collier joined Don Ameche in a playlet, "French Lure" on the Chase & Sanborn show Sunday night (19). Piece was a trifling item by Roger Quale Dene, which was obvious from the first line and the latter is a pretty decent one, but it is a little bit of a disappointment.

Frank Taylor, with WOR N. Y., filled the Cedar rose roomhouse in Jersey, is reminiscent of the Paul Taylor's "The Cedar Rose Roomhouse" in Jersey. Taylor also has a stand-up style, which is a pretty decent one, but it is a little bit of a disappointment.

Buddy Benda, organist on WHAT. Philly, concludes nightly "Land of Dreams" show this week for the first time. The program, Kaye's music of the session caught the attention of the audience and deft, with the woodwinds mellow and the brass not blaring.

**LARRY CLINTON**  
With Rudy Vallee  
Midnight  
WJZ-NBC, New York

One of the series of interviews with Rudy Vallee is going on his Tuesday midnight show. The latter is a pretty decent one, but it is a little bit of a disappointment.

**LOS ANGELES LIGHT OPERA FESTIVAL**  
With Hope, Tamara, Shirlag Holloway, Franca Viola, Melville Frank, Marie Silva, Donald News, Stanley Morner, Edwin Lester, and the Los Angeles Light Opera Company and California Collegiate, Artists

WABC-CBS, New York  
The CBS public affairs department on the subject of the "Festival March" of KKK. Civic Light Opera Festival, which is a pretty decent one, but it is a little bit of a disappointment.

**JANE ARDEN**  
With Billie Gray, Frank Prevost  
WJZ-NBC, New York  
WABC-CBS, New York

Radio series is adapted from comic strip by Des Moines Register. The latter is a pretty decent one, but it is a little bit of a disappointment.

Among the acceptable moments, Betty Hutton's "I'm a Little Bit of a Country Girl" and "Lovely to Look At" and Tamara and the orchestra's "I'm a Little Bit of a Country Girl" and "Your Hand," new march by Sigmond Romberg was given its first performance.

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**FREDDIE MARCH, FLORENCE HILDRETH**  
With James Gleason, George Abbott  
"Manslaughter"  
Monday, 9 p. m.  
WABC-CBS, New York  
(C. Walter Thompson)

Lux chose a sure-fire romantic play for his Tuesday night show. The latter is a pretty decent one, but it is a little bit of a disappointment.

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**"YOUR RADIO REPORTER"**  
15 Min.—Local  
WABC-CBS, New York  
WJZ-NBC, New York

Under the above billing, Ed East, of East Valley, has a hand and voice at dishing the gossip. The latter is a pretty decent one, but it is a little bit of a disappointment.

**LOS ANGELES LIGHT OPERA FESTIVAL**  
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'ALIAS JIMMY VALENTINE' With James Melnich, Elizabeth Day, Paul Morgan...

DZ-NEW YORK 7:30 p.m. EDST WIZ-NBC, New York (Walt Disney-Hammer)

Some show had earlier title on same web, under 'The Great Escape'...

'LIVING HISTORY' Dramatizations 15 Min. WABC-CBS, New York

'LIVING HISTORY' requires careful listening. Previous knowledge of the subject is necessary...

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JACKIE COOGAN With Fred Uziel WABC-NBC, New York

Belated appearance on the 'For Me and My Money'...

STATE EMPLOYMENT SERVICE With Mrs. Mayne Paul Sillars...

WABC-CBS, New York 7:30 p.m. EDST WIZ-NBC, New York

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For the Trade Vancouver, B. C., one-21. Plugging the romance angle...

'SAY IT WITH WORDS' With the writers Earl F. Allen, Frank Prescott, Bob Stanley Orch...

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FAT BARNES Interviews WABC-NBC, New York

Pat Barnes (unaccountably and pointedly) masqueraded under the name of Bob Barnes...

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KING IN VISIO DEMONSTRATION

Television cameras set close-ups as Royal Party rode to parade arena at head of their military...

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THE CROWD ROYAL Dramatic Sketch 30 Min. WABC-CBS, New York

Frank McHugh, who played a second-rate actor in the picture...

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# Reputation of Contract Suit by CRCT, Toronto, Is Aftermath to Gov't 50 Kw.

Toronto, June 21. Setting a precedent in this country whereby the owners of a private station have, for the first time, taken legal action against the Government-sponsored set-up of nationalized radio in Canada, the owners of CKWG, Toronto, have slapped a \$250,000 damage claim on the Canadian Broadcasting Corp., charging repatriation of contract, breach of license, conversion, and conversion of equipment since the takeover of CKWG's studio quarters at the King Edward Hotel.

Claim embodied in the writ of summons served by Gooderham & Worts, distillers, is that the CBC took overboard a solemn contract on the new high-power Government-owned station (CBL) was erected on the outskirts of Toronto and placed in operation.

Springing unexpectedly on CBC, the first round in what promises to be a spectacular issue and one which may bring Home of Commons argument went to the defendants when it was pronounced in judgment that CBC is not a party to the jurisdiction of the Ontario Court of Queen's Bench.

Legal defence is that the CBC is "an emanation of the Crown and the property of the Crown" and, therefore, only the Exchequer Court of Canada has jurisdiction in the matter. However, an Administrative Commission cannot be sued by an individual or a corporation.

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to new CBC headquarters situated on a higher terrain to the north of the city, was used to King Edward Hotel owners' launch of a campaign suit based on loss of contract and loss of advertising (later based on broken agreements that this program is being broadcast from the King Edward Hotel) and collected approximately \$7,000.

In presenting their case, CKWG counsel will claim that CBC is a private corporation and independent of the government, basing this on the Dominion Act, passed when the Canadian Broadcasting Corp. was formed, that CBC is "a body corporate with power to contract and to sue and be sued."

As adjudicated in Quebec, CBC was found to be a private corporation and an employer was liable for legal action. The Quebec court judgment was taken by the Court of Queen's Bench in Ontario on the decision of the Law Court of Quebec was upheld, irrespective of the fact that the CBC officials have made an application to the Privy Council in England to have the decision set aside.

## CB-CBC EXCHANGE PRODUCERS RETURN

Toronto, June 21. Lawrence Gilli, CBC producer, who has been in production for months to the Canadian Broadcasting Corp., returning to England after a period of absence from the producer 'on loan' to CBC's returning to Canada. Both lads will arrive at their respective destinations early in July.

Gilliam's manager, coupled with the new ideas and improvements which Taggart is expected to bring back, will be noticeable shortly. CBC production department officials claim.

## Arab Fav to B.C.C.

Umm Kalsoun, Cairo, June 1. The Egyptian Broadcasting Corporation, signed by British Broadcasting Corp. for the Arabic hour. Her voice is worshipped by the lakshahs there. A farmer's daughter, she used to warble at small weddings and later looked down a dollar a night in local interests. Since has delighted Arab royalty in a dozen capitals.

## Osoaria Back to Cuba

Miami, June 21. Joaquin Osoaria, Cuban engineer, is expected to return to Cuba in a week after several months' service as 'exchange engineer' on WQAM.

## Yank Pair Leave 2GB

Sydney, June 1. After brief tour with commercial 2GB, Howard McMilland and Eva Garcia, Yankee mike performers, have now switched over to the commercial station, 2GB, as national operators, for a season.

## Reginald Fort Due in U.S.

Reginald Fort, organizer under contract to the British Broadcasting Corp., is expected to return to the U.S. in a week after his tour of the U.S.

## English Notes

London. President has a quarter hour of weekly afternoon time slot on Normandy, booked through Lord & Thornton.

Mark H. Lubbock, B.B.C. Variety Music Director since 1926, being transferred next month to B.B.C. on a functions unit, under Stanford Robinson.

Ray Vaughn, xylophonist, introducing 'bottle music' to British listeners in 'Palace of Varieties' program, in a series of weekly broadcasts.

George Robey headlin vision color film 'Sunny Side Up' to be done in radio version by B.B.C. June 28; will be next series of famous film adaptations produced by Douglas Moore and B. Martin Marks; Jack Beaver will be responsible for the score, which will include the three hits of the film: 'I'm a Dreamer', 'Sunny Side Up' and 'If I Had a Talking Picture of You'.

## U. S. SENATE APPROVES TREATY

Washington, June 21. Ratification of the North American Broadcasting pact by the U.S. Senate was given, following expression of dislike for superpower which it would prevent.

The revision of present facilities which would require almost every existing broadcaster to move to a new spot on the dial—is not even on the horizon. Show-case proceedings are in its way with the committee obligated to give each taker-holder an opportunity to register disapproval for the best he would get of a new root on the spectrum.

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Senate gave President Roosevelt its 'advice and consent', thus completing the U.S. side of the agreement as soon as the pact becomes operative, which isn't until four months after the date of ratification.

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## Live Talent Replaces Transcriptions in P.&G. Canadian Advertising

### Success (?) Story

Philadelphia, June 21. Philly radio men are giggling at the news of a publicizing program which boasted that Ed Roeker, guest soloist on CBS' Penn's WCAU in 'Fame and Fortune' all lions in 1930.

### TOURS TO ORGANIZE CANADIAN ACTORS

Montreal. Rene Bertrand, president of the local AFRA, is making a trip through Ontario and further west to organize AFRA units in centers where radio talent is used. Bertrand received instructions to organize Canadian radio performers when he was recently in New York to consult with AFRA executives there.

### Part of WHAM Orchestra Gets Dance Engagement

Rochester, N.Y., June 21. Part of WHAM's staff orchestra will go to Sagamore Hotel's new starlight roof site opening June 28. First radio outfit to get regular bookings in local spots are the Jennings, staff pit minstrel, will be back for 7-piece outfit with Ann Berry as soloist.

### FRENCH GROUP IN N.Y.

Four French Bad Men Look Over Broadcasting Sit in Manhattan

A party of French broadcasters is now in New York City. Their leader is President Jean Gaudin, general-director, N. J. Canetti, music director, and J. Vital, public relations, all of the Radio-Paris, are spending a fortnight at the Hotel Pierre. K. K. Hellman is their American host in steering them around the N.Y. stations and network.

### WLW Serials on Mutual

Cincinnati, June 21. Starting June 27 WLW will feed Mutual's 'Midstream' and 'Mad Hatter' dramatic serials to Mutual at 2:15 P.M. Shows are scripted by Pauline Hopkins and directed by her husband, John Hopkins.

### CKE's Italian Show

St. Catharines, Ont., June 21. CKE's show started running a daily 30-min. program in this area with spots couched in Italian, 'hi-mus' to match. Participating sponsors are to observe all matters to appeal to the large number of Italian-speaking residents here.

### Cricket Booms Sales

Sydney, June 1. In manufacturers report increased sales paid well owing to cricket test matches. The export of cricket test matches from England early next month. The trade of cricket test matches during the next few months will be heavy in the Quebec province.

rocker & Gamble is dropping waxed programs Canada with the exception of one station, CFCB, Quebec. Accouly food-loos from the U.S. has had its e.r. script series regularly in 10 key-town Dominion stations.

Beginning July 10, the soap company will shoot its Monday-through-Friday New York series to 27 Canadian broadcasters. Of these, 23 are Canadian Broadcasting Corporation stations—CBS, Toronto, CBM, Montreal—air NBC.

### CBS ADDS ON PROGRAMS

CBS is strengthening its short-wave staff and intensifying DX efforts. It has expanded the web's W2XK.

CBS is strengthening its short-wave staff and intensifying DX efforts. It has expanded the web's W2XK. One of the biggest blasts ever to be beamed south-west from New York City. A message from New York City, broadcast, expressly 'written for the broadcast, will be read. Talent lined up includes LeBaron's orch, Elise Landi and George Livato.

In expanding its short-wave service, CBS has expanded its staff. Alberto Zalemia has been hired and put into the network's public relations department, to specifically handle broadcasts aimed below the equator.

### CANADIAN SPIELERS LIKE CUFFO VASETS

Regina, Sask., June 21. Canadian spikers who get the call if they can have a sweet expense-free vacation in Canada through the rivalry between Canada's railway systems, big recent hockey season, and the summer months the hotels broadcast nightly over the CBC network.

Canadian spikers who get the call if they can have a sweet expense-free vacation in Canada through the rivalry between Canada's railway systems, big recent hockey season, and the summer months the hotels broadcast nightly over the CBC network.

### William Holtsinger

William Holtsinger, who toured in 1940, will replace the role when he returns to play on television.

### Americans Know Little of Cricket

Americans know little of cricket, but to the thousands of manufacturers it is a big business. It is estimated that the sport will take the top spot on all programs from coast-to-coast.



# OUT NEXT WEEK!.....

The new 1,436 page VARIETY RADIO DIRECTORY!



On June 29, distribution on this factual authority of radio will begin!



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# Background Buzz

## EAST

Earl Lawrence, baritone, presented new series of coast-to-coast frames from WAAB, Boston, via Mutual.

Frank Merrick engaged Amateur half hour from stage of Fabian's Grand Theatre, Albany, and will broadcast, succeeded by the sponsor, Merrick, who also does a baseball show, succeeded by Billy Rose as conductor of neophytes' night.

Boys, WBZ and WBZA, action-Springfield, Mass. sports reporter, on to San Diego.

Kayser Perrin, WBZ and WBZA, Boston-Springfield, Mass., sponsor, gave a new show tagged "Collegiate Reporter."

Walter Reed added to station WQXR's New York, sales staff.

Bernie Armstrongs (Dorothy Busley) and Pat Hayes, of KDKA, Pittsburgh, going to Colorado Springs for their vacation and will do their once-a-weekly NBC Blue shots from Denver while there.

Harry Bobbe, engineer at WCAE, Pittsburgh, for the past seven years, has resigned to take a similar post at WOR, Newark.

Dick Norman, WOV-WBL, N. Y., mileman, in the Caribbean for a month.

Nick Lucas goes on the last of the A. L. Pease programs for Ford Dealey over CBS on June 28.

Louise Massey and her Westerners signed by American Tobacco for another series of discs for Ball Durham. Wax campaign over southern and southwestern stations has been renewed.

Robert Dodder, night elevator operator at WFRB, Baltimore, completed a course in radio engineering and has been appointed to station engineering staff. Took six years of ups and downs to get in.

Theodore E. Ted Smith has been added to WFIL, Philly, gab staff.

Bunny Raw, guitarist, Bob Brown, pianist, and Johnny Fritz, on the hull fiddle, latest additions to re-organized Basin Street band on WWVW, Pittsburgh.

Clifford Fowler has joined Kelly, Mason & Winster agency, N. Y., radio department.

Formerly with Henry Souvaine and Phillips H. Lord in New York program project outfit.

Carl Doy has joined sales staff

## PACIFIC COAST

Ed Petry in N. Y. Peddler for sale with NBC and latterly at KFI in San Antonio.

John A. Holman, general manager, and an WBZA, elected a new president of the Advertising Club of Boston.

Anton Kellers, sales manager of WOKO, Albany, is receiving appreciation as monthly writer of Montgomery Ward's hour-long daily "Jamoree."

KVI, Seattle-Tacoma, has installed new modern air conditioning plant in Tacoma studios.

Ted Bell, KRSC, Seattle, chief blurbster, assisting Leo Lassen with his Pacific league baseball broadcast over station.

Carolyn King, who joined the NBC staff at KPRC, San Francisco, recovering from food to fashions and beauty hints and from KGO to KPO this week, while Gladys Cronkhite, formerly of KRLD, Oakland, starts her five-a-week "KGO Home Forum" talks on food.

Bob Sadistrom of the NBC traffic department in San Francisco recovering from an appendectomy at Cottage Hospital, Oakland, Cal.

Helen Troy, radio and film comic, recovering from a serious illness at Peralta Hospital, Oakland, Cal.

Mucy Mollay, of KGCC, San Francisco, upped to assistant production manager, with part-time milkmaid, Don Clutch, now in charge of record library.

Clara Piggott, Ted Maxwell, Eddie Frestone, Jr. and Monty Mohr joined being Memory Lane, former NBC serial, for a one-time presentation at the Women's City Club in Oakland, Cal., late this month.

Don Lee network now 27 strong with addition of KOOS, Marshall, Ore.

Whispering Jack Smith sustaining along Columbia's cast of records.

Fenton Earnshaw, transcriptioner, engaged to Dorcas Brown.

Bob Goldman on the announcer's

start at KGCC, San Francisco, for the summer vacation period.

Connie Blake back in the program traffic department of NBC and latterly at KFI, after almost a year at KNX, Hollywood, to which she was transferred from KFI.

Bryon Mills, continuity acceptance man at KFI, is now in charge of cashing.

Bob Franklin, formerly of KJBS, San Francisco, added to the technicians at KRFC in the same city.

Marjorie Ann Van Horn, of I-I-I, Bralshurg, who handles the daily NBC program at KFI, is now in San Francisco, both ill last week-end.

Nancy Coleman, formerly on the NBC, San Francisco, staff, will return to the Coast in August to approximate time with her husband, Trude Lawrence.

Ruth Peterson has been picked for the new role in the "Edwards" western series, "Sons of the Lone Star," being aired last night weekly over the Coast NBC-Sing and will be on the NBC-Sing weekly with Billy was one of the requisites for the part.

Zella Layne, radio and dance band warbler, did her first dramatic role in the S & W "I Want a Divorce" play Sunday (18) over the Coast NBC-Red network from San Francisco. She left the NBC staff some time ago to sing with Billie Holiday's orchestra.

Baker, salesman at KPRC, San Francisco, vacationing in a boat off Southern California's Coast. Technically, he is still on the NBC staff in the mountains.

Bob Franklin added to the technical staff at KRCC, San Francisco.

Pauline Kelly, KRCS, San Francisco, Ruth Hughes added two of his "Borden's Hunches" from the NBC and 16), devoting his second broadcast to the "Lone Star" western.

Medical Association during its annual convention. Murray Bolen, formerly of KPRC, San Francisco, and now with Yurt and Rubican, accompanied Mucy Mollay.

Cleto Hurtado and his Guatemala Mission, San Francisco, has joined the "America House of Melody" program over KPRC, San Francisco, and the Don Lee web survey.

Manager Wilbur Eickelber of KPRC, San Francisco, and his head show this week to attend the Pacific Advertising Clubs session at the Hotel Commodore, San Francisco. Ingram will accompany the Eickelber, who is returning from a trip to the Pacific Northwest.

Don Lee, who is now in Seattle, is planning, vacationing at Yosemite Valley and Rio del Mar, Cal.

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# Guests Dates Increase

(Continued from page 25)

Where do the guest artists come from? One out of 10 are more or less steadily employed in pix, on the average. Other 10% is largely dependent on what is being done on stage. A sprinkling of single-timers in the novelty class, and a very few names from other occupations. Bulk,

This employment condition paper, points to an important conclusion: such a terrific flux in talent, even at high prices, is more and more calling for higher-priced producers and scriptists. It's a much tougher job to pro-

# Made Five or More Appearances

(In 1937-1938)

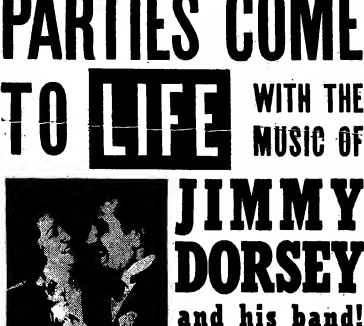
- Brian Aherne
- Edward Arnold
- Shelia Barrett
- Ralph Bellamy
- Constance Bennett
- Humphrey Bogart
- Connie Boswell
- Alcey Bruce
- Gelett Burgess
- Wendell Craig Carroll
- Marion Clary
- Walter Connolly
- Olive De Havillan
- Sally Eilers
- Madge Evans
- Pauline Frederick
- Glenda Farrell
- Kirsten Flagstad
- Richard Grayland
- Hildagard
- Miriam Hopkins
- Clara Howard
- Walter Huston
- Joe Hurbi
- John Jones
- Felix Knight
- Charles Kullman
- Joe Laure, Jr.
- Andrea Leeds
- Michio Lezicki
- Beatrice Lillie

- Lucille and Lanny
- Luio Lupino
- Fred McCurray
- Herbert Marshall
- Lauritz Melchior
- Merry Max
- Lucy Monroe
- Wynn Murray
- Pat O'Brien
- Maurice O'Sullivan
- Cliff Patrick
- Jan Pease
- Clara Reis
- Basil Rathbone
- Fritz Reiner
- Frank Reno
- Pauline Roland
- Charles Ruggles
- John Seaton
- Janet Shaw
- Conelia Otis Skinn
- C. Aubrey Smith
- Clara Stewart
- Stoopnagle & Budd
- Gladys Swarthout
- Clara Tamm
- Spencer Tracy
- Oliver Wakefield
- Clara Weaver
- Liathu Wells
- The Westerners
- Fay Wray

duce scripts and background stuff for guest artists than for a steady cast, and a heavier emphasis on producers and scribblers seems bound to ensue.

however, is directly from the inroads of the show biz. In the appearance of the names of all the guest stars who made five or more appearances in the past season (commercials programs only).

# THE MUSIC OF JIMMY DORSEY



and his band!

Lela, Miss Martha Bowser, of the famous, Miss Martha, now Mrs. G. L. Lloyd, and Mr. William Burton, dancing to the music of Jimmy Dorsey and his band at Ralph Hyatt Hotel New York.

Right, Miss Celeste Holm, "Crystal Ball," "The Women", and Mr. Leonard Sill of the Chicago Tri, enjoying the music of Jimmy Dorsey and his orchestra at "Ralph Hyatt" Hotel, New York.

Jimmy Dorsey and his orchestra are under the exclusive management of

**ROCKWELL'KEEFE INC.**  
CHICAGO • HOLLYWOOD • SAN FRANCISCO • LONDON

# SOUTH

Fay Ann Ouman, 14-year-old soprano, set to try WKY, Oklahoma City.

Larry Goddard, chief accountant at KOMA, Oklahoma City, time-sharing at home of his parents in Albany, N. Y.

Martha Dulin now in charge of public relations at WOKO, Albany, WOKH has moved studios in Norfolk.

Party due later in June, accompanied by E. Bishop.

Thad E. Horton, formerly of 18, Columbia S. C., is now in charge of sales staff of WTAR, Norfolk.

Clara Byrn, Jr., of the Little Rock, Ark., has been posted on WBAP, Ft. Worth.

Don Lee, who is now in Seattle, is planning, vacationing at Yosemite Valley and Rio del Mar, Cal.

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# MIDWEST

"The Curtain Rises," by Al Bernheim, Chicago, was awarded first prize in the contest sponsored by the National Radio Association in the second annual national radio-playing contest sponsored by the Drake University department of radio here.

Gene Hlesen has joined KYSO, Ardmore, Okla., announcing staff.

KTUL, Tulsa, one up on KVOD in the state, Eddie Goetz, NBC, news host to 5, Batteries were Robinson, Chicago, Tennessee, has joined Harrison and Linn for KTUL.

Marjorie Sisson has joined the KMAC, San Antonio, spelling staff.

Hails from WNOX, Knoxville, Tenn., will be on the air for KTSN, San Antonio, in carrying his arm in a sling since that picnic accident.

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# In Baltimore, it's

On the NBC Red Network National Representatives EDWARD PETRY & CO

# KOL Publishes Apology

Seattle, June 21. With plenty of heat on KOL by the Catholic organization on account of this station taking the Judge Rutherford speech, this outlet inserted a display ad in the Seattle Post-Intelligencer and Star, under date of June 16.

Three col 10 inch ad offers: Radio Station KOL reads its sincere apology to religious-minded people for permitting its broadcasting facilities to be used by Judge Rutherford on Sunday, June 5, to deliver attack on organized religion. The regrettable nature of policy that countenanced a broadcast offensive to our listeners has been corrected.

RADIO STATION KOL.

# RADIO SHOWMANSHIP

(Attention-Getters, Tie-Ups, Ideas)

### WGY's Specialiaclarity

Schenectady, N. Y. It opens its new five-studio building with a coast to coast over NBC at 10 p. m., July 9, from the Van Curter Hotel, following a dedicatory dinner there. As a preliminary to the main spot, station will stage, with cooperation of the Chamber of Commerce and other organizations, a kiddie costume carnival parade. A dozen cash prizes are to be awarded, six in boy's and six in girl's division, for the handsomest, funniest, etc. costumes. Professional clowns and 20 pipet-mechanic units in Macy's New York parade and in the Mummers Philadelphia march, will be seen in the local affairs.

Starts at 11:45 a. m., traverses business district, passes new studio structure and ends at General Electric's main gate. WGY announcers, in a mobile transmitter, will describe parade. A total of 4,000 application blanks have been distributed through local schools; youngsters outside of Schenectady also are invited to participate. Parade will be followed by a "special" broadcast.

### Candid Camera Angle

St. Paul. Candid camera boys are cluttering up the works at WCCO these days, with a c.c. contest on in full swing from June 10 to 25. Shutter enthusiasts are given an hour apiece in which they may try as many shots as they like of new studio, control rooms, special broadcasting equipment, or performers. Altogether, 28 prizes will be dished out, on the basis

of composition, subject and developing. Next publicity hook in the stunt for WCCO, since this CBS affiliate has a reciprocal tieup with the Minneapolis Star, the rag now boasting largest circulation.

isualized. Cedar Rapids. As a means of promoting listener interest on the "Cornutusel Nooz" broadcast over a special mid-western network, WMT promotion department turned out 10,000 copies of a five column, hole-punched community weekly aimed to represent the paper published by the stars of the program, Toby and Susie. Daily silt has its setting in the offices of "Kob" the editor of the mythical "Cornutusel Nooz". Susie acts as chief reporter, first friend, gossip and proof reader. Half of run sent out by direct mail to listeners who had written the station asking for the sheet. Truck drivers for the baking company distributed the remainder via grocers handling Peter Pan bread.

### 's Scooperep

Regina, Sask. CJRM, Regina, tied in with the Regina Daily Star for the night, showed lots in the art of covering an election. James Richardson station topped it all off by getting the victor's name out of Richardson Patterson on the air first, scooping rivals who thought they had him "protected" with a bodyguard of scribes and radio men. CJRM had installed a special telephone pickup at the studio. Don Wright got premier on the phone,

and then fed the whole interview right onto the air. Listeners heard the whole business of getting calls through long distance. Wright phoned all over the province, to invite leaders and colorful figures in radio to be interviewed. Altogether, 150 calls covered nearly 1,200 miles of wire.

### erit Badge Event

Cincinnati. Men of Tomorrow is title of series Saturday forenoon program on WCKY starting June 25 and originating in Boy Scouts headquarters. Slates all over the province, with few merit badge examinations given in which are interested in boys as business and professional men.

### 'S DST OWL SHOW

Rochester, N. Y. WHCC extends programs to a 1 1/2 standard time to offset daylight saving in other cities and checks listener interest by forming an Owls' Club. Persons phoning in between 12:30 and 1 a. m. get a membership card signed by the six announcers handling the programs on successive nights. Programs are transcribed with listeners phoning in requests and hearing names read over the air. Announcers given wide leeway in making programs interesting.

### More Cost—More Publicity

New Orleans. It took three loving cups to settle WLW's spelling bee between members of the police department of this city Thursday (21). Immediately after Arthur E. King, police clerk, was awarded a silver cup as winner of the contest, Arthur P. Blanchard, desk sergeant, filed a protest with station officials, claiming that the matter of ceremonies was in error in throwing him out because he spelled "tombstone" with one "l". A check-up revealed that either one or two "l's" was acceptable. Hence, Blanchard won a cup, too.

More grief was added Saturday (11) when Superintendent George Reyer told station officials that he was dissatisfied with the outcome of the contest and insisted on a run-off between King and Blanchard with an extra loving cup for the winner. The run-off will be heard in the near future.

### car Yourself' Stant

Cincinnati. v making recordings of interviews one day and broadcasting them on WKRC on the weekly series of Kroger Grocery & Baking Company on WKRC enables persons quizzed to brag themselves in radio. arnard Craig, of the station's announcing staff, does the interviewing, which is conducted in the sponsor's stores.

# Bishop Shaughnessy Nods KOL Regrets, But Meanwhile F.C.C. Will Investigate

Washington, June 21.

Investigation into the anti-religi us program sizzler, broadcast by KOL, Seattle, Wash., launched this week despite "apologies" printed in northwest newspapers by the station which aired a talk by Jehovah's Rutherford, leader of the Jehovah's Witnesses cult, two ago. Formal squawk about the program, which castigated the Catholic, Protestant and Jewish religions, was laid before the Federal Communications Commission, Saturday (18).

Paid ads by KOL came too late, apparently to stave off delving by Commish legal department. Action of the Seattle station in carrying the offensive broadcast, despite warnings issued beforehand, brought a rebuke to the desk of Commish Chairman Frank R. McNeinch, but name of the complainant was kept dark. Early reports that the Most Reverend Gerald Shaughnessy, S. M., Bishop of Seattle, had demanded Commish action were nullified when Bishop Shaughnessy disclosed to Vanzetti that KOL had caused to be published in all local papers in the area where the broadcast had been heard "large advertisement" containing a full apology. Regrettable " lapse in policy," was Seattle alibi.

Furore caused by the Rutherford speech—which was aired from Seattle's Civic Auditorium before an audience of 9,000 and was peddled to KMO and KVI, Tacoma; KIT, Yakima, and KVOS, Bellingham—spread to the East Coast last week and caused comment in local religious circles—plus a statement issued from Washington, D. C., by the Seattle prelate. Previous to the KOL apology, ishop Shaughnessy told Vanzetti that "it is quite within the realm of possibility" that he would appeal in person to the F.C.C. Representatives of the Catholic Church in the capital announced Saturday that "abject apology" had been made by KOL and that the

Church would be lenient in accepting the retraction. Bishop Shaughnessy, however, commented on the station's refusal to listen to protests before the broadcast—which included appeals to the City Council and to the broadcast stations involved, and letters sent to 1,000 civic leaders and ministers by the Seattle Bishop and the Catholic Trust Society—and revealed that he had been in daily telephonic contact with his organization in Seattle since his arrival in Washington last week.

While KOL made hurried efforts to appease the storm of protest on the west coast and stave off punitive action in Washington, additional squawk was made to Chairman McNeinch by Senator Homer T. Bone, Democrat, of Tacoma, Wash. Bone, whose office has been hooded with vows from his district regarding the Rutherford shocker, is currently being sued by the Seattle station for assertedly using his influence to cause CBS to switch from KOL to KIRO.

Ferley with McNeinch was a personal affair, however, and did not take the form of a formal complaint. Considered unlikely that the Washington, colon—in view of his political interest in the fate of KOL—would take the lead in demanding official action by the Commish against the Seattle transmitter. Bone explained to Vanzetti that he had aided the station which is now suing him, by asking the Commish, three years ago, to consider KOL's plea for a power boost to 5 kw, and denied that he had any financial interest in KIRO or had acted to influence CBS in transferring its attention.

### Won't Name Complainant

Mysterious complaint landed on McNeinch's desk after Bishop Shaughnessy had heard about the KOL apology and after Senator Bone had headed for the West Coast. No clue as to who might have filed the squawk, since McNeinch explained that it was against Commish rules to make public the name of the complainant.

# PHILADELPHIA'S FOREMOST RADIO STATION PROUDLY SALUTES THE

# CONSTITUTIONAL CELEBRATION

marking the 150th anniversary of the Constitution's ratification



50,000 WATTS PHILADELPHIA.

# SUPER-POWER STATIONS BEING DANGERS TO BROADCASTING STATUS

## Joe Maland of WHO, Des Moines, in Lengthy Presentation Before F.C.C. Trio—Cross-Examination Suggests Skepticism

Washington, June 21.—Strong arguments that the public interest advertisers and broadcasters themselves would benefit from super-power were presented to Federal Communications Commission committee pondering new rules and policies last week. While two stations sought to be moved into the 1-A category, primarily for logistical reasons, the FCC panel listened to a long dissertation by J. D. Maland about the social and economic aspects of both super-power operation and clear-channel tradition. Evidence taken did not seem to be convinced and gave the WHO. Dr. Maland, manager of a lively outlet on cross-examination.

Another two weeks of testimony presentation seemed probable at the opening of the third week of debate. With volumes of exhibits to be analyzed, the Commission trio has fallen far behind schedule. Regionals, one of the chief factors, have still to present their case, along with many individual licenses and the local group.

Attacking unfair and inaccurate FCC statistics and studies, Maland insisted that super-power will not result in any damaging shift of business, does not involve excessive outlays, and is unlikely to have any adverse social consequences. The Commission continues to study the advantages, are sufficiently valuable, besides recent influx of its data takers.

Witness-of-the-weekaland was untroubled about the financial prob-

lems en led in potential power out coming out that eight years ago similar doubts were expressed by persons who wondered about results of advertising support, plus possible of absorbing some of the increased costs and drumming up new trade.

Slutious making more than the outlay required to run on 50 kw, basis would be able to get along without boosting tariffs, Maland thought, although American Society of Compoers, Authors and Publishers and other groups probably will raise their fees when power is upped. Based this conclusion on Commission data showing that average net of these takes was \$290,527 for 29 full-timers with present power maximum, including WJW, and \$202,434 for 24 members of his group.

On the social-business as a plan for a reduction in the number of regional programs aired by super-power plants, redistribution of both local and national spot accounts in a way to benefit the regionals and locals, better programs through more regional advertising, and better attention, no undesirable program duplication, and more efficient advertising.

"It is my firm conviction, and the conviction of every member of our board, that I know of no other way stations increase to power of 500 kw, the proportion of network programs included in the advertising budget like two hours, instead of three out of four," WHO exec predicted. Rate books would be inconsequential, although running around \$200 an hour. In some cases may be more, depending on local circumstances.

Cost of radio's present circulation is like a newspaper printed in ink on obsolete presses, with large portions of it so blurred or faint as to be illegible and delivered by an unreliable carrier system. Its total revenue cannot help but be increased by remedying these defects so far as possible. "Millions of listeners in this country can be added to present circulation."

Economic reasons for raising power include possibility of better service from the advertiser's viewpoint. Some plants with 50 kw, do not lay down a decent signal throughout their present States.

Argument of the regionals and locals opposing anything over 50 kw, is that of the advertiser's viewpoint. Improved coverage and desire to reach particular areas, it is probable that distribution of accounts will be modified. Both chain and spot. If they do not need more coverage, advertisers using clear-channel stations will move to the other types. Listener benefit will lie in fewer spot announcements and more interesting programming.

Economic advice cannot be overlooked, FCC was cautioned. Study of the factors involved in the what only broadcasters in the bigger centers can afford to use 500 kw. Three stations in places with less than \$500,000 in receipts and only three took more than \$250,000. "Unless population is thick," it would be

very hazardous commercial venture to locate super-power plant in an area under 100,000. Presently, 309 of 624 commercial outlets are located in areas having a population of more than 15% of sales and 7% of net income.

West Income Low Western area where more program service is especially desired was analyzed in detail from the economic approach. Only 14 stations in the mountainous section out of 41 not situated in either Denver or Salt Lake City take in more than \$25,000. In this region, 46 out of 130 stations take in less than this amount. Denver and Salt Lake are the only towns where a super-power plant would be feasible.

Noting the Commission engineers doubt if towns under 10,000 can support an outlet, Maland said that there are only 85 stations in places with a population of over 100,000. 250,000 and 10 of these take in less than \$25,000, only 162 stations in towns below 100,000. High sales above \$25,000, only three gross more than \$240,000.

Considering plants of other categories, population of 50,000 is needed to produce the sales volume sufficient for a 1 kw, regional (\$75,000) and 50 kw, local (\$100,000). "The Commission on regional or clear channels cannot fill the gap, since 22 out of the 68 in this class take in less than \$25,000 and average net of the others is only \$2,308. As a group they run at a deficit of \$84,126. Of the 100 kw plants on local frequencies, only 8 out of 35 sell time worth more than \$100,000 and are remaining 27 on a stagnant loss. Group shows \$13,47 deficit.

Net Competitions With a very few exceptions, stations of different classes in the same city do not compete with each other, but the extent that stations of the same class do, Maland summed up. "The financial success of regional and local stations in the same city is not, therefore, very substantially affected by the presence of clear-channel stations for the same city. There is no case where a clear-channel station in one city delivers a stronger signal throughout its area so as to compete for the urban audience of the second city with any other channel's signal local in that city."

If Commission should tolerate 500 kw, it would be beneficial both to other stations and the public. What competition exists between a 50 kw plant and a regional or local station in the same city will disappear, instead of being intensified. Local advertising will shift to the regional and local plants, while national spot advertisers anxious to cultivate only limited areas would follow their example. Maland was positive "a local retailer is not going to pay high rates for coverage over an area which means nothing to him."

Shifts will be helpful to the small advertiser and retailer, Maland believes. Certain types of sponsors now using clear-channel plants—such as the regional grocer, the highly differential, railroads, wholesalers with restricted territory, and distributors of relatively highly perishable foodstuffs—"won't care about reaching persons a long distance away. But the clear-channel boys won't be hurt, since in terms of total revenue this business is small and they can be absorbed in the analysis of network distribution shows 45% went to the 50 kw operators, 43.2% to regions, 2.1 to the locals, and rest to part-timers.

Web business is 38.6% of total sales of clear-channel plants, 29.2% of regionals, and 7.6% of locals. In other words, the regional and clear-channel outlets are almost on a par in the web business but the regionals do not depend as greatly on income from this source.

In studying habits of national spot advertisers, 30 kw plants take 49.5% of total national receipts, 35.6% of locals, 2.7%. Means 40.4% of clear-channel income, 23.1% of regionals, and 9.8% of locals. Since this type of business is likely to shift to the latter two classes, they have nothing to fear.

Skeptical Cross-examination was typified by questions from Assistant General Counsel George Porter and Commissioner T. A. M. Craven doubt the soundness of some Maland's conclusions and the accuracy of his

# Income Breakdown by Population

Washington, June 21.—Local advertising is the most productive source of station revenue, even in the largest markets, figures compiled by the Federal Communications Commission revealed last week. Generally the regional transmitters grab the lion's share of this business.

Elaborate study of where sponsors' money goes brought out that more than 90% of the advertising volume in the United States is accounted for by the accounts of transmitters in stations with population over the 1,000,000 mark. Clear-channels took the bulk of this.

Considering only national sales above \$25,000 and disregarding supplemental income from talent and other transactions, the analysis there considerable light on distribution of radio business.

Considering the 94 stations of all sorts in the five biggest cities—New York, Chicago, Philadelphia, Detroit and Los Angeles—ranked in \$32,236,126, which comprised \$90,875,873 for network advertising, \$13,370,386 for local, and \$9,848,803 for national spot.

Broken down by classes, the regional outlets grabbed most of the local business and the clear-channels most of the web advertising. Line-up for transmitters in these metropolitan areas was:

Station	Local	National Spot
Clear-channel	\$6,133,117	\$3,707,945
Regional	2,979,229	8,215,255
Local	1,309,916	2,895,490

Naturally declining with the size of the market, total receipts were concentrated in the cities above 250,000 population. Outlay in these communities exceeded \$58,000,000 with the 250,000 to 1,000,000 markets taking \$36,009,851. And, of course, the average take fluctuated pretty uniformly, dropping from \$343,000 in the biggest metropolis to \$43,000 in towns of 10,000 to 25,000 and \$25,000 in places below 10,000.

Following table shows the spread:

Size of Town	Class	TYPE OF ADVERTISING—	Total
Over 1,000,000	(94)	1,045,875	\$248,566
250,000 to 1,000,000	(112)	8,865,002	\$3,738,266
100,000 to 250,000	(75)	2,710,251	4,942,998
50,000 to 100,000	(46)	896,465	2,344,000
25,000 to 50,000	(52)	451,713	2,030,859
10,000 to 25,000	(45)	151,271	1,454,353
Under 10,000	(18)	39,720	592,700

## Regionals Take Spotlight As Big-Watters End Testimony

Washington, June 21.—Opening gun for the regionals in their fight against both super-power and perpetuation of clear channels was statistical. Flood of maps and charts, supplemented by comments of Dr. Greenlee Whittier Pickard, laid groundwork for a case which no special benefit would flow from making the big boys bigger.

Diagrams compiled by Dr. Pickard showed that in the central portion of the country, the Great Lakes and Mid-Atlantic areas, clear-channel service already is available from 10 or more stations and that 500 kw operator would allow listeners in most of these regions to pick up 20 or more signals. Great duplication, as evidenced by fact that 10 Clear Channel 6 and 8 NBC Blue outlets can be picked up at certain spots in the Ohio-Mississippi Valley.

If the Commission allows all 25 Class 1-A plants to use 500 kw, the duplication will be infinitely greater, approaching point of wastefulness. Area where 10 or more clear-channel signals could be picked up would extend from the Atlantic seaboard to eastern portions of Montana, Wyoming, Colorado, and New Mexico. Least duplication occurs in the Pacific Northwest. Dr. Pickard showed, there are 2 clear-channel plants, 3 stations sharing air time, and 38 regional outlets. If the Commission makes KJR, KCA, KPO and KXJ Clear Channel plants with 50 kw, all of this area except a small segment of western Montana will get service from 10 or more clear-channel outlets while most of the people in the Rockies could hear four to six such stations.

Unusual protection afforded 1-A stations. Drew admission that programming, sales and management costs of clear-channel stations in some stations could not be covered by their expense; and trends now always continue in the same direction.

Only slight improvement in main program service is likely with higher power in the lower centered, while stations would regional 35.6% of locals, 2.7%. Means 40.4% of clear-channel income, 23.1% of regionals, and 9.8% of locals. Since this type of business is likely to shift to the latter two classes, they have nothing to fear.

Skeptical Cross-examination was typified by questions from Assistant General Counsel George Porter and Commissioner T. A. M. Craven doubt the soundness of some Maland's conclusions and the accuracy of his

Stations were indirectly attacked as "superfluous by Pickard. By pointing out that to supply minimum service at Boston, KNX would need 12,500,000 kw, WEPB-WFPA 445,000 kw, and WBBM, 45,400.

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**ARTISTS MANAGEMENT**

**PAUL WHITEMAN**

**Chesterfield**

CBS Network  
Friday, 9:30-10 P.M., EST

JOAN EDWARDS  
4 MODERNAIRES

All Paul Whiteman Engagements Booked EXCLUSIVELY by Artists Management

IT 4:35 P.M. N.Y.C. MON-SAT 1938

**'THE OVERCAST'**


By JANE WESLEY

SHOW RADIO'S MOST POPULAR FAMILY BRINGS YOU MORE LAUGHTER TEARS AND HEART-TOUCHING

Presented by Ivory Soap - 99¢ in a bar

**LISTEN TWICE DAILY**  
NBC Red Network, 12:15 to 12:30 P.M.  
IN. A. CBS WABC—2:15 to 2:30 P.M. DST

ED. WOLFSON—KOAST TO KOAST  
MGT. DR. FOLKMAN—RKO BLDG. NEW YORK CITY



Mrs. LOU CLAYTON  
288 Central Ave. Dayton, Ohio

**WENDELL HALL**

Artist

ONE MAN SHOW  
TWO VIKING SAM AND HENRY  
MAY 29-30-31  
RAIN NO AD'VET CONTEST  
COMMUNITY BING

Address: 453 S. Pauline St., Chicago

**DON CROSS**

THE RHYMING INSTRAL

AT 10 O'CLOCK NOON  
MAY 29-30-31  
WEDNESDAY AND FRIDAY  
Mutual Broadcasting System

**BOSCO**

NBC'S NEWEST NOVELTY  
**LANNY GREY'S**  
Rhythm School of the Air

WFLA, Tampa, Fla., 8:30 P.M., EST  
WABC, New York, 8:30 P.M., EST  
WABC, New York, 8:30 P.M., EST  
WABC, New York, 8:30 P.M., EST  
WABC, New York, 8:30 P.M., EST



Final Shred of Secrecy Torn From Stations

June 21. Communications Commission last week to make the new returns about station ownership...

In clearing up confusion, the Commission notified the National Association of Broadcasters that practice of withholding names of money involved in network station deals has been thrown overboard...

Networks are not compelled to furnish copies of contracts with station owners...

Ballin and McEvoy Grows Out of Bob and Benny. Names of persons hiding behind holding companies or other corporate veils must be disclosed...

Says Radio Heaps B. B. Radio broadcasting of baseball games helps instead of hurts attendance...

1st 100 Years. Mass City, Ia., June 21. KGLO's date to air a talk by Eli Hutchinson on Nora Spruces...

Kentel was so busy with writing and parting in the United States he couldn't make the date.

King Goes West. Radio rally, who authored "Scaram," received a check for \$100,000...

Greeley, Colo., Names Rep. Chicago, June 21. Greer & Co. has been appointed national sales rep. for KFAA, Greeley, Colo.

Posters-Pons Fares. Chesterfield can't use a farewell party. Hurdle, Kofsky and must night (21) at Sardin's, N. Y.

F. C. C.'s WASHINGTON DOCKET

EXAMINER'S REPORTS

Washington, June 21.

Alabama—Assignment of the license of WAFB, Birmingham, Ala., to the college of William H. Hooper, Inc., was approved...

Florida—A new station for Orlando was proposed by the Florida Broadcasting Association...

Illinois—Committee authorized approval of WJIB, Rock Island, Ill., for a new station...

Michigan—Indiana Long-time license of WSRB, South Bend, Ind., to move from 1490 to 1430 kc. and back power from 200 to 100 watts...

Mississippi—WVLA, Jackson, Miss., proposed to move from 1490 to 1430 kc. and back power from 200 to 100 watts...

North Carolina—WVLA, Raleigh, N. C., proposed to move from 1490 to 1430 kc. and back power from 200 to 100 watts...

Ohio—WVLA, Cleveland, Ohio, proposed to move from 1490 to 1430 kc. and back power from 200 to 100 watts...

South Carolina—WVLA, Charleston, S. C., proposed to move from 1490 to 1430 kc. and back power from 200 to 100 watts...

Tennessee—WVLA, Nashville, Tenn., proposed to move from 1490 to 1430 kc. and back power from 200 to 100 watts...

Virginia—WVLA, Richmond, Va., proposed to move from 1490 to 1430 kc. and back power from 200 to 100 watts...

West Virginia—WVLA, Charleston, W. Va., proposed to move from 1490 to 1430 kc. and back power from 200 to 100 watts...

Wisconsin—WVLA, Milwaukee, Wis., proposed to move from 1490 to 1430 kc. and back power from 200 to 100 watts...

Wyoming—WVLA, Cheyenne, Wyo., proposed to move from 1490 to 1430 kc. and back power from 200 to 100 watts...

month. Plans were finally filed and approved in September, 1937, but meanwhile Aberdeen had discovered \$13,877...

Idaho—Unfavorable recommendation on application for license to operate on 1530 kc. with 1 kw power was withdrawn...

Illinois—Request for license to operate on 1530 kc. with 1 kw power was withdrawn...

Indiana—Request for license to operate on 1530 kc. with 1 kw power was withdrawn...

Iowa—Request for license to operate on 1530 kc. with 1 kw power was withdrawn...

Kansas—Request for license to operate on 1530 kc. with 1 kw power was withdrawn...

Kentucky—Request for license to operate on 1530 kc. with 1 kw power was withdrawn...

Louisiana—Request for license to operate on 1530 kc. with 1 kw power was withdrawn...

Maine—Request for license to operate on 1530 kc. with 1 kw power was withdrawn...

Massachusetts—Request for license to operate on 1530 kc. with 1 kw power was withdrawn...

Michigan—Request for license to operate on 1530 kc. with 1 kw power was withdrawn...

Minnesota—Request for license to operate on 1530 kc. with 1 kw power was withdrawn...

Mississippi—Request for license to operate on 1530 kc. with 1 kw power was withdrawn...

Missouri—Request for license to operate on 1530 kc. with 1 kw power was withdrawn...

Montana—Request for license to operate on 1530 kc. with 1 kw power was withdrawn...

Nebraska—Request for license to operate on 1530 kc. with 1 kw power was withdrawn...

Nevada—Request for license to operate on 1530 kc. with 1 kw power was withdrawn...

Levy, McCosker Call Ratings Discernatory

Discretionary treatment embodied in catalog 1170 and 710 for use of Class-B transmitters...

Emphasizing the record in a sales-promotional manner, the committee stated that New York will have four I-A's...

Proposed allocation scheme is not in harmony with intent of Congress, which requires equitable distribution of power and channels...

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New York—Request for license to operate on 1530 kc. with 1 kw power was withdrawn...

North Carolina—Request for license to operate on 1530 kc. with 1 kw power was withdrawn...

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New York—Request for license to operate on 1530 kc. with 1 kw power was withdrawn...

# SPA DENIES DECISION WAS DEFEAT

Executive council of the Songwriters Protective Association at a Thursday (18) voted to continue the court fight against publishers on the issue of synchronization and transcription rights. After John Schulman, the association's counsel, had gone over the decision of Supreme Court Justice Ferdinand Pecora dismissing the SPA's complaint, the council decided that the finding left the real points of the controversy still open and that the decision was not entirely adverse to the SPA.

Council further left it to Schulman to determine the next legal step and advised what particular amendments should be made in the complaint. Doubt was expressed at the meeting whether it will be necessary for the SPA to get an assignment of rights from each of the members, as suggested in Justice Pecora's decision.

In a letter addressed to the Music Publishers Protective Association and signed by various publishing firms, Francis Gilbert made an analysis of the Pecora decision and gave as reasons that the decision was through licking for the SPA. A. G. Schirmer and Carl Fischer.

# Calls Program Credit Sufficient Compensation; But Composer Wants \$

Claude Lapham, composer and arranger, has filed out for \$500 against the Radio City Music Hall in the Municipal court, claiming that it is wrong to sue him for not recognizing he had done in connection with a stage production, "Japanese Fanfare" in August of last year. Complaint states that while no price was set for the work, there was an understanding he was to receive a "fair and reasonable" fee.

Lapham claims that the use Hall management refused to pay him anything on the grounds that he was given him program credit and that it considered this to have been a sufficient reward. Lapham has in recent years specialized in the composition of Japanese music and given piano concerts of his own works in that genre.

# CHARGE TORONTO FIRM WITH SONG SHARKING

Columbia Music Publishers, Ltd., of Toronto, appeared last week before the U. S. court in Washington to defend itself against the charge of being a "song shark" following an investigation by Postal Inspector George P. Brenn, of Rochester, the firm was cited to testify if it could not be denied the privileges of the U. S. mails. Decision reserved.

Shapiro, of Shapiro, Bernstein & Co. was called as an expert to testify for the government.

# Chi Gigles Ice in Three Salutes to Rocco Vocco

Chicago, June 21. Trio of week-end shinglers tossed here last week for Rocco Vocco, who is now settling final details for the winding operations of the new business venture of the firm. Radio boys from stations and network offices poured for the first time, with either a radio or television following and the windup "Joy" by an assembly of music reps. "Joy" would have been expected to become B-V-C's Hollywood rep.

# Detroit Pub Gets Going

Detroit, June 21. Radio Music Co., Inc., recently established here as a publishing house in many years, will move this week into larger quarters.

Bob DeLeon, prez of publishing house, has just completed deal with Rita Rio's band, whereby femme maestro will have a four-week exclusive use on Miss R's new ballad, "No End," using Miss R's current staff at Castle Farms, Cin. Organization's first tune, "You're Such a Precious Thing," was recently introduced over NBC's "Swingology" by Paul Lee's band.

# ERPI DECISION NOT 'TIL FALL

Decision was reserved last week by Federal Judge John C. Knox in the trial of the \$138,000 suit which John G. Paine brought in behalf of the publishers against Electrical Research Products, Inc. Contending lawyers were asked to submit briefs by next fall, in view of attorney Francis Gilbert's sailing for Europe this summer, which means the extra will not hand down a finding on the case until the fall.

Suit was the outgrowth of a licensing agreement affecting foreign synchronization use, which ran from 1923 to 1932. Paine, as trustee, claimed that ERPI was under obligation to pay for numbers recorded on soundtrack in this country and exhibited abroad regardless of whether the compositions were in the public domain in any of the foreign countries involved, or whether there was any conflict as to copyright validity. Also that there was an "only clause" in the agreement with ERPI, which made it mandatory for the electric which substituted to American film producers to pay a specified fee when the number was exhibited in one country or several countries.

Gilbert is representing the music interests; T. Abeles is co-counsel with ERPI's legal battery in defense of the Metro and 20th-Fox interests.

# GERSHWIN ESTATE CLAIMS TUNE DITTO

At the insistence of the executor of the estate of the late George Gershwin, Harms has served notice of suit for infringement on Panopticon and Paramount Pictures Corp. in connection with the use of the tune, "Say's Heart," in the film, "Society Girl."

The action, which is to be filed in the Federal court, will ask for accounting of the profits of the picture.

Harms claim that the first eight bars of "Say's Heart" are identical with the first eight bars of "Petal More" which Ira and George Gershwin wrote for a Broadway show and had published in 1925. Buxton Lane wrote the melody of "Say's Heart."

# ASCAP Meeting June 30

Board of directors of the American Society of Composers, Authors and Publishers is slated to hold its last regular meeting until the fall next week at this gathering is the royally scheduled for the second quarter of 1938.

# Bernstei Delays Sailing

Louis Bernstein, head of Shapiro, Bernstein & Co., has cancelled his sailing for Europe June 30 because of business matters.

He may go to couple weeks later.

# A.F.M. DELEGATES SEE PEACE

# Weber Wins Against Attack on Last Year's Trust Fund Decision Proving an Ultimate Retirement

# CHEERS

Tampa, June 21. James C. Petrillo, head of the Chicago local, made his peace with Joseph N. Weber before the delegates gathered here last week for the annual convention of the American Federation of Musicians. After making a categorical denial of all claims and statements attributed to him in newspapers and apologizing for any slight that he may have accorded the international's executive board, Petrillo was handed to the AFM prez. Weber complemented the gesture of friendship and self-reviving.

Last May on instruction of the Federation executive board, President Weber took official cognizance of the situation and wrote in International Musician, AFM house organ, that Petrillo was making the Federation and locals look ridiculous by self-aggrandizement and self-reviving.

Petrillo, a member of the executive committee, has been mentioned for president to succeed Weber, who has served 38 years. Petrillo stood before all the delegates and said in this federation, "I was quoted as saying in the papers, 'I deny I ever said I was the fall that was the first in this federation, 'I deny I deny that I ever said I was the highest paid labor leader in the country, even though it might be so. I deny that I ever said I was the strongest man in the Federation.'"

He went on: "So far as I am concerned, there is no split in the official family of the Federation and when Joe Weber and Jim Petrillo fall out, one of them will go. It will be Jim Petrillo, because we need Joe Weber most."

And when we leave this convention we want to leave as a united federation with no friction in the official family. We want to go to Mr. Movietone and Mr. Vitaphone and tell them we have come with a message and either you put our men back in the theatre or you will not have the services of our men in Hollywood."

"To show you I'm sincere in the fact that I must have a personal offer to Joe Weber at this time my hand for peace."

Weber, a smiling, nervous, arose and they shook hands as the convention delegates stood and cheered. Weber later had been heard of personal differences between him and Petrillo, reported in have had an income of more than \$100,000 a year, including \$25,000 for an armored car and bodyguard, nearly \$50,000 for Weber in 1925, a contingent fund for entertainment and a chauffeur and two months' trip to Europe.

Weber Wins  
President Weber emerged triumphant from battle when the Federation unanimously crushed a motion picture defending Weber was Petrillo, who recalled that he had been instrumental in getting Petrillo out of Weber in 1925, a contingent fund for entertainment and a chauffeur and two months' trip to Europe.

Weber said he had been a target of communist attacks ever since the American Federation of Musicians several communist members in our organization," he said. "They are not my friends, but they are making me out to be."

(Continued on p. 39)

# Song Title May Be Borrowed By A Picture; Canadian Decision Important in 'Monte Carlo' Appeal

# Nebraska ASCAP Case Action Not Due 'Til Sept.

Nothing will sit in the ASCAP test here soon in Federal court, predicted Assistant Attorney General Barlow Nye, who is handling the case. New York ASCAP officials were thinking it might come to a head in June, but Nye says it will be doubtful if the three judges who will hear the case can get together before September.

Anti-ASCAP measure was passed in the last municipal legislative session, and made any music combinations or trusts, illegal and subject to \$5000 fine per violation. He recently returned from New York after taking depositions in the case from ASCAP officials and members.

# BUDDY MORRIS HEADS M.P.P.A.

Edwin H. (uddy) Morris, head of the Warner Bros. music publishing interests has last week been elected president and a director of the Music Publishers Protective Association. He replaced both Walter Douglas, who was named sailing chairman of the board at the same meeting.

Proposal that the industry be asked to obligate itself not to engage in sniping of other publishers' copyright renewals was approved by this board get-together. S. W. Watenberg, of the law firm of Watenberg & Watenberg, had submitted a tentative form covering such part. The draft was okayed in principle and returned to him for the incorporation of several suggested amendments.

Under the proposed pact a publisher approached about a renewal deal by a writer would be required to communicate immediately with the publisher of the original copyright, conveying the writer's name, the composition, the terms, and the writer's present address. The communicating would then have to wait 20 days before concluding a contract.

A group of directors at this same meeting voted to recommend that all MPPA members turn over the illustrations of their phonograph records numbers to Harry Fox as agent and trustee.

# London Orch Directors, Music Union Agreement

London, June 8. Representative of the Grand Directors' Assn. and London district committee of Musicians' Union delegation, after conferring with members of 'United front of cooperation' for benefit of members of both organizations, a resolution agreed Monday that the Musicians' Union M.U. members, and that union members should work only for Assn.

Conference also passed a project for grading various conditions against the joint confederation with a view of regularizing wage scales.

# Joe Reichman to Wed

Dallas, June 21. Joe Reichman, bantoning at the Hotel Baker here, formally announced his engagement to Toniunie Bradford, who is a pianist. Her father's local residence is in oil biz.

Under a decision handed down by the Canadian Court of Appeals the title of a widely popular song can be applied with impunity to a different type, but as long as the idea of the lyric is not appropriated. This legal viewpoint was given as one of the reasons for reversing a judgment which Shapiro, Bernstein & Co. had obtained through Francis, Day & Hunter against 20th Century-Fox and Famous Players-Coronet Corp. for the unauthorized use of the song title, "The Man Who Broke the Bank at Monte Carlo." Lower court had awarded the publishers \$100,000 in damages in the picture of the same title. Shapiro-Bernstein plans to take an appeal to the Privy Council, Great Britain's supreme court.

Appeal court decision, which had all three judges assenting, not only left the picture intact but held that there is an implied property right in a distinctive and highly popular title but held that the musical number could not claim sound copyright in the Dominion. Shapiro-Bernstein contended that while the number was in the public domain far as the United States was concerned, it was not so in copyright in Canada because English rights existed from the writing of the song in 1905. Appeal court decided that this was not so since subsequent Dominion copyright legislation (1921) preserved Canadian rights alone.

No Use of the Song's Lyric  
On the title aspect of the case the highest court pointed out that the tag, "The Man Who Broke the Bank at Monte Carlo," had been simply added to a play as a musical picture accompani by words, a title which was appropriate to the type of work, having no relation whatever to the words of the song. The owner of the copyright in the song's lyrics was not so concerned that this was not so since subsequent Dominion copyright legislation (1921) preserved Canadian rights alone.

Another point requiring serious consideration is whether the act of 1931 which first conferred a copyright in the title of a work is retrospective. Does it apply to existing copyrights? It is admitted that prior to this act no such right existed.

It was said that there was here a holding out and there is some right of action for damages done here, but cannot follow this reasoning. Certainly the picture was not represented as a copyrighted song. No one could sue for infringement of the title prior to this act. There was no passing off of the defendants' work as the work of the plaintiffs.

# Witmark Claims Gus Edwards' Renewals

M. Witmark & Son, part of Warner Bros. music publishing combine, last week notified the trade by sending copyright notices that it had the right to renew on the songs of Gus Edwards works published prior to March, 1925. Purpose of the notice was to dissuade other publishers from working out any deals on these numbers with Edwards. Compensation for the notices was \$1000. "Witmark claims that it bought out the rights to the songs of Gus Edwards and again in 1918."

# Hepster's Dictionary

Ned Williams, publicist for *Hit Artists*, got up the bulk of the following *bits* here being added several more *jeans*, making this, perhaps, the most complete compilation of high *viz.*

"The people of Harlem," says Williams in his foreword to the Cat-ologue. "Particularly the musicians and the performers associated with them in show business, always have had a profus of words of their own, special words and phrases with meanings only apparent to themselves. With the rising popularity of swing music, much of this language was adopted as the idiom of the new crowd. White musicians and eventually the 'aligators' or white fans, began to use the picturesque expressions, and many of them have become almost universal."

Aln't coming on that tab — won't accept the proposition.  
 Alligator—swing fan or addict.  
 Barrethouse — free an ad lib.  
 Beat-tired, lackin' lity. *Viz.*, "beat for his chops."  
 Beat to my socks—lacking everything, broke.  
 Beat up—*n* in.  
 Beat up your chops—to talk, be loquacious.  
 Blip—every good.  
 Blowing his top—he hot-licks, par excellence.  
 Bree—*g*it.  
 Bree—*g*it.  
 Bring down—depressing, anything you don't like; *viz.*, "I feel brought down."  
 Buddy ghee—fellow.  
 Bunny—coat.  
 Bust your coak — apply yourself diligently, break your neck.

Diety chick — poised (aristocratic) frail.  
 Dink — look, meel or comprehend; *viz.*, "Do you dig, son?"  
 Dig — out—deliver; go to town, give out.  
 Dillinger—a killer-diller.  
 Dime mule—*g*it.  
 Dracula—in a class by itself.  
 Drape—suit or costume; raper is the drape.  
 Drummer—hide-beater.  
 Dry long—so-fate, or.  
 Early black—evening. ("I'll meet you in the early black").  
 Early bright—morning.  
 Eye in hi humor; *viz.*, "He's feelin' eye."  
 F  
 Fall out—overcome with emotion.  
 Fat, *g*cep and in the middle — in the groove.  
 Fews and twos—money or cash.  
 Fine dinner—good looking girl.  
 Focus—look.  
 Fourthly issue—very sad message.  
 Freeby — no charge, gratis, cut, *f.* (for free).  
 Frutin'—fooling around.  
 G  
 Gate, satchelmouth ("satchin")—a *g*it also as a salutation: "How're you, gate-mouth?"  
 Gauge—set your gauge; set high.  
 Get your mug—being a mug; you can improve cleverly.  
 Got your glasses on — riley or snobby; failing to recognize friends.  
 Got your boots on—know what it's all about.  
 Got your *g*it on — rom a trumpet.  
 Gutbucket—low-down music.  
 H  
 Hard—fine or good.  
 Have myself a bail—to enjoy yourself, stage a celebration.  
 Hey cat, or hey guy—any guy who knows what it's all about.  
 Hicely—concealed or snooty.  
 Hicely—snooty gal.  
 Hepped—to be wise to things.  
 Home-coming—very fine.  
 Hot-licks—improvised hot stuff.  
 I  
 Icky — one who is not hep but thinks he is.  
 I'm ready—master of the situation.  
 In the groove—no deviation from the alley, perfect, a musician's 'riding'.  
 J  
 Jam — improvised swing music; jam session—swing session.  
 Jelly—anything free, on the house.  
 Jitterbug—swing fast.  
 Jitter sauce—liquor.  
 Live—to kid along, to blame, stomp and things; also the lingo or speech of alligators and/or cats.  
 Joint is jumping—place is lively, everything's gay.  
 Kill me—show me a good tin.  
 Killer-diller—a great thing, thrill.  
 Knock me—to obtain, as "knock me some food."  
 L  
 Lane—a male.  
 Latch on—grab, get wise to.  
 Lay your racket—to give, sell an idea, the conviction.  
 Left raise—left side, as "the chick on my left raise."  
 Legit—same as long-hair.  
 Licks—hot musical phrases.  
 Live in whites—best sheets.  
 Long-hair or long underwear—musician who plays by notes or refers classics.  
 M  
 Main on the hitch—hisbub  
 Mellow—all right, fine.  
 Mess—good.  
 Meter—quarter.  
 Mezz—supreme.  
 Mouse—pocket.  
 Muggin'—making out on the live.  
 Murder—excellent territory.  
 Musical instruments: accordion—push-box; trumpet—bone; drum—suitcase or skins; guitar—belly adle; piano—mislr box, chip box, or; mahogany; bass—finger-doghouse; saxophone—foghorn, liphorn, reed-buster; violin—scratch box or squeak box; xylophone—wood pile; vibrapiano—iron-works or iron hatbox; —therometer; clarinet—licke stick, blackstick or cob-stick; trombone—bam, slip-horn, slush-

# 15 Best Sheet Music Sellers

(Week ending June 18)

*Says My Heart	Famous
Cathedral in the Pines	Berlin
Oh Mama (The Butcher)	Shapiro
Love Walked In	Chappell
Everlight in the Starlight	Parrott
*You Leave Me Breathless	Famous
Don't Be That Way	Robbins
I Let a Song Go Out of My Heart	Parrott
Please Be Kind	Harms
Garden in Granada	Schuster
Cry, Baby, Cry	Parrott
Music, Maestro, Please	Berlin
Little Lady Make Bel	Olman
Beamed	Berlin
If It Raina	Morris

\* In *repates stage production song.*

# Gordon-Revel Set Bregman Music Deal

Mack Gordon and Harry Revel, the New York couple, in weeks, having driven cart on a co-vent business-pleasure trip, *viz.*, their business centers the usual visiting of the name places and more specifically, this time, the closing of details with the New Bregman-Vocco-Conn firm.

Gordon and Revel are financially in the new firm. They return west via Chicago, and has three 20th-Fox films set to score, "Dance Hall" with Alice Faye-Spencer. They will be the first, "Three Musketeers" (Ritz Bros.) next, and "What the Public Wants" use the "Average Man" by Eric Cantor.

In each, in line with the new Hollywood vogue for no' writing as many songs per film, the musician will contrib only two or three numbers per pic. For their "My Lucky Star" forthcoming, Sonja Henie film, however, team has five numbers. For "Love Finds Andy Harding" (Metro, with Mickey Rooney and Judy Garland), they did several numbers.

Since expiration of their new contract, Gordon and Revel have the publishing rights privilege. Thus, they're switching their song placements away from the RKO-Paramount-Miller (Metro subst.) into the Bregman-Vocco-Conn firm.

# Music Icons

Frederick Hollander and Frank Loesser finished musical score for Paramount's "Zaza."

Mike Ely Orchestra, Inc. has been chartered to conduct an amusement enterprise business in Manhattan. Directors are Mike Ely, Artie Dunn and Marvin Del Bunc. Harry Berman film attorney.

Mills Music, Inc. has sold the British rights to the current Cotton Club score and I Let a Song Go Out of My Heart to Lawrence Wright and bought the American rights to "Whispering Waltz" from Cecil Leeson, London publisher.

Frank Churchill and Paul Webster wrote three songs for Sol Lesser's "Fisherman's Wharf." Ditties are "Up Goes the Moon," "I Found My Sunshine in the Rain" and "Lovins in My Own Sweet Way."

Aaron Gonzales turned in the words and music for "Machuchita," to be sung by the Hollywood picture. Return. "Gonzales" also wrote "Tu Carino" for Spanish production by Sam Fox.

## Feist

*ew Style Song in Yours*

### My Margarita

By *Mark Green* English Lyric by *Walter Ulmer*

*Gordon & Revel's newest score*

### In Any Language

Where in the World

*From the 20th Century-Fox Picture "Jettie"*

A Fresh Idea in Musical Novelties

### On the Bumpy Road to Love

By *Al Hoffman, Al Lewis and Murray Mencher*

A typical onadion rhythmic novelty

### Why'd Ya Make Me Fall in Love

By *Walter Donaldson*

*Burke and Leslie's new Hit Ballad*

### Somewhere With Somebody Else

Lyric by *Edgar Leslie* Music by *Joe Burke*

*Jimmy Dorsey's Great Tune*

### It's The Dreamer in Me

By *Jimmy Dorsey and Jimmy Van Heusen*

## Leo Feist inc.

THE COMING NO

# WHEN THEY PLAYED THE POLKA

Words by *LOU HOLZEL* Music by *FABIAN ANDER*

ROBBINS MUSIC CORPORATION 299 SEVENTH AVENUE NEW YORK



College Prez Can't Savvy Yen for Names

Using a name orchestra at Lafayette College dances was criticized by William Mathers Lewis, resident of the college, in his address to the seniors during the commencement exercises.

Bridgeport, June 21. Rocky Clark, radio ed of Post, took up cudgel for dance foes who complain they can't afford high admission prices in territories.

Petrillo-Webber

from page 37) selves felt. They charged me with being a capitalist. In San Francisco the communists forced me to resign. They charged I was a member of the Nazi band and that these details were under my control.

Convention rejected a proposal for further restriction of traveling money, because the public demands liberty. Resolution provided that traveling units allowed to play only two thirds of the time in local jurisdictions.

President Weber and others ided the rule would be impossible to enforce, because the public determines what it wants and in the end the entire industry would suffer.

ASCAP FIELD MEN MEET Paine Brings Least Reg Up to Date On Copyright Legislation

District representatives of the American Society of Composers, Authors and Publishers met in this city last past weekend for the annual review of the organization's problems.

Group was brought up-to-date by Paine on anti-ASCAP state legislation, court cases and the activities of the latter's foreign affiliates.

CRA-BESTOR CRA-LAW TANGLE

New York musicians union has put Don Bestor's contractual lift with Consolidated Radio Artists up to the courts, stating that the N.Y. supreme court must determine the issues.

Bestor currently is working a Dallas hotel Ralph Hitch on a CRA booking via Rockwell-O'Keefe. A similar lift between Pat Whitehead and CRA is still in union hands although Abeles is also at pay for Whiteman.

SWING CONTEST END CUES JUDGE'S VAMOOSE

Conducted by arlin Block on station WXYZ goes into its quarter-final today (Wednesday) with Red Norvo and Gene Krupa.

Restart today (Wednesday) two against two, etc. down to championship that's own recording which they think best.

Irving Mills' Billing

Irving Mills, who masterminds the arlin recordings for Brunswick, is a member of the label's band leader, although he's basically a talent manager.

Challenger Morehouse, Bobby Hackett, Arlin Gould, Joe Marsala and others ser under Mills management.

Duals, Block Bookings Called Williams By A.F.M. in Employment Fight

Roades, McCoy, Hudson For Beverly Country Club

Who Pays Off Is The Boss

An orchestra member, unless he is a member of a 'name' band, works for the purchase of his music.

George Hight will play the Casino at Brighton Beach, N. Y., the week of July 17.

Tampi, June 21. Double features and block booking were singled out by the American Federation of Musicians.

As originally drafted the convention program for a national tour to disassemble propaganda to the public.

Convention unanimously defeated a resolution designed to abolish the 1% per capita tax paid by musicians to the American Federation of Musicians.

One of the biggest fights of the American Federation of Musicians union which would prohibit booking agents from providing network facilities for non-union musicians.

Austrian Composers Elect Dr. Guttebrueck

Vienna, June 12. General meeting of society of authors (AKM) held on June 12 at Urania Hall building elected Dr. Guttebrueck as president.

Clinton's S.R.O. Larry Clinton smashed the Glenn Ford Club's 1937 attendance record for the second time in eight days.

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

Following is a totalization of the combined plugs of current tunes on WPAZ, WJZ, WABC and WOR computed for the week from Monday through Sunday (June 13-20). Total represents accumulated performances on the two NBC chains, CBS and Mutual from 8 a. m. to 1 a. m. in Source column, \* denotes film song, 1/2 if tunes, and \* open spots for itself.

Table with 3 columns: Title, Publisher, Grand Total. Lists various songs and their performance counts across different networks.

On the Upbeat

Herb Gordon's orchestra, which played a winter engagement in the Grand Box of the York Hotel, Albany, is now at Onondaga Hotel, Syracuse. Broadcasting over WFBL and probably will ride on CBS later in summer.

Andral to ers, string duo into Hotel Roosevelt cocktail lounge, Pittsburgh, for indef. engagement, replacing Buddy Russell 3, placed by Joe Heller for CRA.

Bob Clayman has reorganized and with his wife, the former Ruby Rubinoff, daughter of Dave Rubinoff, goes into Blandis Inn, Pittsburgh, for a stay.

Shirle Stakto to Kenwood Park, Pittsb., July 10, for fortnight's stay. Placed by MCA.

Bobby Grayson's band, current at Book-Cadillac's Casino, Detroit, is slated to stick at spot until August.

erry Cleland band booked into an Greens, Columbus.

After his current week at the Apollo, in Harlem, Duke Ellington goes into a hop for an operation which should require three weeks all told. Thence on the road for two months.

George Hall will open June 23 at Claridge hotel, Memphis, for two-week stay. Band is currently on a tour of one-nighters through Carolina, Tennessee, Georgia and Alabama.

Barry Winton at the Bath and Tennis Club, Spring Lake, N. J.

Meyer Davis is playing for the opening of the N. Y. World's Fair Terrace Club tomorrow (Thursday), after Miller set by Davis at the nta Barbara-Biltmore, Santa Bar-Cal.

Jack Benny renewed at the Bon Air C.C., Chicago for indef. period. Ditto the Biltmore Boys, strollers, who remain at the La Salle hotel.

Mike Riley will play at Manhattan Beach, N. Y., Aug. 14-20 and Brighton Beach, N. Y., Aug. 21-27 for CRA.

Joan and Eddie, cocktailers, Zurich's Cafe, Evansville, Ind., June 14.

and We Two, strollers, President hotel, Atlantic City, N. J., July 1.

Ben Merzan opens a two-weeker at Beldis Park, N. J., from June 27-July 11.

Steel Pier bookings for July and August include Happy Feller, July 1-7; Hal Kemp weekend from 2-6; Benny Goodman, July 3, also Aug. 19-25 inclusive; Rudy Vallee, July 15-17 and Sept. 2-6; Bunny Bratten, July 22-26; Gene Krupa, Aug. 9-11; Guy Lombardo, Aug. 28-Sept. 1 and Sleepy Hall, Aug. 31-Sept. 8. Also Barba's crew plays daily sessions for season.

Jerry Livingston opens the season for Gateway Casino, Summersport, N. J., July for two weeks. Red Norvo-Mildred Bailey in as specials on July 3. Spot has a usual wire.

Willie Bryant one-nighting the west for Joe Glaser.

Jayne Dover joined Will Hudson's new band this week as vocalist. Exited La Conga, N. Y., for band shift.

Artie Shaw's tour itinerary includes Philadelphia from June 25; Roton Point Club, South Norwalk, Conn., 26; Johnston, Pa., 28; Parkersburg, W. Va., 29; Charlottesville, W. Va., 30; Sunnyside Park, Potstown, Pa., July 2.

Glenda Gale new vocalist with Reggie Childs.

Glen Gray will do three weeks of one-nighters from San Diego to Sacramento during July.

Ted Lewis swinging down the Coast after stand at Tony's in Los Angeles.

Dick Burgess band moved to Catalina Island last Friday (17), following Roy Pryor.

Guy Lombardo does a holiday-even stand July 3 at Roton Point Club, South Norwalk, Conn. Will come in

after CBS Bond Bread commercial. Artie Shaw's band one-nighting this Sunday (28) at Ro-on Point.

ony Martin getting together with a tour for 10-week tour while he's off the air and between p.k.

Herbie Kay at Olmos Dinner Club, San Antonio, ended two-week stand Wednesday (15) to be followed by Herman Waldman crew.

Jack Rogers reopened the Center hotel roof, San Antonio, Friday (17) on a Friday. Saturday night sked.

Phil Levant with Gretchen Boll doing the vocals, into Kenwood Park, Ittburgh, for two-week stay.

illows, Pittsburgh, has picked up musical of Joquin Grill orch, which opened there May 25, for eight additional weeks.

Versailles, strollers, open at the Hotel Lincoln hotel, Springfield, Ill., June 25.

Beulah Kase's orchestra replaced Hal Stearns at Ishire Bowl, La. A.

Don Bester to Roosevelt hotel, New Orleans, July 6, after closing at Adolph hotel, Dallas, Tex.

Louis Armstrong at Pleasure Beach, Bridgeport, Sunday (26).

Al Apollon opened a new swank ntery, the Dunes, at Virginia Beach, Va.

runkle LaMar's aggregation plays for season at Atlantic Beach hotel, Morehead City, N. C., starting July 1.

Will Hudson's Swinglets has recruited ten numbers for Brunswick.

Ken Meyer's band set at Ingaide Club, Ft. Worth, Tex., this week.

Jimmy Richards into the Commodore, Perry Hotel, Toledo, O., June 18 for CRA.

Chick Webb 'll do a brief tour of Florida starting in August. Ella Fitzgerald appears with band.

Jan Savill plays Steel Pier, Atlantic City, N. J., from June 23-28.

Rarry Rapp into the Duluth Yacht Club, Duluth, Minn., July 13, for one week for CRA.

Rudy Bundy follows Harry Candullo into the Mansion, Youngstown, O.

Harry Herman, formerly with J. Walter Thompson and Lord & Thomas agencies, has joined radio staff of Consolidated Radio Artists.

Buddy Fisher opens at the Blue Moon Club, Tulsa, Okla., June 24 after exit the 400 Club, Wichita, Kan.

Billy Swanson, recently at La Conga, N. Y., opens at the Cataract House, Niagara Falls, N. Y., June 22. Gets an NBC wire.

Jack Weaken, former leader, now musical director of station KSPQ, San Francisco.

Jerry Livingston opens at the Gateway Casino, Summersport, N. J., July 1 for season.

July 4th bookings for CRA include Charlie Barnet, Civic Celebration, Hamilton Square, N. J.; Mike Riley, Ben Jettick Park, Auburn, N. Y.; Jerry Blaine, Colony Surf Club, West End, N. J.; Bubbles Becker, Wrightsville Beach, Wrightsville, N. C.; Harold Stern, Brighton Beach, N. Y.; and Joe Haynes, Lake-side Park, Barnesville, Pa.

Roy Eldridge playing one-nights out of midwestern territory.

Jack Kapp to Coast  
Jack Kapp hies to the Coast end of this week.  
Usual recor ing excursion for the Decca prez.

Inside Stuff—Music

U. S. postal authorities have been asked to apprehend the writer of a series of anonymous poison pen letters that have been directed recently to both band leaders and music publishers. Letters show that some knowledge of the music business and have led to the belief that some song plugger is using this means to vent his spleen on rival professional men.

Communications are filled with abusive language. In the case of leaders they severely criticize the instrumental setup and urge that the bandmen get together and plot a comeback, while the letters to publishers purport to tip them off on the personal foibles and general behavior of their employees.

Charles iller, with three years head of Harms' arranging dept. and who subsequently founded Miller Music in association with the late William H. Woodin, secretary of the Treasury, is the letters to publishers. He recently completed orchestrations for Jerome Kern's new musical, 'Gentlemen Unfrail,' which the St. Louis Municipal Opera presented a few weeks ago.

Jack Mills has asked Reg Connelly, of Cinephonic Music, to send over a sound film of the production number in which the "Lambert Walk" is used in the current London musical, 'Me and My Girl' so that he will have something to help him sell a Broadway production on incorporating the song in a forthcoming show. 'The film idea would be an innovation in the business of song plugger. 'Lambert Walk' has been holding high rating among the British sheet sellers.

Publisher members of the American Society of Composers, Authors and Publishers were asked last week by John G. Payne, gen. mgr. to advise the Society on what performing rights, obligations or affiliations they maintained outside of the U. S. Inquiries is a periodical checkup that has been made necessary by the fact that some publishers reserve the performing rights for foreign countries.

Band Review

MORACE HEIDT ORCHESTRA (13) With Entertainers (21) West Billmore, N. Y.

Heidt, now has a band of 16, including himself and a company of 13 entertainers to support his dance company.

Variety troupe in support, by name, includes Lyseth Hughes, corking soprano prima donna; Harpaxides; Larry Cotton, tenor; Bob McCoy, bass-baritone; Alvino Rey, mimic and guitarist; Jerry Bouve, comedian; Jennette Garretts, singer; Art Carney, singing comedian and mimic; Red Farrington, jazz band director; The Four Kings, mixed harmony combo; Donna King, soloist; Charles Goodman, jazz 'regu' tenor (doubling for the ill 'Yvonne King'); Red Cassidy, from a symphony orchestra, chamo combo drum-major; vocal trio, trumpeting trio, a glee club.

Heidt, now has a band of 16, including himself and a company of 13 entertainers to support his dance company.

There's little to do this time with Heidt over to the fore, even unto composing a little holding as in the 'Polka' number (which Fabian Andre, who used to arrange for Herch comedy dancing, is another stand-out).

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Thus, it's quite apparent, Heidt's handicap is (as is their Altemie radio-sponsored billing) constitute probably the most pretentious band ensemble in the field. It's equally apparent that the Bowman-Billion management, no matter how socko the Heidt draw, couldn't underwrite the unit in a straight draw engagement basis, if the Stewart-Warner (Altemie) people didn't contribute towards the expenses for the case and institutional val.

Apart from the economic, Heidt's handicap is he has traveled far in the past 10 years. When first coming east, out of San Francisco, among his then features were Lobo, a polke doc, and what is quite elementary band versatility. Just that's no surprise; today the average Rockette or Gee Foster for the girl 'tricks and routines that a yester

Their Regular Patron Of Place Robbed

Toronto, June 21. While some 700 people were on the floor above, a lone gunman held up Mabel Berry, cashier at the Palais Royale, 514-couple dance hall in Sunnyside Amusement Park, and escaped with approximately \$350.

Check girls said they had been fairly regular recent customer and that they would easily know him again.

BERLIN BULLETIN The best lyric ballad of the year and OVERWHELMINGLY NO. 1 MUSIC, MAESTRO, PLEASE The surest way to please an audience is to sing this SONG HIT CATHEDRAL IN THE PINES IRVING BERLIN, Inc., 799 Seventh Ave. N. Y.

Our HIT Parade Candidates 'YOU'RE SUCH A PRICELESS THING' 'PARDON MY TEARS' Arranged by Dick Douglas. Orchestrations 50 Cities. RADIO MUSIC CO., INC. Robert DeLeon, President 907-909 WURLITZER BLDG. DETROIT

# Philly Short of Inspectors, So Official Niterly Mixing Probe Is in Abeyance

Philadelphia, June 21.

State's campaign to halt mixing of night club entertainers with patrons in niterly here is suddenly in limbo in "abeyance." Walter H. Moore, supervising inspector for the Philadelphia Department of Labor and Industry, claims he is now strapped for inspectors for what he considers most important details and will postpone them of the niterly. Admission following charges last week by Tom Kelly, head of United work by Entertainmenters Association, that late night spots are "running wild" in breaking down barriers between the night club and niterly entertainers mixing until the wee hours.

It is noted there have been no prosecutions of niterly operators on mixing charges yet and that will be good news until he can get "half a dozen good ones." When that will be done is not clear, but he says he will assign inspectors to the task now.

Difficultly, it is declared, is in that it takes two inspectors all night even if sitting in holerches to get evidence even when it is difficult to get in a room without causing a commotion in court. He said he wasn't interested in making arrests which would end in a few days.

Kelly has now turned to other methods for eradicating the mixing of night club and niterly entertainers. In the first place, he is seeking to get his group back into the American Federation of Actors, from which it split about three years ago. This would put him in a position to bargain for some of the

In another move he has turned to another State agency, the State Control Board, whose licensing provisions prohibit mixing. Board can refuse to issue a license unless permits on much less absolute evidence than must be produced in a regular act of law.

Enter niterly managers Association here is preparing a letter to Governor E. A. Broun, asking that the new Pennsy booking law be enforced or the agents have their \$1 license forfeited. There are 31 bookers in the organization.

EMA maintains that members took offense to the new Pennsy law provisions. They were promised that no booking would be allowed except by licensed agents. Claim now is that out-of-state agents and many local ones have no licenses and are not being prosecuted. "The Grand is the local enforcement outfit."

## MAX HOFFMAN FILES BKPCYT; OWES 106

voluntary petition in bankruptcy was filed Friday 1972 in N. Y. federal court by Max Hoffman, who described himself as an unemployed actor and gay show business promoter. Hoffman, 44, is the vaudeville veteran's fourth husband. He is a vaudeville actor, head of Gertrude Hoffman's father of Max Hoffman, Jr., picture actor.

He filed his liabilities at \$10,850 and decided not to assume any of the debts listed: Harry Claidon Watson, of Ontario; Canada, \$6,000 and Aman Coleman, of Woodside, L. I., \$50.

## Irving Caesar in Vaude

Irving Caesar has been booked for a vaude personal at Loew's State, N. Y., on June 26. First leg of his four-day stay.

Pop song lyricist has recently completed a series of radio spots for the Rudy Vallee (Royal Gelatine) program on NBC-red.

## Eythie Wright's Op

Detroit, June 21. Ethie Wright, who has been with Tommy Dorsey's band, was left behind last week to recuperate from a week's stand at the Fox Theatre here in Detroit good.

## KW Band Plays Earle, Phils

Philadelphia, June 21. The KW Post Hatters, booked under Earle, Phils, has been included in Kyrle Group's 1st local vaude date.

## Hold Youth in Assault

Philadelphia, June 21. A police custody on a charge of criminal assault on a girl employed in the Tradewind Pool, a roadside night club at the corner of 10th and Locust streets, was alone on duty in the restaurant and dance floor during part of an afternoon when the crime occurred. After a search of several days the assailant was captured. The court hearing was deferred pending the girl's release from the hospital.

Attempted criminal assaults have been made at several other roadside night club dance spots in the state provinces, but in each instance the attacked girls have succeeded in calling the police and the arrests of the attackers have resulted in automobiles.

## GABY LESLIE RECALLS HER S. A. EXPERIENCES

Editor, Page 5 of this week's issue you have a story: R. Y. talent sought for vaude and dance spots in the States. I went down to Bogota on Nov. 17, 1936 with a company of 23. We were the first to be arrested. We were told we were subsidized by the Colombian government. A bond was posted for each of us and we were guaranteed for the orchestra. Everything went smoothly the first day but the next day the manager developed that the company had come down on speculation; that the people were too poor to sit in a theatrical company; that the government didn't even know we were there, and, furthermore, our managers were dishonest.

We struggled on the most meagre existence for six weeks in Bogota, using the admission from \$2.50 to \$5. At the hotels there we did not register, nor did we have a passport. We lived at a German pension where the most deplorable conditions existed. We had to eat a horrible diet daily (including meals). Conditions such as one bathroom for the entire place of 20 rooms, and where water was at the highest premium and still was gratis. The hot water even was not available. The water was so bad that it was necessary to drink it. The bath or shower was deficient; the sewage facilities, incredibly bad. I travelled extensively, but I have never encountered such conditions.

Our manager returned here for 100 men. The bond had been pilfered by our managers two hours before leaving the place. We were arrested and, secondly, we were four days away from the seaport of Barranquilla.

We finally secured a baker, ironically called Mr. Angel, to finance the company's fares to the next town, en route to the third hotel. There they advertised a performance for "men only," thinking he could bait the fish. The men were there in more ways than on. "Men only" is a foreign country means only one thing to the third hotel. The men were lovely set of performers with the exception of a few dancer. But they were with us. They were interested in they expected, because the audience (the theatre was so packed the balcony was full) became impatient with the point of climbing on stage. Police had to be called but with us. They were interested in they expected, because the audience (the theatre was so packed the balcony was full) became impatient with the point of climbing on stage. Police had to be called but with us.

We moved on the next day to Barranquilla, where we had to cross a river boat through jungles. We gave two performances in Barranquilla. Then we were interested in they expected, because the audience (the theatre was so packed the balcony was full) became impatient with the point of climbing on stage. Police had to be called but with us.

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## Genius

Oklahoma City, June 21. The perfect waitress, according to the findings in a recent waitress contest sponsored by the Oklahoma Restaurant Operators Assn. during the convention in Oklahoma City, won't give a customer a date. She's an artist at dining; she is neat and careful in dress; she has the proper carriage; she's a good mixer; she's a man who doesn't pin up his nose on the nose.

And, she's generous. Champion waitress Ellen Wenzel, of Muskogee, "traveling men are the easiest to watch on."

## Air-Coolers Do Better Than Hotel Rooferies

St. Louis, June 21. Roof gardens atop the swanky Hotel Chase 1, the West End district hotel, are being abandoned this year in favor of air-conditioned rooms downstairs. Dilemma of the hotel garden will be a boon for residents at the Park Plaza hotel, next door, who booked summer at the opening of a dance band until the week hours. Threat of an injunction against the hotel's garden, the means by which the tenures were mutually sufficient to enable the Park Plaza to

While the Staller roof is glass enclosed, the management went to considerable expense this year to produce the same atmosphere, or perhaps cooler, in its first floor rooms and only to find that the enclosed ground floor capacity will cause the roof to be reopened. The management also states that the size of the roof garden made it difficult for the music of the looters to be heard all over the place. The object is to overcome in the smaller clubs its rooms.

## Leon & Eddie's Vaude At \$1 Admish: Niterly Switch

Leon and Eddie, N.Y. is the latest niterly to segregate part of its bistro for the benefit of customers who do not wish to be merely onlookers of the floor show. Unveiling of the new policy last night (Tuesday) had Pat and Sam on the floor, and the flesh glamour who pay only \$1 and don't have to partake of food or drink.

New aquatic show, in a five-foot tank, features Helen Walnwright, Olympic diving luminary, accompanied by four other mermaids. Other acts: Hardeen, Irvin Adrian, Judith Allen, Gabe sextette, Ruve and Marcis, Haines, Tale and Simpson Joe Kirk, Lynn Sterling, Addy and Pat, who's who's who's, and Eddie Davis.

## Toby Wing Teams Up With Kemper, Nichols

Toby Wing will work with Charley Kemper and Ken Nichols for at least a week and possibly longer at the Lyric, Indianapolis, Friday (24). Blackouts using Miss Wing injected into the two-man comedians. Toby Wing ingenue used in the musical, "You Never Know," is season 10 Kemper.

my return I used but for book only \$1. I won but have been unable to collect so far.

In the interest of any performers who may have been overlooked, I may print this or any other thereof. I'm sure they will appreciate knowing that they have not been overlooked.

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# Resort Owners Assn. Opens Drive To Smash Borscht Circuit Stigma; Big Time Vaude Booking Claimed

London, Ont., Curfew

London, Ont., June 21. All dance halls in London and district have received orders from Ontario Provincial Police that dancing must stop sharp at midnight Saturdays. Following up the written notice, officers last weekend visited at many dance halls as well as to check up, but stated they found all obeying the new orders.

Police say that many complaints have been received this spring about district dance halls remaining open into the early morning hours. This is coincident with growing popularity of the open-air and semi-open dance places throughout the district. Police state the check-ups are to be continued throughout the summer months.

## STAGE DANCER'S \$47,000 SUIT VERSUS THEATRE

Galveston, June 21. Annette Lanham, stage dancer, filed a \$47,000 damages suit against Galveston Theatres, Inc. In her petition, plaintiff alleges that, on her return from a tour of the States, partner, Helen Raetzin, led to acrobatic dancing at the Queen Theatre, and while dancing she was in condition of stage floor, she fell, receiving permanent injuries to back, arm and hand.

Before she received injuries she claimed her body was perfect and unblemished. She stated that she was earning in excess of \$6,000 a year, and that since receiving injuries she has been unable to work.

Oklahoma City, June 21. Case of a dancer, who asserted she fell \$5,500 worth last June in a fall over a stool at the Oklahoma Club, has been referred to court on the approval of District Judge Clarence Mills.

Case of dancer, who asserted she fell over the orchestra leader's stool which had been negligently placed in her path.

## Saratoga Cafe to Reopen

Saratoga Springs, June 21. Newman's Lakehouse, a landmark here, will be added to Saratoga's roster of night clubs this season, it is indicated.

Remodeling of the Lakehouse was begun last year but the club did not operate during the season. It is reported that the building will open about the middle of July. Reported that Jack Dempsey may be associated with the management.

Denver, June 21. Eddie Ott, owner of the Broadmoor Country Club, just out of vacation, has opened a resort at Evergreen, Colo., 40 miles west in the mountains, where he will be in the year around. Place said to cost \$25,000.

## Negro Band-RKO Unit To Repeat RKI Dates

Special engagements of a Negro band unit in selected RKO circuit houses of Brooklyn and Bronx, N. Y., may prompt the circuit to limit the expansion. Reported that when suitable talent is obtained, Circuit may use smaller joint units in selected locations. Dates will be dropped during summer months. Dates will be dropped during summer months.

## Magis Pick Davison

Cincinnati, June 21. International Brotherhood of Musicians, at annual convention here last week, elected John J. Davison as president. Charles Larson was awarded the trophy for "premier" in the contest. Davison, vice-president; Ted Fleuber, secretary.

Topnotch

London, Ont., Curfew pulled an "ing" ring. London's Catwalk Movers, Regs County Resort Owners Assn., has issued a warning to agents, actors and bookers. Also plan to show the newspaper "light." Order is that any performers found guilty of using derogatory material concerning the agents giving false stories will be banned as employees or reps of resorts concerned.

Recently formed central committee of the touring industry promotion and publicity drive from a New York headquarters to erase the "herringbone" stigma it claims they have been mistakenly convicted by the public and newspapers. The committee disassociates themselves entirely from the bagel banners and prove their dignity as outlets for acts over the next year season. Newspapers will be dealt with on a more diplomatic basis than just thought. Instead of banning newspaper advertising summarily, they will openly invite any and all advertising agencies to remain as sponsors for a personal one. Thus, it felt, they would eradicate "adverse publicity" and "advertising."

## Agents Agr

Better agents back up mountaineering acts, poor conditions etc., are not true of big times. Standard agents, comedians and novelties get from \$35 to \$60 weekly, or as much as they would receive at small niterly. This plus board and room, represents an additional \$55 to \$80 weekly. Bigger acts, that only few weeks, are paid sums on par with their club date salaries, ranging from \$100 to \$250.

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Operators located in Sullivan and Utica, N. Y., are planning an investment of over \$150,000 in their properties. They state they pay from \$100 to \$250 weekly for entertainment and staffs. Food, at its best, prepared by \$3,000 per week. They plan to have a dispensing careless cookery. Personally interviewed, six owners, plus a regular staff of 100 employees, seemed refined, as contrasted to the dialect-dance, comic characters of newspaper type.

Further brag is that their shows frequently equal those of better vaude houses. To this agents agree, as small niterly. This plus board and figures. They point to slew of new big-time alumni set for appearance in the near future as experimental theatres (some of legit stock troupes) and niterly. They claim that no longer have break-in time for polishing.

It is now to cut so-called social staff and public relations brackets, at least, especially weekends. Closing is another way as are the life-of-the-party boys.

## International's Reorg. Maybe by End of Month

International Casino, Brown way's newest of the mammoth reorganization plan and it is hoped may emerge from 77B by the end of July.

See the bank ins filed. Christenbury, v. p. and general manager of the Hotel Astor, to also just week. He is expected to have his overhead considerably and had his revenues yield a more proportionate return. The reorg. cost some \$600,000, to \$150,000.

Present ice show, while only in the 1930s, is now returning to the original Pierre Sardin-Jacques. The ice show, which grossed \$50,000 to \$75,000.

## Niter Reviews

## NEW ACTS

turn. Act has enough speed to allow for it.

Cherry Ales tabbed the Five Reillys when they were kids back in 1890, sleeping on a ledge at the Albee, where they were with the five boys nights up while the basket was hanging from the ceiling. The boys' A.L.S. collection. They show a promise then; now they're grown up and living topsy-turvy around, and can still develop it pointed properly. Bert.

## Unit Reviews

## TED LEWIS REVUE (PARAMOUNT, LOS)

Los Angeles, June 16. Ted Lewis, Loreta Lane, Ray Dixon, Theo. Troy, Ray Rocco, Ferns de Assin, Ben G. Gifford. Snobball! Writer. s's Variety Club.

It took Ted Lewis and his rhythm shapoo revue to revive stage audiences at this house after a two-year absence. The show is a gem and the veteran came through with a bang. The cast is first class, and heading for hellish gross in a few months, but the Lewis show is giving the audience a good time.

Opening performance ran 58 minutes, moving with clock-like precision. In comparing the customary Lewis brand of vaudeville with the maestro's first visit to the Paramount, it is interesting to note that Lewis brand vaudeville is what the customers hadn't forgotten his and showed their appreciation by giving up the show with applause and all concert hall huzzahs.

In addition, excellent line-up with which he has been breaking through throughout the season. Lewis has added a new act, a new act, a new act, and a new act. Full of personality and tells a number. She'll be heard from again. As usual a show-stopper. "Snowball" is a real gem. The show is in its prime. Unit is appropriately staged and all concert hall huzzahs. Screen feature is "Swiss Miss" (M-G), with Paramount News. "The Three Girls" and "Popeye" cartoon for fillers. Trade bill at 100.

## PENTHOUSE FOLLIES (COLUMBIA, ALLIANCE)

Alliance, O. June 13. Stan Kroll, Trix Harris, Vincent Yero, Cora & Barbara, Stanley Kaplan.

Typical Harry Clark production, plenty of good strong talent and two standard vaude tunes, with just enough variety to keep the audience and dancing minute the 45-minute show, with more than usual attention to stage. Warlike picture and music for vaudeville hours in the middle.

Stan Kroll Trio, flashy dance act, beats the brunt of the revue, with a nice little act of its own. Appearing gracefully to get the revue under way. Five-girl line then does presents a difficult turn, using several trick bikes and wheeled outfits, which, along with its clever lighting, helps him to get best applause of show. Five-girl line then does very original tap. Vincent Yero, a Filipino, is adept at mimicking crowd for comic effect. Stan Kroll, Cora & Barbara, Stan and Ferns, Harry Clark and Ned Gifford, all do well. Stan Kroll and Vincent Yero scores heavily, too.

Bing Crosby makes his second appearance for comic effect. Stan Kroll and Cora & Barbara tap well, and Vincent Yero, Harry Clark and Ned Gifford, all do well. Stan Kroll and Vincent Yero scores heavily, too. Stan Kroll Crosby scores heavily, too.

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CARDI (read by) SIDNEY FISHER 7577, Shaftesbury Avenue PICCADILLY, LONDON, ENG.

MOUNT ROYAL-LONDON MARBLE ARCH, W. APARTMENT HOUSE, FRANKS and CARROLL, LTD. One Person... 12.8 per night Two Persons... 15.0 per night Three Persons... 17.5 per night. Mrs. MAYNARD, 11111 Mille Court, Chicago.

ALWAYS WORKING "WHITNEY" ROBERTS "IT PAYS TO ADVERTISE" Week July 1st, FOX THEATRE, W. No. 2524, 40th Street, New York.

ally slick and gets away from the obvious. Rumba! has an unusual twist when girl's coat and swirls like a streamlined rainbow. The girls go down, and she effortlessly swings her up on a piano at the finish.

Paul Jones, going into his fourth week, is worth a holdover. Not only does he sing the best of the half-dressed acts, but he puts crowd into a rare groove. Ribs at himself sell his own tickets. Cleared at least \$100. Cardini does not sell well, but his card and paper-palms are a success. Sweeney's "Sally Watkins" orchestra adds a couple of okay tunes. Peppy, peppy dance that the Vogue Roomers who have a lot to do, so they enter most.

## Key Parsons' Showboat (S.S. BEAR MOUNTAIN)

Key Parsons got a couple of days' grace from the press to lighten and to urinate her show. But she needs still more time and a dash of novelty or comedy to draw the following crowd on Wednesday night. (15). Show has sufficient merit to lift it above the corn of its predecessors, thanks to production efforts of his Paramount. The cast is good, and the penkims. Stacks up as a regulation floor show program, plus the show-

Offshore Hudson bionics are being run strictly in a nitery these days. The cast is good, and the penkims. Stacks up as a regulation floor show program, plus the show-

Leonora Sala, classic-tapper, is busy in a year) continue. She is built out by outside by succeeding Ruby Barth, swing singer, who has a very nice act. Encores her one number with "Rock and Roll" and "The Doo-ley Family". Nice of her to have a tap partner, and she is a good one. Tweak dressed peculiarly in blue and black. She is a blonde and back music together their standard contribution.

Dolores Cortez, Spanish dancer, heat-waves the male auditors with Latin. She is a good one. Tweak dressed peculiarly in blue and black. She is a blonde and back music together their standard contribution.

Second half of show is notable for openness and pleasing auditory experience. Same pretty line is wist, skirt slanting down while top inclines up. Good for a crowd. She is a blonde and back music together their standard contribution.

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## LEE POSNER'S NITERY

Posner's New 1111 club nitery comes on as a new act. The Afro... est 45th. (Wednesday) will have Emeralda, the tuber; starred Jimmy Page's Nober; Noisemakers for disappoin.

## PARADISE, N. Y.

## DES AMBASSADEURS (PARIS)

Schnickelritz Band, Glenn Miller orchestra, Alan Carney, Four Grand Girls, Three Wives Sisters, Vera Fern, Dean and Gately.

Retaining the background of its floor show, with Alan Carney, m. c. Grand Girls being added, a quite unorthodox show is injected into the proceedings with the help of the Schnickelritz band, a corny outfit of the northwest. The show contrasts with this hick band is Glenn Miller orchestra, which contrasts with it sharply except for some of the musical blarney both indulge in. Schnickelritzers, cornball sextet, first attracted attention on their native Minnesota beach, and are now creating a mild sensation in local engagements west to Hollywood for their Warner picture, "Soldiers in Paris." This is their first eastern booking of any kind.

Looking like comic opera types playing barn dances in the sticks and slightly on the wacky side, the Schnickelritzers get rather unusual results with their act. The show is not as good as it seems, but aside from being a distinct novelty is not otherwise outstanding. The boys' novelty act is a good one.

Boys work furiously and intelligently for the laughs. The main selling themselves for what they are quite effective. They are not all at distance, but they give a nice performance and on the evening they topped the show.

Some of the boys double vocal, still and sounding like swing dancing, a trio opening to the accompaniment of queer musical tones and improvisations. As for washboard contraptions and other implements of the hillbilly performer figure, drums, player, a funny character, goes after his instrument as though mouthing it to death, getting laughs. Clarinet business also unique. A typical barn dance number and trio singing of "Turkey in the Straw" brings out the expected favor. For the New Yorkers it's certainly something different and new.

Glenn Miller's swing combo, for the dancing after the show, is a 14-piece outfit which also carries a solo first violinist. Gail Reese, 19-year Miller formerly was with the show. Ray Noble, with his own band he has been working in Boston, plus broadcast in the territory. This marks his first appearance in New York.

The band is typical ballroom swing outfit which varies, but sometimes is much too loud for the effects. A diminution of the brass section. Maestro plays the trombone. He's a personable young fellow.

Since opening here some months ago, Carney has developed amateur. He specializes in every his impressions of Harry Richmond, Sam Barrymore, and in Yiddish, Irish and Italian soap operas, clicking neatly. Four Grand Quartet isn't working here, but they are excellent, while other talent on the floor includes the Flashy Wines Sisters, aerobic dancers, Vera Fern, a dance specialist, excellent; and the Conga team of Dean and Gately, etc. Girls are still pretty well dressed up.

Crowd the Paradise now draws in includes more of the professional dancing mob, since the tariffs have been reduced. Char.

Paris, June 13. Eddie Miller's orch, Grace Poggi, Kiddy Mero, Alvin Ross, Lucretia & Ashour, Madisons Sisters, Rebek, 12 Parade Girls.

Open only in the summer, this nitery still specializes in class line dance. The show is not as good as it seems, but aside from being a distinct novelty is not otherwise outstanding. The boys' novelty act is a good one.

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## THE THEATRE OF THE STARS

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GENERAL MANAGER

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BOOKING MANAGER

# CLUB ACTS NOW AFTER THEIR OWN BROTHER

Club date acts will attempt to form their own union shortly via expedient of de-chartering the AFA. Officers themselves as buffeted around by bookers, agents and beneficiaries, seek self organization to fight these evils and a temple of managers to put into effect unofficial blacklists.

Idea was germinated by charges of unethical management in connection against Dave Vine, m.c. Later is accused of having booked show himself. EMA then moves to answer the charge and he refuses to know, defying their strength as bookers. Acts are eager for organization but don't know where to turn, it's said. This is the first of the American Federation of Actors. AFA also first organizes under the ABA charter. ABA was started as a benefit body of actors and eventually formed nucleus of the AFA and gave birth to the Theatre Authority.

Continuing no so far as the EMA goes, Vine adds, that attempts have been made to 'reach' him via mail friends of better working himself. He states that he wrote a scathing letter to the EMA but they are receiving it, stating only to be called by telephone. Any other move must come from Vine, says EMA. Much had been working last night when Vine was asked to come and explain his actions and the complaints.

Act feel that it's time the benefit thing was cleared up and that they work only for the charities. They aver that social clubs houses have been built, mortgages paid off, etc. on their cuts. Some of them are for charity. They want to be paid for all such excepting those in bona fide charitable connection. Some feel that the EMA should hold down the river for the 15% the Theatre Authority collects. This is particularly true of club acts who form the bulk of all such shows, they say. They want better understanding between the unions on the same matter elating that stagehands and musicians always demand set payment before working on actor benefits but the situation is never reversed in favor of the act who works on the staff.

On police matter, EMA states that a special investigator assigned by the commissions on the same line is sheroeking the charge that the Honor Legion of the P.D. secured cutoff services of club acts according to the Mayor's and the Commission's orders about two weeks ago. Valentine has communicated with the EMA requesting info but has been turned down to conduct his own policy without their aid. Claims of receipts from all acts is still regarded lightly by the EMA which will prove that the EMA has been wined and signed and that some were signed after the matter had been worked.

## Padua Changes Mind, Keeps Philly Spot Open

Philadelphia, June 21. Art Padua, who admits seriously considering shuttering his top Philly spot, the Arcadia, at the end of the several weeks ago because of punko bit, has changed his mind. Spot will remain open during the summer but will not curtailed in every possible way.

Multiple denied reports which were current this week that the niterly will fold and may be reopened by Joe McKim, N. Y.

Arcadia show last week was trimmed to one dance duo and real show. Padua has cancelled the last three acts at same unit now is getting previous. Acts must also act at Padua's new spot, the Anchorage, on the River Drive.

## Arthur Donovan, Boxing Ref., Offered to Air, Vaude

Arthur Donovan, the fight referee, is being offered for vaude and radio personals by Fanchon & Marco.

Donovan has never done any show work.

### MCA's Subsid

N. Y., June 21. of America's subsidized, s. Ltd., organized in Delaware, has filed a statement and designation with the secretary of state. Later outfit was described as formed to conduct a general theatrical and entertainers agency business. Initial stock at this making setup was given as \$5,000, with each share having a par value of \$100.

Walter Miller, of MCA's New York home office, was named as v.p. of MCA Artist.

## AFA WANTS THE JURISDICTION OVER BURLESK

Paul Gillmore yesterday (Tuesday) officially confirmed the report that the American Federation of Actors had reapplied for the jurisdiction over burlesque performers. Gillmore, president of the Burlesque Artists Association about a year ago and was eventually ruled out by the associate Actors and Artists of America of which Gillmore is president.

Report was first circulated last week and was denied all around on inability to check its absent four A's office.

Letter to the Four's A's from the AFA charges BAA prez Tom Phillips with the associate Actors and to organize the burley players. Phillips answers the charges at a meeting of the Four's A's next Monday (27).

Started up last night when Frank Penny, head m.c. of the BAA, brought similar charges against Phillips and demanded a board meeting. Last week's show had been on instruction of Penny's last Wednesday (15) and Penny's charges were dismissed by Tom Phillips then received a vote of confidence. The entire board of 10 sat for the meeting, first time all had been together, most since BAA's inception due to migratory work of the members.

AFA was also given a headache when one of its pickets parading before the New Yorker hotel, states it is not responsible, claiming that a drunken guest did the damage. Nick Galv, socialist, was the victim. The management has signified its willingness to start negotiations on AFA's show. It also wrangle and instructed producers of the show, Rockwell & Keefe office, to give up their picket line, according to the AFA. Deals with river showboats also expected to be made last night (Tuesday). Kay Parsons' boat was signed during the week. Two others remain outside, one by the Westchester and Cavalier club and chorus of Leon & Eddie's, niteries, also signed this week.

## Rainbow Room, Grill Maintaining Income

An idea of how well the Rainbow Room and the Rainbow Grill took the RCA building, N. Y., are holding up, evidenced by figures for May. This year the month's liquor gross was \$84,000. In May, 1937, the bar grossed from both sky-high niteries was \$81,000.

Also, more food was sold this year than before and the covers have also been up.

## 'Doubles' Unit Sailing

Hollywood Star Doubles, vaude unit, sails from New York July 11 to open a vaude tour of the Atlantic continent. Kurt Robitschke is booking troupe which will include the Columbia Quartet, July 18. They leave Hollywood July 19 for New York to embark. Home Base heads company.

Some of the group are same players who appeared in "It Happened One Night" for Columbia in pictures with Richard Dix. Include Bruce, Virginia Rendel, Arthur McLean, George Fawcett, Fred Stone, Marr, James May, Dietrich Sisters, Margaret Grayson, Earl Badson and Enoch Poulak.

## Coast Commish Will Conduct Quiz on Unit's Suit Vs. WB's 'Hotel'

The suit brought by the Hollywood Hotel Revue, Inc., which operates a unit playing picture house, for an injunction to prevent Warner Brothers and Vitaphone, Inc., from continuing to exhibit the picture "The Hotel" on one of its units, that it was an infringement of title and unfair competition, was last week shifted to Los Angeles and Hollywood. N. Y. Supreme Court Justice Peter Schmuck granted the application of Warners that commission be appointed to take the testimony of numerous witnesses on the Coast to bolster up its defense when the suit comes to trial in the fall.

The court appointed Walter M. Pratt, Los Angeles attorney, to conduct the Coast inquiry of the Warner Bros. and Vitaphone. Pratt, with John L. Warner, J. W. McLean and John H. Matthews, owners of the original Hollywood Hotel, and the Revue, Jerry Wald, Richard Scatley, Maurice Leo, Sam Buschoff and Lou Zeilman.

## 15 YEARS AGO

Ever Davis had played the State, N. Y. Jack Laid couldn't get it. Just an ordinary case band, he reported. But Davis has done pretty well by himself since then. Part of the trouble was due to the interlopers of the State's duo Kanchi Club, being.

Crane Wilbur out of pictures to try a vaude sketch. Opened at the 5th Av., N. Y., to fair results.

Eddie Cantor heading the N. Y. Palace show and recalling that his Las Vegas act for the house had been dismissed by the State. His act, Gus Edwards act for coffee and cakes. Did 24 minutes on his second week at the Palace. Cantor, with a Lovely, from 15 p.m., the second headliner.

Julius Lenzberg, house leader at the Riverside, got his band on the stage. Closed the show opening mat, but moved down to closing first part. Not level enough for a closer.

Three out of eight acts at the 5th Av., use violinists. More generally it was pianos.

Four out of the five acts at the State-Lake, Chi., missed the opening show. The train was late. Acts were borrowed from the other houses to get the show off.

Hal Skelly was at the Chicago Palace, doing a musical comedy bit with four people.

C. P. Jenkins, of Washington, demonstrated that was one of the first to be called "radio" in vaude. Jenkins was never able to get definition, and saw it up after he had been called with "prismatic rings."

William Fox topped the record with a 72-page insert in the trade papers. Tied most of the N. Y. touring players get the color plates out in three weeks.

First legal test of an actor's right to broadcast copyright material was Wilmar's friendly suit against WOR. Station had been offered a big picture contract for \$100 a year, but refused to take one out.

William Brandt elected president of N. Y. state picturehouse owners. Erie C. Mills refused to tell the exact amount of American picturehouse Composers, Authors and Publishers, but was cut off in the middle by Brandt.

Republic circuit announced that it would be dropping copyright material. Some would have six acts and a feature picture. Two shows daily except on Sunday, when three would be given.

## St. Loo Maps \$50,000 Vaude Show; Bergen, Lamour, Breen, Name Orchs

### St. L. Aud Concess Co. Gets Legal Tangles

Louis, June 21. Petition for the appointment of a receiver for the Auditorium Concessions Co., Inc., operating concessions \$7,000,000 municipal auditorium, was filed last week in Circuit Judge William S. O'Connor's court by Mr. Clarence F. Winters of the company's stock. The petition, which is in the form of an answer to a suit filed against them by Sam Taubson, president of the company, alleges Taubson failed to make an accounting to them.

They also ask that Taubson be ordered to purchase the stock for \$9,187, a valuation they asserted was fixed by an accountant appointed by the court. Taubson has refused to show cause why a receiver should not be appointed. Taubson's suit, filed last December, asked that the Finots, his partners in the company, be compelled to keep an accounting to him of their interest in the company for \$3,588, which he claimed was its worth according to an audit.

### St. Louis, June 21.

Plans will be made this week by Mayor Dickman and 500 business men to hold a vaude show to be held here next October and a \$50,000 fund will be used to secure the presence of the show. The show will feature Bobby Breen and Benny Goodman or Eddy Duchin orchestra. The show will be held at the Auditorium for these and other screen and radio stars have been secured and top vaude will be added.

Last year, following the Veiled Prolet parade, a spectacle along the lines of New Orleans Mardi Gras, 100,000 collected in the Memorial Plaza, downtown, for street dancing and singing. The mayor wants to augment this idea with a four-night festival on the plaza and in the \$7,000,000 Municipal Auditorium following the parade and ball.

## PEACE REIGNS AGAIN WITHIN THE NVA CLUB

Regular monthly meeting of the National Variety Artists Sunday night (19) finally washed up the inter-dynastic rampart there for the time being. The NVA club, flying over the shop, membership met it dropped for the summer months. However, plans for revamping of the constitution will be discussed by the NVA club during that time.

The recently reorganized NVA, since rebuilt year ago, has grown from 300 to 1,600 members. 'Oldsters' are said to have resumed takeover of affairs by new element.

## FIGHT SPURRING N. Y. SPOTS

Mike Jacobs, promoter of the Joe Louis-Max Schmeling heavyweight championship fight which goes on here (22) before the opening of N. Y. State permitting, claimed the fight would be a big draw. That was predicted on the sale up to Monday night when taking in over \$700,000. The fight, however, agency men reported a sharp drop in the sale of tickets at all locations, including the ringside that bring fancy prices. Seats within the first 15 rows are selling for as high as \$100 each. Box office price is \$30.

Setting odds confused the gamblers and despite the fact the gamblers knocked out the cold and socker two years ago, Louis is the favorite. Bookies offered by 8-9 that will top but if the bettors' bookies offered by 1-2 that will put up 2-1. Knockout odds were shorter than the straight win price, selling for 1-5. Louis by 2-1, Schmeling doesn't repeat the trick. Late Tuesday plenty of coin on Schmeling started turning up and the odds started shifting, it being indicated that during the fight the odds would approach even money, but with Louis still favored.

Monday night both men said they would win, Joe declared he would knock out Schmeling in two rounds. There is as sharp a difference of opinion as is the case with the title. The money money was reported going on Schmeling by ring followers who were sure to ever Louis end. He conceded that Louis is distinctly the better boxer and can win on points, thereby taking no chances of being hit on the lug, which is his weak spot. Schmeling it said to be in the best condition in his career, the regularity of his training routine.

## Rogers-Dufour's 'Strange' As Seem's for N. Y. Fair

Chicago, June 21. Joe Rogers and Lew Dufour have signature contract with the World's Fair for "Strange As It Seems" concession and show, thereby taking no chances of being hit on the lug, which is his weak spot. Schmeling it said to be in the best condition in his career, the regularity of his training routine.

idown New York has been filling up with fight fans from out of the state. Rogers and Dufour investing more than \$100,000 for New York spot.

Ripley's idea was to stage his Olympic boxing at Broad Street house, away from the Fair grounds,

## Okla. Cafe Men Fight Tax on Waiters' Tips

Oklahoma City, June 21. Refusal by Oklahoma restaurant and niterly operators to pay unemployment protection tax on tips collected by waiters and waitresses appealed certain last Wednesday at the close of the Oklahoma Restaurant Operators' Assn. annual convention. Final decision will be made by a new board of taxation of the association. Indications are the organization will fight the law in court.

When the unemployment compensation tax was first enacted, tips were exempt. A later ruling from the state labor department specified that tips income which the waiter received while on duty and as a result of his or her position should be included in the taxable income.

## Saranac Lake

By Happy Benway

Ruth Morris, catching at Camp Independence, lands first vaude act in Saranac Lake, and four sunfish a little over a pound.

Lee LaMar is dead, details in obituaries.

James El N. Y. C. ogling the Niteries, ever pick a loser. He hello to Carolyn Knighl, a Will Rogers-ite who is pering up.

Frank Howard, from the Cooperative Theatres, Detroit, Mich. is new arrival at the Will Rogers'.

Alden LaBlaine (Will Rogers) became Mrs. Grant Roy.

Ned McHughan, after a mess of ogling, goes in for that 'rib' open. First stage proving oke for the ad- vanced.

George Lipson, Henry Lee and Schuyler, Johnny See are, while here, playing the Niteries. Mona orri and Patsy Maxwell, Montreal, ogling the Will Rogers' while here, playing the Niteries, got the gang up here.

George Church, of Saranac La., is a friend of the Niteries. Thanks to Lew Miller, for those many books and magazines sent to the Niteries. Will Rogers' a greater wallop than Miller's.

Dr. Ernest Adler back to the Rutland from the Bigtown with a mess of new routines that will benefit the owners at the lodge.

Will Rogers, do you know in Saranac or elsewhere.

MUSIC HALL, N. Y.

Louise, Fornace, Marie Grimaldi, Minnie Sabin, Pauline Kaye, Hilda Ecker, Ben Foy, George ...

Variations is the caption of the first item of the Russian ...

After the "Fledermaus" overture under no Raue's baton, Show-up ...

Bill the witch is an enter- in an affair from practically any view point ...

Whitey and his orchestra ...

Crane Sisters a pair of red-heads ...

Two comic acts both strong. First is Georges Campo and Elsie Ray ...

Osborne outlasts in all wind instruments ...

Snappy show, smartly paced by the Osborne crew ...

Will Osborne's orchestra ...

Band opens with "Listen to the Clifton of the Three Trombones ...

Osborne outlasts in all wind instruments ...

Next-to-closing is Rufe Davis, the sound ...

Next-to-closing is Rufe Davis, the sound ...

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PARAMOUNT, N. Y.

Red Norvo (13), Refil- ...

Not a waltzing 50-minute stage flourish being held out on the Paramount ...

Orch. backed by Norvo out from thinking his vibraphone stands out ...

Tommy Riggs (New Act) is ...

Tommy Riggs (New Act) is ...

Tommy Riggs (New Act) is ...

Tommy Riggs (New Act) is ...

Tommy Riggs (New Act) is ...

Tommy Riggs (New Act) is ...

Tommy Riggs (New Act) is ...

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STATE, N. Y.

Alexander & Santos (4), ...

Alexander and Santos open the show with the pair doing some old ...

Johnny Woods, dancing, still purveys his standard assortment of imitations ...

Dorothy Stone and Charles Collins ...

Charley "Sling" Timblin ...

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Charley "Sling" Timblin ...

Charley "Sling" Timblin ...

Charley "Sling" Timblin ...

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EARLE, PHILLY

Philadelphia, June 17; ...

Bill the witch is an enter- in an affair from practically any view point ...

Whitey and his orchestra ...

Crane Sisters a pair of red-heads ...

Two comic acts both strong. First is Georges Campo and Elsie Ray ...

Osborne outlasts in all wind instruments ...

Snappy show, smartly paced by the Osborne crew ...

Will Osborne's orchestra ...

Band opens with "Listen to the Clifton of the Three Trombones ...

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STATE-LAKE, CHI

Chicago, June 18; ...

Tommy Riggs (New Act) is ...

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Tommy Riggs (New Act) is ...

Tommy Riggs (New Act) is ...

Tommy Riggs (New Act) is ...

Tommy Riggs (New Act) is ...

Tommy Riggs (New Act) is ...

Tommy Riggs (New Act) is ...

ROXY, N. Y.

Pat Ash Orah, Dorothy Crooker, Ben Ber, Mottler & Davis, Frank ...

Light on line routines. Roxy this week is neither a straight vaudeville ...

Doubleless the Gae Fosterites are ...

Doubleless the Gae Fosterites are ...

Doubleless the Gae Fosterites are ...

Doubleless the Gae Fosterites are ...

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Doubleless the Gae Fosterites are ...

Doubleless the Gae Fosterites are ...

HIPP, BALTIMORE

Baltimore, June 19; ...

Jackie Beckman, doing a pleasing ...

Jackie Beckman, doing a pleasing ...

Jackie Beckman, doing a pleasing ...

Jackie Beckman, doing a pleasing ...







# Aim Pop-Price Legits for St. Loo; Playgoers Set 19-Play Schedule

St. Louis, June 21. New York legit shows at pop prices is the ambition of the Grand Playhouse here. With the opening of a 30-week season set for Sept. 15, the local backers of the plan are believing that the offer of what has been lacking for many years. A new lease has been obtained from the Rutherford estate on the Grand Opera House, 87-year-old legit in which Edwin Booth, Sarah Bernhardt, Jenny Lind and others made appearances.

St. Louisians in on the deal are Everett Taylor, who opened the Garrick in 1912 and who had run it for two years until trouble over the lease forced him from the field, and George F. Filge, former assistant prosecuting attorney of St. Louis. Associated with them are Ben Stein and Joe Oppenheimer, of New York.

Discussing the new enterprise, Taylor and Filge said \$1,000,000 is being spent to read the house for the opening. Road shows will be booked by Stein and Oppenheimer. They will look after the local end themselves. They declared there has been a real need for legit at pop prices here, and anticipated the end of the recession by late summer, believe they will enter the entertainment field at the psychological moment.

Taylor and Filge have organized "The First Nighters" and "The First Nighters," which was formed last summer and did so much to lift legit from the doldrums of summer months. The 1937-38 season at the American grossed approximately \$300,000, or six six week weeks.

Campaign to increase the membership of The Playgoers for the 1938-39 season has progressed so satisfactorily that Manager Paul Beismann, of the American, through the United States Office, N. Y., has arranged for the presentation here, of Ethel Barrymore in "Whiteoaks," Alfred Lunt and Lynn Fontaine in "The Play," Ed Wyn in "Hoorsy for What," Of Mice and Men," George M. Cohan in "T'd Rather Be Right," and Eugene in "O'w Town," "Golden Boy," "On Borrowed Time," "Shadow and Substance," George Abbott's "The Life of Mabel Barrymore," "Star Wagon," "Bachelor Born," Gertrude Lawrence in "Susan and God," and The Theatre Guild's "The Three Days Play" cycle and others to be announced later.

## MAX GORDON'S 'SOO 'CORN COB'

Revue to be produced by '3x Gordon, which will be the first musical of the new season, is to be a musical presentation. Previously reported that Sam H. Harris would be interested. Show, which has been composed by Harold J. Rome and Charles Friedman, authors of "Pins and Needles," has not been titled but will have a working title of "Corn on the Cob." Michael Loring has been set for the cast. Some colored players will make it a mixed company.

George S. Kaufman and Moss Hart will be doubly interested in the revue. They have been advising the authors and passing on the material and addition they will have financial interest in the production. Show, which was not among the list of plays due into the Music Box Sept. 4, Theatre may house "Our Town," which is now in the Broadway stage the summer after "T'd Rather Be Right" closes July 8.

Gordon is looking for titles among the authors and passing on the material and addition they will have financial interest in the production. Show, which was not among the list of plays due into the Music Box Sept. 4, Theatre may house "Our Town," which is now in the Broadway stage the summer after "T'd Rather Be Right" closes July 8.

## Nitery Setting, Maybe, For Morrissey's Co-Op

Hollywood, June 21. Will Morrissey is negotiating for a new house called Nitery, which will stage his "Swing Maneuvers of 1938."

Revue, originally set for the Wilshire-Ebell theatre, was called off when Equity made the cooperative payment.

## EQUITY MEMBERSHIP UP 293 IN 1937-38

Membership of Equity is claimed to have increased during the 1937-38 season, but there would have been a drop in paid-up members had the association not taken it easy for those in the WPA theatre project who were on good standing.

Around 700 active members which wiped back dues out of the books.

The payment of a nominal sum. Membership was increased by 293 members by the lifting of suspensions of players who held out joining the Theatre Guild.

Total paid-up membership is placed at 3, 7, of against 2994 the past season. Membership lists were 571 new members, with the total number of names put at 4,883. Chou-hanch showed 293 members during the past season, paid up total being 552.

## Sublets Sue Howard For \$200 'Bet' Claim

Magore Operating Corp. (Shu-Sublet) filed suit (17) in N. Y. supreme court to recover \$200 interest from Bill Howard. Claim the latter breached an agreement to offer to let the Garden City Theatre production, "Bet Your Life," which was set for Golden, N. Y., in 1937, but was dropped before the start. Operating corporation claims Howard guaranteed a loss up to \$1,000 for the first week, but supplied tickets Howard refused to pay for the loss of amount.

## McClintic to London

Guthrie McClintic sails today for London to meet with the huddle with Clemence Dane, whose "Herod and Miriamne" is on "Cornell" in the fall. Producer will remain about a week.

McClintic will return to the U. S. McClintic will join Miss Cornell at their Martha's Vineyard place.

## EQUITY CRIES 'CASTS' PAY CUT BILL

Cast of litesaaks' appealed to Equity last week in an effort to continue the show, which is slated to close Friday (24) at the Hudson, N. Y. No action was taken, however, and the matter will be brought up at a brief session, explaining they were willing to slice pay.

## HOUSE KILLS SROVICH BILL

Washington, June 21. Sirovich bill to establish a U. S. Bureau of Fine Arts within the Interior Department was killed yesterday Wednesday (15). Unopposed scene on the House floor included a toe dance by Representative Dewey Short, Missouri Republican, and election of a speaker who tried to join in the game of "tagging from the visitors' gallery." Bill was knocked over by a 195 to 195 vote, with Representative William C. Sirovich, Democrat of New York—pappy of the legislation—so flustered that he voted both for and against his brain-child.

Efforts to put over the measure, which proposed to perpetuate arts projects now being carried on by the Works Progress administration and to set up a director of fine arts and a board of advisory artists, began with a flowery speech by Sirovich. He invoked the philosophies of Kant, discussed the nebular theory of the solar system; discoveries of the infinitesimal principles of mathematics and the laws of the universe. New York's argument—which at first perplexed his colleagues—was that Sirovich's discovery had been made simultaneously, but it has never happened that two painters paint the same picture in the same place.

Bouncing of the gallery guest took place when Sirovich was insisting that, even with a Federal arts bureau, (Continued on page 49)

## DEL BONDIO BANKRUPT; LISTS \$10,593 DEBTS

Admitting he is in the red to five New York ticket agencies to the extent of over \$4,000 on promissory notes, John H. del Bondio, theatrical manager for Dwight Wiman, filed a voluntary petition in bankruptcy last week in Federal Court, N. Y. On Monday (20) Judge John J. Retzius appointed Rufus Coffin to inquire into del Bondio's financial status. Petition lists liabilities at \$10,593 and assets at \$375 in outstanding loans.

Del Bondio names the following among his creditors and the amounts he owes them on promissory notes: Select Theatres Corp. (Shuberts), \$1,675; Broadway, \$1,000; Mc Bride's Theatre Ticket Office, Inc., \$800; Acme Theatre Ticket Office, Broadway Theatre Ticket Office, \$250; Public Service Ticket Office, \$1,000, and Margaret M. Carroll, c/o Johnson & Thomas, \$4,350.

## Theatre Council May Hold Fall Convensh; Rallyhoo or Show Biz

American Theatre Council may hold a short convention in the fall as the result of a protest against the proposed merger of the Broadway Theatre and the American Theatre. The council, which was formed last year, has been active in the past, and the meeting alone made the gathering of great value to all concerned.

It is believed there is enough money in the A.T.C. treasury to defray the costs and if the council is not put out only paid for itself, it turned a profit. Council has been active in the past, and the matter is being discussed by the A.T.C. never of rallyhoo.

## Stagehands Union Closes 'Nation' Over CIO Issue, but Show Reopens

Courteous Critic Resignations from free lists are so rare in the trade that Stirling Browne's letter to electrical and film press departments stating that he will not be a member of the Wall Street Journal next season, has aroused much favorable comment among its unsteady readers. Wrote p.a.'s to say that although no successor had been named, it would be addressed to Lynd Leland, dramatic editor.

Went on to say that "contribution will of course be furnished gladly by Mr. Leland if the managing editor of the Wall Street Journal, if desired. In behalf of 7th Wall St. Journal and myself, I want to thank you for all past courtesies and I sincerely trust they will be continued in the future. With best wishes for future seasons..."

## HOUSE KILLS SROVICH BILL

It was admitted by WPA that CIO demanded showdown on the grounds that it had developed strength in the theatre field, particularly in radio. General regret was expressed that so many people are affected by the walkout, since the actors and musicians continue rehearsing and thereby stay on the payroll.

It was agreed that while the CIO man could stay on the job, an additional \$10,000 would be taken on for the local effects.

"Manufactured" Crews Three years ago, when the relief shows came under the federal aid, the CIO man was asked whether it intended to "manufacture" stagehands to take the place of unemployed actors and musicians. It was given that no such situation would arise. At the time CIO did not figure in the labor battle, WPA is now the position of being unable to take sides in the union dispute. It indicated that those interested in keeping the theatre on its feet should concentrate on the backstage assignment reform to permit him to ask for the relief, regardless of the union situation. (Continued on page 49)

## MRS. GEORGE O. PHILIP, VET ACTRESS, 87, DIES

London, Ont., June 21. One of the longest stage careers in North America closed in Kitchener, Ont., last Thursday (16) with the death of George O. Philip, 87-year-old actress. Mrs. Philip was believed to have been the last surviving member of the original cast of the play "Bill" (Dorothy's first show). She was signed as a winsome juvenile 75 years ago, and played the role of a woman when his cast consisted of but seven people.

She was a husband, also a well-known veteran of the stage, whose marriage on a stage in Michigan prior to a performance about 60 years ago. When she was young she appeared here in "The Hidden Hand" in the role of a woman who was the number of urchins were recruited from the streets.

"Years later when she returned to this city in "The Silver Tassels" an assembly of finely dressed gentlemen applauded her. After the show she learned they were the nice little newboys who had helped her "The Hidden Hand."

## '55 'Borrowed'

On "Borrowed" T gets a price for the money for A.T.C. Play is slated for a new stand-alone going to San Francisco and Los Angeles.

Cost, headed by Victor Moore, Charles Guy Bates Post, James W. E. and Leonid Borek.









"Integrity" Vs. . .

The "integrity of the press" rather than the "freedom of the press" was the clarion note sounded at Toronto throughout the annual convention of the Newspaper Guild . . .

"The finest thing for world peace would be a written nization of men and women who would pledge themselves to tell no lies and to declare the truth . . ."

On impen in war. Brown claimed the press was not a neutral body. He urged the re-union of any attitude in which citizens of any single country might say to 'hell' the rest of the world . . .

In declaring that the achievements of the Guild had been successful, Brown intimated that men who come into the newspaper business without the necessary training should be turned out before they get old and gray.

Brown shared honors with John Brophy, CIO director. Brophy traced the growth of the CIO, and its fight with the AFL . . .

There was no complaint to make. Brophy was re-elected as the president by acclamation. In a triangular fight for the vice-presidency, the Eddy editor of the New York Times . . .

There was no change in the directorial slate with the exception of Harry Farmer, vice-president for Canada and ex-directorial writer on the Toronto Globe . . .

Highlight of the convention was the emphatic condemnation of Prentiss Press and its president, Irving R. A. Bailyant, formerly of the Montreal Gazette, permission to commence suit against that daily for alleged unfair dismissal.

Editors here have long ago formed an organ called the Home Magazine Institute of America. The object of the outfit is to provide a meeting ground and idea exchange where technical phases of editing are clarified and can be discussed. Planned to maintain a library of home organs and issue a monthly bulletin of members. Headquarters are to be in New York and are due to be ready September under the auspices of Robert Newcomb and Associates, publications consultants. Newcomb will be executive secretary. Group of 20 members met daily last week being meeting informally and calling themselves the "Literati."

Calvert Publishing Corp. has been dissolved, according to papers filed with the secretary of state in New York. W. C. Company published the New York City edition of the "Liberator," which it had been publishing since 1904. The company was formed in 1935 by Alfred S. Hutton, Hinch, N. Y. C. Company published the New York City edition of the "Liberator," which it had been publishing since 1904.

Communal Publishing Co., Inc. now gets out the paper.

Are Doing One

Your life usage, which first appeared in November last year, reports that it has been in the black for the last five years. . .

Jimmy Fidler, signed by the N.Y. Daily Mirror, since as it is decided where to stop the column.

Stoney Kingsley's column, all in all, the greatest break today has ever been made and one which will be the end by permanent dividends.

Pittsburg Newspaper Strike

Strike of business office employees affiliated with A.F.L. caused Pittsburg's two afternoon newspapers to close Saturday . . .

Both Sun-Tele and Press planned to publish despite walkout but abandoned that idea when printers, also affiliated with A.F.L., refused to pass through picket-line . . .

In meantime, Post-Gazette is going to publish today. The paper has agreed not to take advantage of situation to further its own ends . . .

Effects of the 1938 depression struck the Capitol press gallery with the liquidation of three Washington publishers . . .

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Over-Quintupled?

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LITERATI OBITS THIS WEEK

Prof. J. Dunlap, 94, managing editor of Paul Dunlap and on these papers' editorial staff for the last 25 years, died in New York City . . .

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CHATTER

Arthur Train, 87, Bar writer, Harvey Ferguson's 'Life of Rail' banned in Ireland . . .

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Getting Fidler Set

Jimmy Fidler, signed by the N.Y. Daily Mirror, since as it is decided where to stop the column.

Jimmy Fidler, signed by the N.Y. Daily Mirror, since as it is decided where to stop the column.

Jimmy Fidler, signed by the N.Y. Daily Mirror, since as it is decided where to stop the column.

Mills Returns

A. K. Mills, who handles public relations spot with 'March of Time' magazine, has returned to the city.

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LYRIC, INDLPS.

Indians, Johns, June 17. Olsen & Johnson, Redie Zogues, Walter Nilson, Regd. Deed & Read, Book Editor, 1212 Broadway, New York City.

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# Provocative Film Themes

(Continued from page 1.)  
 caption to Lawson and Bud Schutte. Because of its biographical, it will be necessary for the screen scripts to depict the nationalistic side of the man and the vivid backgrounds of European and Chinese aggressive diplomacy, of which Shreve is a strong proponent for an American news agency, wrote frankly and vehemently.

On the other hand, Samuel Goldwyn was influenced not by "Exiles," an original story by Yvonne Casary and George Sklar, which deals with prominent figures in the world of science, arts and letters who have found refuge in America from persecution in their home lands. Goldwyn is said to have abandoned the project only after much consideration; first because of the production difficulties, and second the wide distribution which would arise when the film started on its commercial bookings. Goldwyn is said to have been disappointed with any treatment of the theme which would obviously appeal to the expected party organizations. Rather than make a picture which would be something less than a racial and political edge he decided not to make it at all.

In the "Paths of Glory," by Humphrey Cobb, which Paramount once seriously considered as the basis for the present film, the story has dropped to the vanishing point in the past two years. The company at one time was ambitious to make a picture on the basis of the story, which was among best selling lists for many weeks. Arthur Hays Sulzberger, produced a financial backer, who produced on Broadway a dramatic version of "Glory," which was more widely distributed in film adaptation. When brought face to face with the foreign director, a common problem with the war picture, Paramount allowed its opinion on the screen rights to lapse. Recent discussion of the picture stimulated by the release of "Blockade" has re-created an interest in "Paths of Glory," but not at Paramount.

Spain still owns film rights to "War and Peace," which is an exciting, thrilling and dramatic account of the defense of a small town by the Russians of a strategic stronghold against Turkish attack during the War of 1812. Living in the United States before his death, attempts in every possible way to appease Turkish and French governments against making the Werfel story, which he believed contained the elements of the strongest war picture. In the end the project was abandoned.

Another film companies have had common problems with pictures possessing theme, plot or characterization, representations to foreign governments. Representations such as disputes have continued in some instances for years. Foreign governments have been active in protesting against exhibition of objectionable films in other countries. Merely a report of a picture, which is often of a nature that the showing of a film in a friendly country would be regarded by his home government as the cause of embarrassment has been sufficient reason, in many instances, for a curtailed, and restricted distribution.

A phase of the situation of current affairs that Paramount is requesting Ernest Hemingway's "For Whom the Bell Tolls" to be made into a picture. Certain modifications greatly were requested and granted at that time the picture was released. It not with the blessing of the United States government, at least with its acquiescence.

**No More Mexican Menaces**  
 Turning back the pages of film history there is no more interesting trial of American government oppression which existed for more than 20 years, between the industry and the Mexican government. It was a common if thoughtless practice of writing Mexican actors into the picture immediately following the establishment of a strong central government in Mexico City and the overthrow of the Villa era, protests were made to the U. S. State Department by Mexico that the character-

ization of its citizens as bandits and criminals is extremely distasteful. Some of the producers who were acted on the request from Washington to the picture should cease, but Mexico did not loosen its grip on Mexico, with the embargo against all United States pictures, was made effective at that time. Hundreds of prints of film feature were piled up in the custom warehouses, deprived of American-run Mexico, immediately opened their screens to German and French film. The embargo lasted for many months, until the Mexican legation in Washington was possession of pledges from American producers that Mexican nationals would be more indy treated than heretofore. In the autumn of 1922 trade relations were resumed. The Mexican villain has disappeared from cowboy operas.

There are observers of the Hollywood scene who are hopeful that the American state exists. Unfortunately it is within their reach to cement more amicable relations with the United States. The establishment of such a worthy spirit is at best with editorial and production control. The front page of the newspaper is full of the increased armaments and blooded how ineffectual the old methods have become.

Hollywood films have sold abroad millions of American-made industrial and commercial products. It is too fantastic to believe that the ideals and principles of American freedom of speech and expression are sold through the same medium.

**Surprised at Church's Squawk**  
 Branding of "Blockade" by Joseph F. Lamb, state deputy of the Knights of Columbus, has caused a stir in the oil, as propaganda and an editorial blast from the Catholic News last week, through the efforts of the film from Walter Wanger, producer of the picture, and a definite indication to the Hays office that the film's goals. Haysons merely pointed to the fact that the Production Code Administration had given the picture approval as sufficing to cover the subject of approval.

At the Hays office it was pointed out that there was nothing that could be done to prevent the picture from being shown to the east from Catholic spokesmen if "Blockade" complies with the production code. The Hays office stated by one Hayson, otherwise the film would not have been given a seal of approval. To others in the industry and some connected with the Motion Picture industry, the Hays office's action, the two complaints directed against the picture were met with indifference. The Hays office stated if the two outbursts meant an expansion or change in policy by the Production Code Administration, the picture receives toward pictures, reviews, the Legion of Decency was considered for the picture and passing on films after they were finished. Legi of Decency is a committee of laymen to review pictures after completed, classifying them for members of the Legion of Decency.

But the announcement from Lamb, addressed to Will Hays, protesting the censorship of the picture, a request that prompt and appropriate action be taken. He also said: "The Hays office has said that 'American public will unmistakably voice their resentment at this bold attempt to pull the wool of foreign politicians and their agents over their eyes.' We hope that this resentment will crystallize in their refusing to patronize pictures which offend their consciences." The Catholic News editorial refers to Will Hays' annual report, in which he stated that there is no place in motion pictures for self-serving propaganda. "The Hays office is not the association which has so often forgotten its policy."

Will Hays' reply to Lamb stated that he was one of the strongest backers of the Legion of Decency but, personally, he said he did not belong to the group wishing to force him to with-

draw vital dramatic elements from the film. He pointed out that his production contained an American message that ruthless bombing of non-combatants, no matter which government does it, is something that is horrible and degrading to all men. Wanger stated that "Blockade" never was intended to take sides in the war, but that the picture was also said that he thought it unfair to accuse that Lamb spoke for the entire membership of the Legion of Decency. The Legion of Decency in its report on "Blockade" placed it under a special classification, with the observation "many people will regard this picture as containing foreign propaganda favoring the Axis side in the present unfortunate struggle in Spain."

## ROSE'S '39 SPEC

**Aquascope Title Show Set for '39 Fair in N. Y.**  
 Billy Rose will have a concession stand at the New York State Fair contracts having been signed this week giving him the show rights to the water amphibious, planned as an annual event at the state exposition. Understood he will present a water spectacle along the line of his previous aquatic shows at the World's Fair last summer.

Lee Shubert and Fortune Gallo will have another show venture (operet.) on the grounds.

## Show Went On

Sharon, Pa. June 1.  
 John R. Agee, head ringmaster with the Tom Mix circus, put on his show last Friday night, although his wife was dying in a Glendale, Cal., sanatorium. He left immediately after the performance for Pittsburgh to catch a plane west. In the meantime word was received that Mrs. Agee had died.

## Marries a Midget

Indianapolis, June 21.  
 Dodson's World Pat Shows, playing at the State Fair, today made the art's list of the dailies when Joe Scott, midget, and Mae Smith, midget, took out a license to wed.

Scott, a native of Pittsburgh, is 22 years old, stands 4 feet 10 inches tall, 40 pounds, and works in the Ripley section of the show. Miss Britz, of Hollywood, is 24, 5 feet 5 inches tall, and weighs 118 pounds. The newlyweds intend to form a vaude act when their Dodson contract expires.

## BOWLING GREEN MEANS JET

St. Louis, June 21.  
 Sheri A. Tucker, Bowling Green, O., has claimed on an anti-gambling edict on carnys visiting Pike County and Bowling Green, O. She says she doesn't believe what they were doing soaked \$25 and costs for operating slot machines last

## CIRCUS ROUTES

June 21.  
 Concord, N. H., 26.  
 Albany, N. Y., 21; Hartford, Conn., 28.  
 New Haven, Conn., 28; New York, N. Y., 28; Philadelphia, Pa., 28; St. Louis, Mo., 27; Charleston, S. C., 28.

Robbins Feis.  
 Philadelphia, Pa., 28; St. Louis, Mo., 27; Charleston, S. C., 28.

Chicago, June 21.  
 The fair and outdoor agents re up against a tough situation currently, and the agents are faced with a large range of cancellations and reductions of shows previously set for the fair and civic fairs and celebrations.

In the recent depression acute the fair circuit has been hit hard, as it stretches as high as possible and are clipping down their previous contracts. The agents are being forced to reduce in many instances the reductions are running as high as 50% of the original setting. The agents are running as high as \$3,000 to \$4,000 per fair dates. In numerous other cases there are complete cancellations of bookings with the fairs deciding to get along without any show at all.

In nearly every case it has a question of money, since the fair and agent appropriated previously.

# Ringling Show Takes 25% Cut, Avoiding Threatened Shutdown

## LEWIS BROS.

New Philadelphia, O.  
 About 2000 in motorized circuses this season, Lewis Bros., with headquarters at Jackson, Mich., is one of the most successful of the most of the mud shows on tour. Out of the 2000, Lewis Bros. has some 1000 units and most of the vehicles are owned by Paul Lewis, owner-manager of the show. The program offered by the show in recent years, with more than 40 head of performing stock are being carried this year. Big top is a 90 with three 40s, with seating accommodations around 3,000. Show is playing many of its stands under auspices and white business the first month out was discouraging due to continued rains and cold weather. It is catching on now as its eastward trek which ends in Cleveland, Ohio, this week. The doubling back into the middle of the state has several fairs contracted starting in August. One of the few new said to be paying its help regularly.

The program: Tournament with all people and stock, excellent wardrobe. No. 2 Hawaiian Saramad, well executed and entertaining 12-minute act, including 20 girls, all trained by Florence Peck. It's set to music by John F. Dusch's band, the Cleveland Orchestra. The program: Troup with a 2000 stand. Solo with the band including: Ringling Bros. Circus, Ringling, B. Bedell, Trup; Ring 2, Ring 3, Ring 4, Ring 5, Ring 6, Ring 7, Ring 8, Ring 9, Ring 10, Ring 11, Ring 12, Ring 13, Ring 14, Ring 15, Ring 16, Ring 17, Ring 18, Ring 19, Ring 20, Ring 21, Ring 22, Ring 23, Ring 24, Ring 25, Ring 26, Ring 27, Ring 28, Ring 29, Ring 30, Ring 31, Ring 32, Ring 33, Ring 34, Ring 35, Ring 36, Ring 37, Ring 38, Ring 39, Ring 40, Ring 41, Ring 42, Ring 43, Ring 44, Ring 45, Ring 46, Ring 47, Ring 48, Ring 49, Ring 50, Ring 51, Ring 52, Ring 53, Ring 54, Ring 55, Ring 56, Ring 57, Ring 58, Ring 59, Ring 60, Ring 61, Ring 62, Ring 63, Ring 64, Ring 65, Ring 66, Ring 67, Ring 68, Ring 69, Ring 70, Ring 71, Ring 72, Ring 73, Ring 74, Ring 75, Ring 76, Ring 77, Ring 78, Ring 79, Ring 80, Ring 81, Ring 82, Ring 83, Ring 84, Ring 85, Ring 86, Ring 87, Ring 88, Ring 89, Ring 90, Ring 91, Ring 92, Ring 93, Ring 94, Ring 95, Ring 96, Ring 97, Ring 98, Ring 99, Ring 100.

Interviewed on the lot by long newspapermen, John R. King North, who has been making a request for a wage cut had been forthcoming from the employees of the Ringling Bros. Circus, regarding closing the show. He stated that business in Ohio and the middle West has been so bad for the past 10 days. Business here for the two performances was decidedly under par.

Representative of the American Federation of Actors, an A.F.L. affiliate, was in town Thursday concerning with North.

Sandusky, O., June 21.  
 First Sunday of the season for the Ringling Bros. circus and Bailey Circus here gave the show better than it has ever had before and a fair night house, despite a several hour bottle in the elements last night. The show, a lot outside the city, accomplished only after several hundred workmen, under the direction of the Ringling Bros. circus, labored several hours to construct a roadway through the soft entrance to the lot.

Saturday more than 150 workmen were paid off and dismissed. Executive of the Ringling Bros. circus, their demands in the face of continued heavy weather and spotty business.

Meck.  
**Hamd's Preview**  
 Preview of the illion Doria Pier, Atlantic City, will be held Friday (24) under the regime of Hamd's Preview. Hamd's Preview is a "fun peninsula," with Samuel W. Gumpert, the general manager, in charge. Hamd's Preview is usually known as Young's Million Dollar Pier. John L. Young, who is Hamd's Preview's showman recently, and had dropped all interest in the venture.

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## Mix Likes Ohio

Canton, O., June 21.  
 The Tom Mix circus, which month ago switched its route from Ohio to try to get away from a series of severe of the many circus, is heading back again to that territory.

After heavy swing New York state the show is zig-zagging through Pennsylvania, where it will return to Ohio for a while.

Syracuse, N. Y.  
 Ringling-Bedell (Monday) started this week with everyone on the lot taking a 25% cut in salaries, under an order issued by John Ringling at a conference held last week in Rochester last week.

At the same time, the dressing rooms on lot that effective week of 19th all would take cut or show would fold and head back to winter quarters for balance of season. After Watertown date Sat. (18), not one hand moved off lot and when show started for the Sunday lay-over, notice of thanks was posted to all for their cooperation in accepting the situation and allowing the firm's management.

Whether trouble to be had with the Ringling Bros. circus at close of this first week under cut salaries is problematical, with P. Roland Lamb, general manager, of the show, in trouble; but late today, union agents with show announced Whitehead, A.F.A. member, would arrive for pop-over with circus and union officials at Scranton, Pa., on ed. Tuesday. The Ringling Bros. circus insists he will stand his ground and close outfit entirely unless cuts are allowed.

Buffalo.  
 Labor trouble at the sale topic of conversation on the lot when the Ringling Bros. circus and Bailey show his best week ever having and accumulating of air brakes connections at Toledo two days before, the show personnel, particularly the showmen, are expressing their possibly expressed apprehension of the formation, wrecks and other things which may befall the show.

Interviewed on the lot by long newspapermen, John R. King North, who has been making a request for a wage cut had been forthcoming from the employees of the Ringling Bros. Circus, regarding closing the show. He stated that business in Ohio and the middle West has been so bad for the past 10 days. Business here for the two performances was decidedly under par.

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56 PAGES

## FIGHT B'WAY TICKET ABUSES

### DISNEY'S 800G MELON TO EMPLOYEES

Hollywood, June 28. Nearly 800 employees of Walt Disney will share 20% of the profits from "Snow White," according to the plans of the cartoon producer. First feature-length cartoon in its first three months of American showing grossed around \$2,300,000 against a total cost of \$1,700,000 which includes the cost of Technicolor prints. Gross within the next year with pictures going into general release, is expected to return a domestic gross of around \$100,000. Only showing to date in English market is at the New Regency, London, where film is in its 19th week with prospect of receiving another 15 with general release for Britain to follow. Two rival circuits, Odeon and Gaumont, play it there simultaneously and at the same time the picture goes out to the remainder of the European continent. Film figures to gross around \$50,000 in foreign market. Likely another \$50,000 will be added to over-all cost for additional Technicolor prints. (Continued on page 52)

### H'wood Hoofers' Off-to-Buttalo; Few Filmusicals

Hollywood, June 28. Hollywood's 600 registered film dancers are looking for other jobs with a lean season of 1938-39 staring them in the face. Musicals for the new program are few, and those few are doing without big dance spectacles. Pictures of the type that once used 50-100 steppers are now getting along with about 15. That number is less than Warners' "The Diggers in Paris," in contrast to the lavish dance groups carried in previous editions. In the new Astor-Royce film, "Carefree," the atmospheric hoofers have been dropped in favor of dress ensembles. Producers explain that lavish theatrical displays cost too much, and that the public is tired of seeing the tricks interrupted by dance routines.

**ADD: BLUENOSE BELT**  
Oklahoma City, June 28. Its pastors up in arms over toping classed now offered in summer park courses. "Claim park hooping may eventually lead young innocents into the terrible life of the stage—and, besides, it produces degrading and immoral thoughts in minds of lookers-on."

### For the Kids

Indianapolis, June 28. Gray Burdin, who teaches a course in radio at Butler University here, had an electrical transcription made of his recent marriage. Ceremony was performed in chapel at university with Mike riding up at altar and tremulous "I do," tied to the wax. "I do" for the benefit of posterity, if any.

### Guild-Miller Rift Hits Lonsdale's B'way Chances

Contrary to previous report, Frederick Lonsdale will probably not have a new play for production in the fall. English playwright has one in mind, but has made little progress with its writing. Lonsdale has been in New York several weeks, but sails today (Wednesday) for London. Gilbert Miller is already there, reading the presentation of Lonsdale's "Once Is Enough," which has a successful run at the Henry Miller, N. Y., last season. Freu is scheduled for August, after which Miller is due back in New York. As and when Lonsdale completes another play there might be some question whether he would give it to Miller for Broadway production. Lonsdale is a member of the Dramatists Guild and Miller has never signed that organization's minimum basic agreement. Although Miller's production of "Once Is Enough" on Broadway was an infraction of the Guild's rules, the organization chose not to penalize Lonsdale. During such infraction would merely play into Miller's hands. In the case the playwright repeated the rules breach, however, his action would doubtless be construed as deliberate and he would almost certainly be punished. If that punishment took the form of expulsion from the Guild, Lonsdale would be unable to deal with any ranking Broadway producer, except Miller, since all the others have signed the basic agreement.

### FASCISTS IN EFFIGY AS CARNY SIDESHOW

Hitter, Mussolini and Gen. Franco, in effigy, will be targets in dart games at the three-day Village Fair benefit for the Spanish Children's Milk Fund in Greenwich Village starting tonight (Wednesday). Affair is sponsored by the Women's Division of the Medical Bureau and the North American Committee to Aid Spanish Democracy. Benefit will also feature entertainment by the "Fascist" band, maintained through the cooperation and aid of Alan Corelli of the Theatre Guild property. Latter will take its usual cut.

### BROKERS TEAM VS. HIGH PRICES

#### Group to Clean House Pending Ducat Code—50% Provision on Admissions to Be Tested Due to Questioning of Its Constitutionality

PUBLIC PARTLY BLAMED

Broadway's theatre ticket brokers have finally organized after going their separate ways for years. While the proposed ticket code pends, the agencies apparently are intent on cleaning house and all inating abuses which have brought criticism upon them. Conceded by some brokers that high prices are exacted perhaps too frequently, so it will be up to the new association to control those members whose business tactics have placed the blame on all. There are tax matters which the association will aim to clarify and correct. Expected that the 50% provision will be legally tested because its constitutionality has been questioned. Admissions law for several years called for the payment of half (Continued on page 48)

### JIVE DRIVES B.R.'D ADULTS AWAY

Cleveland, June 28. Chief complaint against hot swing is now coming from local restaurant's association, which claims the jitterbugs are chasing the more conservative and better-paying customers out of the dance-and-dine spots. Taboo was laid down against roasting jamming by Jackson Sedenfeld, veteran owner of a major niter, after a high school prom. Young carpet-cutters nearly tore down the joint with the Big Apple, upsetting four ring-dine tables and breaking dishes. Making one look at the damages, and the size of the kids' average checks, proprietor told his maitre d' to hie-there-thru out—in a polite, anybody who tries to do the Big Apple. Also warned his hand-maid to cut out the hot stuff and stock to softer styles. Figured correctly that he might lose some juve trade, but is winning back the older, heavier spender's who are fed up on swing livers.

### Buck Would Keep Ringling Circus Alive Despite Whitehead's Moves

#### Not All the Comforts

Philadelphia, June 28. Peculiar edict has long been in force at Family Theatre, "Polly" only 24-hour-a-day grind house. But only since the spot was renovated and got a new steel front is it being enforced. Ruling is: "Patrons Must Not Take Off Their Shoes"

Princeton, Pa., June 28. Possibility that the strike-bound Ringling Bros.-Barnum & Bailey Circus might take to the road again rather than go into winter quarters at Sarasota, Fla., developed as the show moved out of here this morning (Tuesday) after having been stranded since June 22.

Frank Buck, one of the featured performers with the circus, who has figured in several world allegations here with Ralph Whitehead, executive secretary of the American Federation of Actors, said just before the show pulled out of here that he had made great progress in his movement for the organization of a "company union," and that when the trains reached Washington, D. C., a petition would be presented to John Ringling North, head of the outfit, asking him to resume the itinerary. The petition will carry the names of the performers and employees willing to take the \$25 a pay cut which North contends is imperative if the show is to go on.

### Borscht Circuit Still Features Gigolo-Waiters

While some have gotten away from the practices, majority of borscht circuit inns are still working the old gags of combo gigolo-waiters, vocalizing chambermaids and station wagon-driving m.c.'s. Following is a letter received by a New York orchestra organizer who is still wondering where his summer resort got his name:

"I am very anxious to obtain a three-piece Negro orchestra for the summer. The difficulty, is, however, that we only have dances once a week (Saturday night) and I cannot afford to pay full-time wages for a week when they are only to play once. The roadhouses and hotels in Ellenville manage to employ an orchestra which does a certain amount of housework during the day and I am wondering whether some combination like that could not be arranged. Could you look into the matter at your earliest convenience as I am anxious to have something arranged before the Fourth of July?"

The circus was ordered out of Saratoga "forthwith" by Mayor Fred J. Huester on Friday (24), the city authorities complaining of nuisance to health, insanitary conditions, etc. it (Continued on page 55)

### CHAPLIN WON'T REISSUE 'JACKIE COOGAN'S KID'

Charles Chaplin has been asked by United Artists over a period of years to reissue "The Kid," film made with Jackie Coogan. Chaplin has always mixed the proposal. Thought by some that a reissue at this time might be advantageous, because of the publicity attending the recent Coogan suit, but Chaplin has definitely nixed this also. All rights on the film, which was distributed by First National in 1921, have reverted to Chaplin and sole jurisdiction lies with him.

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All Girl Orchestra

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WEAF-NBC-Coast-to-Coast

# BALABAN BARGES INDUSTRY CAUTION DESPITE ANTICIPATED B. O. D. DEPRECIATION

### Paramount's Prez Recalls How the Film Biz Got Over-Bullish from 1936 On—When It Starts Ebb, It's Tougher—Hence, Keep Costs Down

Looking for an upturn in business at the theatres by Aug. 1 and certainly in the fall, Barney Balaban, president of Paramount, himself an astute theatre operator many years' experience, issues the warning that this upturn should be anticipated most guard to the possibility of an abnormal rise. His message strongly infers caution against any action by the industry for the first which would result in costs getting out of hand, as occurred in 1936, when wages began to get away.

These highly increased costs, shown in all branches of the business to which wages began to get away, are optimistically indulged, in the conviction that the b.o. rise of 1938 and the first three-quarters of 1937 wouldn't stop going up. Result was that this indulgence had to be placed in reverse, a hard way to travel when compared to proceeding forward in high. Balaban's figure reminder is that, when business operators continue to go up this August and fall, as well as over the winter, the mistakes of 1936 should not become the mistakes of the future.

Paramount's president believes that the best spending program and contributing improvement economy will stimulate b.o. business, but adds that we must operate out of respect to normal possibilities and levels, with costs at a better balance against all conditions.

The essence of the position Balaban takes is that ration must be without regard to exaggerated hopes of the future, which, as '38, might again result in costs getting out of control. Pictures should not rely too much on looked-for spurts nor on such a sudden turn as Wall street during the past week, believed to be inspired by rumors of the coming spending program of Roosevelt.

The public hasn't so much money to spend now, Balaban reflects, this in turn causing closings and creating the need for more pictures over the summer. This situation causes the runs to get shorter, more product being required to fill Balaban adds, and he also points out that all studios, notably Paramount, is actually pressing to get out of pictures through right now. That might be considered his answer to Harry M. Warner on the recent "harding" blast.

## CONN MAY RETIRE HIS TWO INDIE PROD. COS.

Hollywood, June 28. Maurice Conn has relinquished the studio where he produced independently to the reddy company and it is likely both his ambitions and pictures and Conn Productions will pass from existence. Conn has been in the biz for 718 eight months ago.

## 'Saint' Series to RKO

Hollywood, June 28. RKO has bought Leslie Charles' entire series of 'Saint' novels adapted taken an option on his future output. Purchase was prompted by returns on "Saint in New York."

## N. Y. to L. A.

Henry Arden  
Tullulah Bank  
Henry Brand  
Robert Broder  
Frank Z. Clemente  
John Emery  
Robert Foul  
Alice Frost  
Jules Garfield  
Tom Garrett  
Bela Hope  
Frank Mac  
Helen Moray  
Natalie Nopp  
Dora Rivers  
Phil Perry  
Karin Ruidal  
Dorothy Seibel  
Jules

## Happy Days in Harlem

**JACK OSTERMAN**  
We follow our next next to Damon Runyon and the fight was over as we shook hands. The Louis-Schmelz fight was shorter than a Broadway 'hollo' after you get a bad notice.

Lonship fight he ever saw was in our home town. To a restaurant man named Dempsey was fighting a California market (one named Willard). It was the Fourth of July and after everyone paid their respects to George Cochran, who incidentally is in this coming Declaration Day. "I wast the hottest day we can recall; so hot that Tammany Young was selling ice water for a quarter a hour. When Jack dropped seas to the canvas you could hear the wind. The referee was never seen such slugging in two minutes as we did the other night. Another thing to remember was the Benny Leonard-Lew Tendler affair, where Benny tended Lew out of the fight by their showmanship. A few weeks ago Tendler visited out the Benny's Cafe (it was open then) and ordered a lobster. Benny told him to order a steak. Tendler said to Leonard: "Listen, you talked me out of the championship, but you won't talk me out of a lobster."

## Thoughts While Thinking

White's latest crack "I tried eggs, use: the bad ones, the bum's drunk... By the time Selznick reaches the end of the line, he will be billed as a villain... Clyde Hager, one of Casa Manana's hits, tells of a fight in Hollywood where a certain critic remarked, "It's swell, don't you like it if you can." We are strictly for the Boy (Knox International Casino, Broadway Association) Christian try's idea of cleaning up Broadway to make it look good for the World's Fair visitors. "They bet on it and they make Market Street in San Francisco is very attractive... catch on."

And don't you think this weather makes a good day for the Ringer; the title now is January 1937.

## Kohmar Moves To Col. as Producer

Hollywood, June 28. Fred Kohmar, executive aide to Samuel Goldwyn for six years, has moved to Columbia producer yesterday (Mon.). Kohmar was arranged by Sam Goldwyn, who, however, supervises Kohmar will produce.

## Making It Law-Proof

Hollywood, June 28. Guarding against possible lawsuits, Edward Small, United Artists producer, is negotiating with Rudolph Valentino's survivors for the permission to characterize them in the filming of the dead star's career. Small has obtained the consent of Al to Valentino, a brother, and is dealing with Teresa Valentino, a sister, and Natcha Rambova and Jean Meyer, former.

## Other News of Interest to Films

- Supp further film con..... page 11
- Constitutional court..... page 11
- Berle, Benne (Europe)..... page 11
- Transmuticr's screen colts..... page 27
- Wanger on CBS show..... page 27
- Ratio reviews 'Innocent Si..... page 34
- ASCAP into Telecom on legisla..... page 39
- Quadranting exhibition picture..... page 41
- Jackie Coogan's and Roy..... page 42

## HOBLITZELLE SAILING, O'DONNELL AT WORK

Arriving in New York during the past week to see Y. Frank Freeman, Paramount theatre chiefing, and others, Karl Hoblitzelle, Interstate head, sails Saturday (30) for Europe, accompanied by Mrs. Hoblitzelle. They will be gone at our partner.

Bob O'Donnell, Hoblitzelle's 3 months in Interstate, who came up for the fight Monday (27) return to Dallas, his presence being important there at the moment with the legal suits Saturday (30) for Europe, due to come out Friday (1).

## 'NATION' SEQUEL BY DIXON; SUES

## Claimant's novel upon 'Birth of a Nation' was based, plans a new, full length sound version of the film.

The writer, now well past 70, said that the new production will have a different ending than the original. The writer, now well past 70, said that the new production will have a different ending than the original. The writer, now well past 70, said that the new production will have a different ending than the original. The writer, now well past 70, said that the new production will have a different ending than the original.

## Current revival of old motion picture hits struck a snag Thursday (23) when present ashi. (The Birth of a Nation) were named

defendants in an injunction and damage suit in N. Y. federal court by Thomas Dixon, author of "The Clansman" on which the picture was based. Those named in the action are Exchange, Inc., Trem Film Pictures, Inc., Eclair, Inc., and others.

The suit states that he wrote "The Clansman" in 1913 and shortly after assigned the picture rights to the old Motion Picture Company, which produced the picture under David Warwick Griffith's direction. Later Griffith assigned the present copyright to Epoch, both Dixon and Epoch own both those responsible for the present showing of the picture, but the suit states that they are not doing it without their okay. Besides an injunction to stop the exhibition of the picture, plaintiffs want \$250 damages for each time the film was screened.

## How Film Costs Break Down

Hollywood, Ju  
Incollaneous and general overhead account for 41.9% of production costs, as set forth by statistical data submitted by Joseph M. Schenck by the conference of otto Picture Arts and Crafts. Remainder of production costs apportioned as follows by conference: salaries and printing, 27.7%; direction, 5.2%; music, 4%; story and continuity, 8.2%; sets and studio, 10%.

Survey carried notation "of significant figures in table are percentages for "Music and Direction." These two items constitute approximately 45% of total cost of production of these two items the catch-all labeled "incollaneous" is largest single item representing 22.2% of total cost.

## 1st 5 Months Ahead of 1937, U. S. Tax Figures Show, Despite the B. O. Dip

Washington, June 28. Tax office noseived an admission of over 40c, continued through April; and put the film business back toward the 1937 level. Treasury Department tax figures showed last week. Exhibitors' payments for taxes on receipts in five months' haul, were off for the second successive month.

The tax office showed this year, the Government's share of the public's amusement bill declined. Total income tax receipts from admissions for April ticket sales was \$3,044,659, smaller than any month last year and under every month of 1938 except January, which showed the year-end slump.

The office showed more sharply than the record previous month. The May, 1938, total was \$14,460, under the figure of same date of 1937. Fall from the April, 1938, high was \$148,880.

There will be a drop in admissions for the first five months total \$7,722,305, which is more 380,000 more than the amount for the same portion of 1937.

## CARR TALKING PRO. DEAL WITH COLUMBIA

Hollywood, June 28. Trem Carr, now working on his new commitment at Universal, is mulling the deal to produce a group of features for Columbia, with the studio financing all the way.

Carr has also series in "The Lost Continent," with prehistoric animals such as were used in First National's "The Lost World." Series would be made in the new Fred Jackson color process, in which Carr holds a half interest.

## Tay Garnett Returns

Tay Garnett is back after a four months' European jaunt at took home and his wife into the Near, set. He had to produce a group of features on a hurry-up summons from Nat Overch of Myron Selznick's agency. Tay has seven directorial offers that will commutate him amount this studio.

John H. Palker, a figure of doing "Lode Winds," utilizing footage he had shot on a world cruise aboard his yacht "The Sloop," may finally tell his season, among the other idlers.

## L. A. to N. Y.

Edward L. Alpers  
Robert Andrews  
Bernie Aubrey  
Bill Baecher  
John E. Burch  
Jesus Busley  
Cholmondeley  
Edith Craig  
Benjamin Davi  
Ken Dancy  
Jimmy Durante  
Ryann Fox  
Nate Gribbin  
Jon Hall  
John H. Johnson  
Al Leeds  
Gene Leno  
James Murray  
M. M. Misset  
Ben Nichols  
Raymond Paige  
Hugo Quist  
Claude Rains  
David Rose  
Morris Sefton  
Conrad Veidt  
Lynn Shores  
George Skouras  
Greta Swanson

## ARRIVALS

Clifford C. Fischer, Robert Katoch, Charles Roberts, Mir and Mrs. David Aliven, Marcel Aijala, Alvin Miller, Alec Jocher, Dwight Wimsal.

# WORKING OUT

## Working Out Self-Regulation

Exhibitors and exhibitor associations are to be invited to sit down with company representatives soon to work out a new self-regulation formula for the trade. Discussions are to be devoted throughout the summer by representative groups, meeting together, under sponsorship of the whole trade, to smooth present problems and to catch up with whatever new trade angles there are to be considered.

There's no one who doubts that the tent to cooperate is present in every branch of the business, but as the scheduled plan for conferences and regulation get under way, revelation of the non-cooperative forces, the chiselers and trouble-makers is bound to come out. Presumably, of course, one of the objects to be aimed for, will be that of setting up a practical and permanent form of conciliation by which to settle all internal disorders of the trade, relating to distributing and booking of pictures.

If of the familiar problems of the business will get a going-over, it is indicated, so that, if there are new angles to be weighed, these will be thrashed with the greatest possible scrutiny and investigation.

### Kent Committee Chairman

Long convinced that suitable machinery should be set up to cover distributor-exhibitor dealings, S. R. Kent has accepted chairmanship of a committee which will consider a program looking to the solution of various current problems. He demands for trade practice reforms and the settlement of exhibitor-distributor problems from within has become increasingly pressing following the headway made by the Neely bill and other legislation or threats.

Nicholas M. Schenck, president of Loew's, and Leo Spitz, head of RKO, will serve as chairman alternates with the 20th-Fox chieftain. Negotiating committee which will draft a program and sit down with individual exhibitors as well as representative independent exhibitors in setting up a program. Bill Rodgers, sales head of Metro; Ned Depinet, RKO vice president; over Sales; and Abe Montague, Columbia sales manager.

Kent makes the following statement in confab as acceptance chairman of the trade practice committee:

"I have agreed to head the committee for the purposes outlined above with the understanding that I will give to it as much time as I can, but without undertaking a load that I cannot physically carry. The gentlemen who have been appointed to me know the problems as well as I do and are as determined as myself to make an honest effort to seek a solution of our trade problems. All branches of the industry recognize the necessity of an industry program, but finding a method to work it out is not easy. The committee has no arbitrary method or plan in mind. Whatever we do will be done in cooperation with the exhibitor groups, and first and foremost, it is to canvass the situation and then determine with the exhibitors which steps can be taken best.

The work ahead will require patience and moderation. There are tremendous obstacles to be met and these cannot be adjusted overnight. The committee will ask the help and consideration of all. We are determined to do everything possible to solve our problems and to seek a solution. If we fail it will not be because we have not tried.

I am conscious of the fact that many exhibitor organizations have been urging for some time that a program be undertaken, but there have been many difficulties in the way. However, we wish to assure the various exhibitor groups that the movement we are organized for action we will get in touch with them and arrange our program jointly with them from that point on.

## ASSURE F.D.R. RIZVILEY CO-OP

White House Parley by Film Topmost Ex-Grapevines the of Infringements

### WAGNER ACT

Washington, June 28. Promises to be good boys if the New Deal will call back the hounds were laid on President Roosevelt's desk last week by a brass-hat delegation representing the bulk of the industry.

Unusual a ctacle of several hundred thousand dollars' worth of expensive film eating away at the White House occurred Saturday (28), when representatives of the often-sighted "Big Eight" (headed by Will Hays, promised to co-operate). Whether their professions and pledges were accepted by the head man remained speculative, although head likely.

Effort to minimize the damage of the visit was made by members of the troupe, with Hays generalizing that the extraordinary conference was occasioned merely by a desire to swap views with the President.

Real significance of the junket seen in the multiple Government probe of film activities now in progress and threats of prosecution on several fronts. Collective efforts to improve performance followed series of White House parleys by prominent industry individuals—Lasker, Schenck, Charles C. Pettijohn and Hays—who are understood to have failed in preliminary missions in convincing the Prez that Hollywood will "play ball" politically.

The visit drew attention because of the Justice Department report, recommending "anti-trust" attacks, which has not been acted upon and because of other inquiries, chiefly re: water tax probes, still in progress. Responsible sources felt the major cause were so jittery they would like to meet any demands advanced by the Government.

### N.R.R. Violations

While the monopoly publicly obviously had an important bearing on the tele-a-tele, the real motive was said to be the possibility that numerous Hollywood topnotchers will be dragged into court on charges of criminal activities prohibited by the Wagner Act. Details missing, but pipelines connecting information lines with Hollywoodians are in grave danger of being laid before the bench under (Continued on page 10)

## LAEMMLE SAILS TODAY SCOUTING FILM SCRIPTS

Accompanied by his secretary, Jas. Rose, Carl Laemmle sails today (Wednesday) for an extended tour of the continent. Main mission of the voyage is to look over the foreign picture with a view to possible remaking in America.

Shortly before embarking Laemmle closed a deal for an anti-trust story by Paul and Elsa Brandon. No intimation has been given as to what the deal will do with his purchase on the stories or foreign films he'll pick up abroad.

## Extras' Coin Sloughs Off

July for extra players during that first five months of 1938 dropped about 40% from the figures for same period last year. There were 10,000 placements in 1937 and 96,000 this year, a difference of 85,000. The extra deal was for \$1,000,333 this year, amounting to \$1,000,333, a decrease of \$779,333.

## Roach's Laurel-Hardyers in 4 Reels, Solution to Long Shows, High Costs

### N. Y. to F.D.R. Direct

Washington, June 28.

So vital was the launt of film motifs to the White House that the Washington Hays office heard about it second-hand. Staff, which seldom punches the clock on Saturdays during the summer, scooted into town just in case, but had to find out what it was all about from newspaper pals.

Arrangements for the tele-a-tele with the President were made direct from New York, so the Capital Haysites had that footish look.

## COL'S \$1,400,000 BANKROLL FOR ENGLISH PIX

Downtown understand is that Equitable Life has underwritten a 1-year note of around \$1,400,000 for Columbia titles, obliging for this sum a first mortgage on Columbia's studio property. It is further accounted that part of this new money, so obtained by Columbia, is to be devoted for production of films in England, to be made for Columbia at the Alexander Korda studios.

This money is the second sum invested by any film company in the downtown area in recent months. Universal last week got a \$200,000 bankroll in Wall street.

That Columbia had been canvassing the downtown marts for fresh money has been known around for several weeks, prior to the conclusion of this latest financial transaction.

## ZUKOR WANTS TO SELL HIS NEW CITY ESTATE

Adolph Zukor, who as chairman of the board of Paramount, has been on the Coast more than two years in charge of production, is understood desirous of selling his estate at New City, N. Y., about 50 miles from New York. Reported wanting \$150,000 for the golf course and clubhouse, including only the portion of the golf course has been open to the public at 12 green fees weekdays, 50 weekdays and holidays.

## E. V. Richards Resting

E. V. Richards, head of the Svanberg circuit and a director of Paramount, left for his home in New Jersey morning (24), Y. Frank Fremant, v.p. of Par in charge of all theatre operations, did not go with him, as planned. Stricken ill while in New York during the past week, Richards' phone call went to get on his yacht for a rest.

Bob Blair, Svanberg executive from New York, left for his home in New Jersey (27) for Boston, following which will take a stop at West inington on the way south.

## RKO'S \$127,571 Fees

Y. Federal Judge William Conroy has agreed the petition of Channing L. Buehler Trust Co. to liquidate under indenture of RKO as of July 1, 1931, to pay to Irving Trust Co., as trustee of the corporation, \$127,571 for use in administration, expenses and allowances.

Hollywood, June 28. Hal Roach claims a cure for two outstanding ills of the film industry. By cutting 8 pictures in half, he proposes to whittle down the mounting cost of production and slash the double bills whose unnecessary length has aroused public ire. Roach has already ordered the machinery to put his plan into act. His quartet of Laurel-Hardy comedies, to be produced in the next year for United Artists release, are to be cut to four reels each.

George J. Schafer, U.A.'s general sales manager, and Murray Silverstone, executive committee chairman, are in favor of the idea, which Roach outlined at the recent U.A. conventions in New York and Chicago.

Present-day theatre bills are far too long," the producer declared, "with the result that parents who would ordinarily take their children to evening shows are staying away. Two full features lengthen running time on a night menu far beyond the average youngster's bedtime.

"Double bills are here to stay for some time to come, so we may as well get the best of it. Most of the B pictures are built on weak stories and require padding to double bills whose unnecessary length has aroused public ire. By cutting them down to four reels we could provide better entertainment and at the same time save from \$100,000 to \$200,000 per picture. This saving could be used to produce better A pictures."

Roach's final Hardy picture, "Irene," is complete. Metro release.

### GRAVEL TO CHIRP

Hollywood, June 28. Fernand Gravet makes his debut as a screen singer in Metro's "The Great Waltz."

His first notable one number.

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### INDEX

Advance Production Chart	18
Bills	46
Burlesque	44
Chatter	53
Concert	50
Dansapian	30-31
Exchanges	55
15 Years Ago	44
Item Bookin	19
Film Rviz	12
Home Reviews	45
Inside—Legit	50
Inside—Pictures	25
Inside—Radio	24
International Fil	11
Internals	51
Legit	47-50
Literati	42
Musical	39-41
New Acts	42
New Stars	42
Nite Club Review	42
Obituary	51
Outdoors	35
Picture—At Home	27-28
Radio	27-28
Radio International	29
Radio Reviews	34
Shows	55
Vaultville	42-44

## Schulberg Prod. Aid to Selznick, Wright to Par

### ZANUCK'S FRENCH POLO

Shifting from London to Deauville—Aug. 1

London, June 28. Darryl Zanuck and his family go to France in 10 days where he will play polo at Deauville. They will headquarter in Paris, and are slated to sail for home July 27, arriving in New York Aug. 1 in time for the radio and other ballwoy attendant to the opening of Alexander's Basline Band.

Hollywood, June 28. Joe Schenck can't sail tomorrow from New York as intended, but will be in New York, arriving in time to talk things over with the 20th-Fox production chieftain in Europe, and also to see some of the balls at French spa.

## ALPERSON'S \$500 PER WEEK AS GN TRUSTEE

Los Angeles, June 28. Edward L. Alperson was awarded compensation of \$500 a week as trustee of Grand National while the company is going through reorganization, by order of Federal Judge William P. James.

Alperson files on Feb. 21 with GN Films paying \$425 weekly ad GN Studios \$75. Alperson is also named as GN Films' liquidator Wright the other co-trustee.

### Burch with Small

Hollywood, June 28. John Burch was appointed production manager last week by Edward Small. First assignment on the UA list will be "The Duke of West Point."

Hollywood, June 28. Ben P. Schulberg joined Selznick-International last week as production assistant to David O. Selznick, replacing William H. Morosoff, who resigned to become associate producer at Paramount.

Power in the picture industry. Schulberg was production chief at Paramount for seven years during which he brought to the screen such stars as Marlene Dietrich, Melvyn Frumkin, George Bancroft, Gary Cooper, Fredric March and Sylvia Sydney. Until six months ago he produced for Paramount release at his own risk.

Wright, once a newspaper has been in pictures 13 years. Paramount, Metro, Columbia Pictures, and United Artists, checking in on the new job July 11. His last Paramount assignment will be "Dolores" featuring Patrick Randolph Scott.

## Robinson as La Guardia?

Hollywood, June 28. Ward G. Robinson has agreed with David O. Selznick to produce the original form of his one-picture deal with Selznick. Original cost of investment was due in August.

Selznick is weighing a story based in the career of Mayor La Guardia as a Robinson starlet.



# THEATRE

## Full Speed Ahead at Studios

Paramount, RKO, Universal and Columbia are the most active of those setting directors and talent for immediate production. People are being summoned west on agents' desks from all over the country and back from European vacations, due to an intensive going-in-production desire by these outfits which seemingly are behind normal production output.

Agents from Hollywood advise that Warner, 20th-Fox and Metro are in pretty good shape on product over the summer and into the new selling season, but the other companies—despite published allegations about "hoarding" films—are really backward on the new productions, and are anxious to catch up pronto.

## Metro Aligning a Labor Contact At Studio; Too Many Union Tiffs

Hollywood, June 28.—Office of labor contact, at Metro, is being studied, due to numerous clashes between studio execs and union. Latest rift came to light last Monday when the International Alliance of Theatrical Stage Employees protested against hiring college boys at Boise, Idaho, for "Northwest Passage."

Those under consideration for the labor post include H. K. Behrler, Jack Gain and Vern Murdoch. Field hit came several weeks ago when several technicians were dismissed on the W. Warner, Dyer. After being idle for some time picture resumed shooting but workers were gone.

Protest reportedly to have been carried by Nicholas Schenck.

Studio is charged with not carrying enough technicians to "Passage" local and when colleagues were hired the I.A. is understood to have threatened to pull its men unless the situation were remedied. Company is also accused of hiring IATSE men on vacation instead of taking along the crew without getting the approval of IATSE. Props and studio execs were expected to straighten out the situation at a meeting tonight (Tuesday).

## BAYNES ATTACHES THUNDER' PIC IN N. Y.

George McLeod Baynes, foreign film agent, was granted an attachment order by N. Y. Supreme Court Justice Ernest L. Hammer, Friday (24) against property of Atlantic Film Productions, Ltd. of London and which is in possession of Columbia Pictures N. Y. office. The attachment order was issued pending the order of Baynes' to recover \$30,000 from Atlantic for breach of contract.

The agent claims he was engaged by the British concern to negotiate with the distributor in the U. S. and Canada of the picture "Thunder in the City." He successfully negotiated with Columbia, through the latter's N. Y. office, and now wants to collect \$30,000 or 10% of the gross on the picture. He is tied up by the attachment order, which includes suit and copy of the film of the picture. Also \$30,000 in cash was to be exacted by Columbia to the credit of Atlantic.

## Making 'Em Earn It

Hollywood, June 28.—Too much realism in the picture of Paris seen for "If I Were King" on the Paramount lot caused 23 scenes among the stars to be cut.

Some of the sham-batters were killed by horses and others sustained skinned noses when sword blows jammed their helmets down on their faces. There were no serious hurts.

## Booning the Strawhats

The major company talent department is concentrating only on the usual exception is 20th-Fox which is in the lead in the hat.

The film sounds a not consider the film spots as arranging enough possibilities to justify coverage.

## HEAVY ACTIVITY CLEANS THE DUNGEON

Spread of Studio Coin Reflected All Over the Community—June's Bullish Call Extra, Labor Craftsmen, Etc.

## 51 PIX SHOOTING

Hollywood, June 28.—Long promised resumption of film production in the major studios has brought smiles again to Hollywood. Every branch of production is working at top speed. Survey shows features are in production, which is close to the all time record of 56. Year over year week there were 47 films before the cameras.

Spart has come gradually during the month of June in the prospects are that July and August also will hold the present pace.

Phase of the activity which is spreading most optimism among studio workers is that the call for extras and union labor craftsmen indicates that the film will set record figures of any stanza since the first of the year. L. C. Helm, head of Studio Utility Employees Local 724, declares that less than 2% of the membership is idle. Calls are coming in constantly at headquarters for additional carpenters, makeup artists, teamsters and technicians. Extra payments probably will reach \$4,000 for the month, exceeding the May figure of \$3,958, previous high.

Hollywood shopping district is feeling the benefit of the wage spreading, and finance companies are clearing off the auto and home loan installments. Extra pressure from credit agencies is being exerted to convert the film colony into equities in personal and household channels.

At the time of the Santa Anita closing in the spring after 56 days of partial closing, the outlook for the studio was not too bright. Observers declare that the new Hollywood track, in the third month of its summer season, is not getting the ray from the picture colony which was anticipated.

Telephone in February had several weeks of back-door knocking and whispering dunning from merchants and supply firms. The gale is banging on the weekly movie develop now. That is, they are playing the horses only to show, and not to bet on the board.

Aspect of the studio speedup is reflected also in the scarcity of night film graders on the outboard. Head of the family comes home from his eight hours' too exhausted to make the night rounds.

## ISA NO 'ZAZA', SO PAR HUSTLES IN COLBERT

Hollywood, June 28.—Irene Aldine Colbert replaces Jas. J. Italia, Italian importer, whose name was attached to the picture Paramount's "Zaza" was halted abruptly last week after one day's shooting.

Studio execs insist that Miss Miranda was removed because of ill-health despite mother's protest. The biggest order was for the picture to be suspended after they had a second day's work. A rush order came to stop the picture after actress.

## SONIA'S VACATION—STRICTLY PRIVATE

Miss Sonia's vacation was so private that she made no personal appearances or head any set shows during her stay abroad. She sails today for Europe with her husband and five kids from Paris. "Sue" and "Mia" are to stay in Hollywood for 10 months.

## Ben Bernie Into Strand, N. York, On Warners' Debut Band Policy; Others Adding Flesh to Hypo Pix

### Party Line

Hollywood, June 28.—RKO asked Central Casting for 20 men and 20 women as dress extras for the Ginger Rogers-Fred Astairearrer, "Carefree."

Grapevine spread the news so fast that 2,000 applied for the 40 jobs.

strand on Broadway goes policy Aug. 26 with Ben Bernie i- ducting the new policy. "Boy Meets Girl" will be the debut feature and Bernie is slated for two weeks at least.

Ever since the Strand's recent low grosses the Warners have been nullifying the band idea on the strength of what the Paramount has been doing right along. Name bands have hyped the Par when the features were none too strong and the Strand and also the Criterion, have been flitting with the band idea ever since. E. S. Moss' "The City," however, is doing nothing directly.

Bernie closes on U.S. Territory, July 6 and is taking a newly organized 16-piece band on tour. Eastwood Gardens, Detroit, July 16, prior to the Broadway tour. The other band at Arrowhead Inn, Saratoga, is August, closing in time to present Aug.

### Brandt's Vaude Ideas

Brandt Bros. are continuing negotiations with the New York unions looking for their theaters. Labor deals policy this fall in some of its theaters but thus far the stage hands are demanding terms that other bands as too stiff. Although the Brandts want to add vaudeville to structure the pop-over of the Theatrical Protective Union, No. 2 (stage hands) is holding out for the same terms. The Brandts are at the large downtown houses such as the State, Paramount and Roxy. The musicals being shown there, through Local 802, will play ball and make the policy of vaude used by the Strand a practical gamble, it is promised.

Brandts want to start combination bills in their theaters. Labor Day, Aidun in N. Y.; Flatbush, Brooklyn; Windsor in Bronx; and Carleton in Manhattan. They will determine the inclusion of the other in the line.

Total of 20 or more is a possibility if the right deals with the stage hands can be set up, additional such as the Strand, the Globe on Broadway and the old telt Apollo in 42nd street.

Once they are set up, Ben Bernie for a couple of weeks, with an option for a third week. Phil Harris has already been set as the third name maestro through MCA. Billy Kent is handling the booking details for Nelson.

### WB Also Adding in Philly

Philadelphia, June 28.—Fox theaters, which has been without vaude since last year, are about to return to flesh in the fall. Earle, also Warner house, will continue with live talent.

Fox, which is west of road stars better class trade and will use longer acts than the Fox. The office contemplates name bands in both spots whenever possible, with which will come to the attention of the Fox. Earle will continue to depend on flesh rather than pix as to composition, while Fox the vaude will be subordinate to the film.

Port of the reason for the return to vaude is that the Fox has contract with the Musicians Union for a pit band and must use it when circumstances of the nature of it is to absorb part of this expense by hoped-for increased biz.

## The Pure Strain

Hollywood, June 28.—Clude did not tie up with Metro camera crew for Dutch "Gains" is concerned about a film of a pure African negro, descendant of slaves who revolted after being transported to the Americas more than 100 years ago.

They will be of the "pure strain" type.

## U.S. BRITAIN'S DOUBLE TAX RAP

American Chamber of Commerce in London has started a campaign to secure a revision in the present U. S. income tax law as a result of the U. S. Supreme Court's ruling this year that income tax withheld at the source from dividends of British companies may not be taken as a credit against the U. S. Income tax laws. Members of the Anglo-American trading community in this country are also matter being of serious concern.

In a statement recently issued, the chamber, points out that the U. S. has advocated the oil nation of international double taxation in the past and that a section in the 1936 tariff act apparently was designed to accomplish this. Court will however, reverses it and only prospect of relief is in a revision of the present law.

## FIFI DORSAY TO RENOVATE SHE'S MRS. MORGAN HILL

St. Louis, June 28.—Fifi Dorsay, currently in "Roberta" at the municipal theater in Forest Park, her first local appearance, will go to Reno in October to obtain a divorce from her husband, surior Hill of Jacksonville, Fla., professional organ Hill in pictures.

Alleging that she was the first of her marital ways was due to "too much" in Hollywood. Miss Dorsay said she met Hill in Chicago in 1933 while on a tour. The marriage on December 8, 1933, in the Windy City followed and the couple went to Hollywood where she said she got up her picture career to keep house and devoted her efforts to secure a place for a four-year-old son. Now that she is determined to obtain a divorce, Miss Dorsay says she will start a new screen career.

## Par's Whatzit Short

Par has a novelty short, "Fif Whatzit Woog," going into the Par-20th-Fox shorts this week. It is a variation of the boxer idea and contains 10 mistakes which the audience is supposed to spot. With a screened one without sound, then repeated with the dialog calling attention to incongruities.

After the short was completed the production staff in the studio found only nine blinners, although 10 had been planned. After lengthy and fruitless searching for the one, they remade it with another blinner. When they called in a few other employees around the studio some of the facts called attention to 14 mistakes.

## Rogers-Boyer Paired

Hollywood, June 28.—Charles Boyer shares lead with Ginger Rogers in RKO's "Stolen Honeymoon," slated for an October release.

Delay in shooting is due to Miss Rogers' current job in "Carefree," which she will complete in August. She will take a six-week vacation.

## GRACE MOORE'S FILM OPERA IN PARIS

Grace Moore sails today (Wednesday) for Paris after being forced to cancel her engagement at the Levi-Strauss Stadium last night, due to bad weather. Deal called for \$4,000, but engagement could not be postponed to a later date, as singer had closed a film deal early this week by transatlantic phone.

Moore is to make a film based on the opera "Louise" with both a French and English version. She returns in October to resume with the Chicago Opera Co., Nov. 1. Singer recently wound up with Columbia Pictures, contract being terminated and Miss oore receiving \$55,000.

## Ed. Lowe Holding Out For More Stage Time

Edmund Lowe has been offered a week of prescreening by the State-Lake, Chicago vaudeville, which wants the film actor for the stanza commencing July 27.

Currently on the Coast, Lowe is disinclined to head out for stage time, as he has just been lined up. Charles Allen in New York is negotiating.

## Metro's N. Y. Recruits

John Call, legit juvenile, was screened last week by Metro for "Roads."

Abbott and Costello, former burlesque comedy duo more recently vaudeville, also tested by Metro.

## A SONG AT LAST

Hollywood, June 28.—Constance Moore makes her singing debut in the first of Universal's series of collegiate pictures, "Freshman Year," which went into production last week.

Signed by the studio some time ago because of her singing voice, Miss Moore never had a chance to use it until the current picture.

## Follies on the Hoop

Joe Bonill's next western musical will be "Follies on Horseback," with a cast of 100 females, 41 men and one male.

Production will follow completion of "Tomb of Zhu Tunzi," which is now in midstage. It will be a 20-epic.





# N. Y. Bans Two Indie Pix on Dope And Reefers; Not 'Educational'

Albany, N. Y. — The Board of Regents has upheld a motion picture director of the motion picture industry in Albany in his fight for two films dealing with the traffic in narcotics. "Face That Kills" and "Assassin of Youth," and a third feature, "Souls for Sale," described by Edmund as the story of an immoral life throughout, with suicide at the end. Melbert Pictures, Inc., which owns "Face That Kills," made three revisions in the film in an effort to obtain a permit for its public exhibition. Director Edmund first thumbed it down; Dr. Herman Cooper, assistant commissioner of education, allowed it, and finally the Board of Regents rejected the appeal.

Edmund wrote, "There is the picture—suicide, abduction, seduction, murder, opium den, low type dance halls, indecent dancing, a repulsive fight between two women, several lives ruined, and another threatened. Film was found to be 'indecent, immoral, tending to incite to crime and to corrupt morals, and obscene.'"

"Assassin of Youth," a lecture depicting the evils of narcotics, was banned on all the counts held against "Face That Kills" except educationally. J. McCarthy, executive director, as he has described it as an "educational picture carrying a message." He claims that the story is told in concrete form—a warning to the youth not to use marijuana in any form at all.

McCarthy, however, held that the picture portrays the sex exhibition allowed in the use of the marijuana, and the source of supply. Director Edmund could not see the educational value of the use of marijuana. He said, "The picture arouses curiosity, which is never satisfied on the part of some youngsters under the age of 16. They are, however, they have felt the effect of marijuana, believing as they invariably do that they themselves will never become the victims of the habit."

The Board of Regents reviewed the motion picture headquarters of the motion picture industry.

"Race Suicide" banned. Philadelphia, June 28. — Following protests from hundreds of residents, Under Parby Township Board of Commissioners called a special meeting last Thursday night and banned the film, "Race Suicide." Pic was scheduled to open Friday at the Regal, owned by the Regal Theatre. Under Parby is suburb on western border of Philly.

E. Trenchard, chairman, G. M. appeared at the meeting and argued that the film was educational. He offers to exhibit it at the Regal Theatre. Commissioners declined and passed unanimous resolution that the results of the meeting of this community will be greatly promoted by prohibiting the show.

Would Pass. Organizations made up of representatives of various women's clubs here are preparing a campaign to force the Pennsylvania Board to remove its ban on "Assassin of Youth," it depicts varieties of marijuana cigarettes, or reefers. Film, being distributed by Melbert Pictures, has been approved in neighboring states of Delaware, Maryland and New Jersey. Exploitation of the picture being handled there by George Nonemaker.

Organization working for approval here is Motion Picture Review Study Group, headed by Robert Goldsmith. Group comprises representatives of clubs in the city.

GETTING KAY FIXED. Hollywood, June 28. — Next Kay Francis picture, still untitled, stars rolling on the Warner Bros. lot. John Ford, who directed "The Sign of the Cross" and "The Sign of the Cross" and Albert De Cuir are working on the script.

Aliaa. Hollywood, June 28. — Picture and radio columnist announced the announcement that ine Crosby was signing over title to his Rancho Santa Fe from his corporation to Harry L. Crosby, Jr. Nice of the crooner, they wrote, to give his youngster such a grand start in life.

Harry L. Crosby, Jr., is none other than Bing his self.

## NLRB Certifies News Guild To Rep Par Reelers

Washington, American Newspaper was certified Saturday ( ) the National Labor Relations board as exclusive representative of employees of Paramount newreel, excluding execs and workers who are members of, or eligible for, membership in Local 52, 644 and 702 of the International Alliance of Theatrical Stage and Film Employees.

Certificand ended plans of the AFL-affiliated IATSE to annex workers in the editorial and traffic departments of the news division staff. Federal union claimed "substantial membership" among employees of two other divisions of the company and disclosed its intention to organize the news division at a future date.

In rejecting the contention of the company and IATSE, National Labor board pointed out that 21 out of 23 workers in the unit desired the Guild to represent them and remarked:

"The mere fact that the Federation insists at some future time to organize the employees of the News Division does not justify their exclusion from the bargaining unit approved by the Guild. In addition, the Guild introduced evidence showing that a substantial majority of such employees are members of the Guild and have expressed a desire that it represent them. Under the facts as they appear, there is no reason for deviating from the unit claimed to be appropriate by the Guild."

New wage-hour pact with cameramen will come before five newreel executives early next month, but neither side to bargaining tipping its mitt thus far.

However, one added headache that undoubtedly will come up for discussion, is that matter of insurance for the newreel photographers. Danger cameras here hope to be most vividly illustrated when a Universal cameraman lost his life this spring while working from off in Pennsylvania. Union officials probably will seek higher insurance to be covered under a fund for by the newreel company.

Kane Mustang Boss. Hollywood, June 28. — Production of Roy Rogers' western films at Republic has been turned over to Joe Kane, recently stepped from director to associate producer.

William, producer of the "Monte Carlo" series, will also assume charge of the Gene Autry pictures. Both Kane and Berke will work under general direction of Harry Sherman, Ford, overcast of western production.

# PROHIBITIONISTS ALL GO TO STUDIOS

Winners May Ask NLRB To Dissolve Producer-SP Agreement—Execs Will Refuse to Negotiate and Set Up Defense in U. S. Court—Appeals Certain

## LONG DRAWN OUT

Hollywood, June 28. — Screen Writers Guild today was designated the bargaining representative for all the screen writers at a majority of Hollywood film studios as approximately 400 screenwriters cast their ballots with the National Labor Relations Board. Early tabulation of votes disclosed that the only real opposition was at the studio, where Screen Writers' Inc., put up a fight to hold its present contract with the producers. While the exact count will not be known until tomorrow (Wed.), it was generally believed the SWG had captured the election at all 18 studios named in NLRB petition. If playwrights failed to win a majority in any of the 18 studios, it is probable that the SWG election of the NLRB to order dissolution of the present working agreement between the producers and the SWG. Similar election was taken by the board in a number of industrial contests in east where the contract holder failed to get the majority of workers in an NLRB election.

A majority in each of 18 studios must be won by the Guild before producer-screen playwright contract becomes operative. It is expected that William Walsh, senior labor director of the Guild, will also be elected by the NLRB. Writers who failed to register at supplemental registration also were permitted to make affidavit to NLRB as to whether they were employed at the studios on June 4. Latter was eligibility date for voting.

Ballots as well as figures are tabulated. NLRB will certify selection of SWG as bargaining representative and direct that producers open negotiations with Guild. Producers are certain to refuse to negotiate. Executives of film companies will then be cited in Federal Court for refusing to bargain.

The contract upheld NLRB ruling that writers are employees and that (Continued on page 25.)

## PHILLY INDIES TALK ANTI-TRUST VS. PAR

Philadelphia, June 28. — Anti-trust action against Paramount is being planned here by Erny & Nolan, owners of Erlen and Erlen, who are active in the exchange is being unfair in pushing back their run next season against the newreel picture industry under construction, the Lane.

Luke Grigg, manager of the houses, Manila, said he will write to return through to the highest courts over the Clayton and Sherman acts. Erny & Nolan, owners of one of the city's wealthiest building firms, said in no way dependent upon income from the theatrical industry.

Oklahoma City, June 28. — A. B. Monard, \$5,000,000 anti-trust suit in federal court here against a flock of picture producers, distributors and theatre owners, has been indefinitely postponed. Federal Judge Murray, in deferring action until some time next September, made no comment as to the merits of the briefs filed by either the complainant or defendants.

# 120 Chicago Indies Blast B&K On Alleged Zoning-Clearance Squawks

## Football Takes Cut

Hollywood, June 28. — Kurt Neumann, director at Paramount, where an economy wave is in full surge, wanted two football teams for a season in "Touchdown, Army." Casting office sent him 10 men.

Chi., June 28. — Threat of court action, unless the current zoning, clearance and release system is revised, was made to the various producers and sales managers of the picture distributing firms by the attorneys for some 120 independent theatre owners in Chicago and vicinity. This general letter was received by the president, sales chiefs last week, signed by Joe Rosenberg of the law firm of Rosenberg, Teu & Rosenberg.

## Copyrights To Get Haysites' Careful Study

The Hays committee was appointed at the invitation of this copyright group committee, being made up of Robert W. Per ins, general counsel of Warner Bros., and chairman of the law committee of the MPFADA; Gabriel L. Hess, general attorney of the Hays associates, and E. P. Kilroe, 20th-Fox attorney and copyright expert.

The idea of this group studying copyright situation is to break the stalemate in Congress which has prevented constructive legislation being approved since 1934 or before that time. There has been an authors' bill, has hampered the radio and another measure to get the U. S. into the Copyright Union. Trouble has been one group always. The committee for the Study of Copyright has indicated that a new bill is necessary in order to combine opinions from all groups. It is felt that this would eliminate delay, reduce cost and extraneous procedure which has hampered efforts to date.

Understanding that the Haysian committee will concern itself mostly with authors' rights, film copyrights, titles and music copyrights.

The Hays directors have no comment to make on the committee or other plans to alleviate trade conditions. Directorate also has taken no action in participation in the New York World's Fair, preferring apparently to give the matter more thorough study.

Three-page blast on the Chicago releasing system is aimed primarily at the tactics of Balaban & Katz in a clearance system allegedly injurious to the best interests of the industry and the movie exhibitors in this territory. Massive states that the exhibitors preferred to sit down for an amicable settlement of their difficulties, but if necessary they would go to court.

For the most part the letter concerns itself with the slow changes in the Chicago releasing system. The indie picture and the indie theatres are under the domination of the B. & K. circuit. Particularly mentioned is the elimination of the previous "dead" weeks which used to be part of the 10-week run. The letter also mentions the present wave of difficulties facing the neighborhood exhibitors.

Between local and general release Chicago has three pre-release weeks, known as A, B and C. Following the 10-week run are the A houses, such as the Uptown, Marbro and Tivoli which get their pictures after a certain pre-release, which, particularly mentioned is the elimination of the previous "dead" weeks which used to be part of the 10-week run. The letter also mentions the present wave of difficulties facing the neighborhood exhibitors.

## PAR RE-ELECTS SAME SLATE OF OFFICERS

All officers of Paramount, headed by Balaban, president, and Arthur Zukor, chairman of the board, remain for another year, action of the meeting of the directors at the Zukor's residence here last night. One report was that Balaban, impressed into the presidency three weeks ago, had been elected to return to Chicago to resume active direction of Balaban & Katz in which he is presently inactive.

Vice-presidents reelected are Neil F. Atnew, Y. Frank Freeman, George B. Searles, and J. Edgar Hoover, and C. K. Kough. Other officers for another year are Walter B. Cokell, John Hays, and J. Edgar Hoover, and C. K. Kough. Other officers for another year are Walter B. Cokell, John Hays, and J. Edgar Hoover, and C. K. Kough. Other officers for another year are Walter B. Cokell, John Hays, and J. Edgar Hoover, and C. K. Kough.

Blanton L. Griffin remains chairman of the executive board, and other members continuing are Balaban, Atnew, Hays, Stephen Callaghan, John Hays, George D. Newton and Arthur Zukor. Alternates on this committee are Kough and Hicks.

Hollywood, June 28. — Starting date for "Tenth Avenue Kid" at Republic, featuring Bruce Campbell, July 10. Directed by Michael Curtiz. Produced by Curtiz.

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Threat of court action is based primarily on the consent decree entered into by Balaban & Katz here in 1932 when the Federal court issued a decree requiring the B. & K. houses, leaving nothing but the skimmed milk of the indie picture. Double features tend to aggravate this situation, Rosenberg's letter says.

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## Hal Olver B'k'pt

Hal Olver, former theatrical agent, now acting as an executive for the Theatrical Managers' Association, has been declared himself bankrupt. Olver's (Thursday) in N. Y. Federal district court. Olver's liabilities, including those of his wife, are estimated at \$40,000. Olver, 37, and his wife, Mrs. M. Olver, 35, are both actors. Olver's last job was with the West 18th Street.



# PICTURE GROSSES

**Duchin Orch Swings 'Mice to Sock'**  
**\$41,000 in Chi; 'Wife' Chilly \$10,500,**  
**'Diggers' Spurred, 6G; Fite Pic N.G.**

**BINGLING MAY**  
**MAJOR 250,500**

**Weather Helping B way, Biz Up**  
**A Bit; Holiday \$88,000 and Holds,**  
**'Goodbye' 33G; Banners,' Toy' 15G**

Chicago, June 28. Eddy Duchin with his orchestra at the Chicago big box office returns in the loop currently. Duchin is garnering steady in the big loop, with a meeting in his heavy coin in the same spot last season. Came in here after having completed big money stay in the Empire Room of the Palmer House.

**Key City Grosses**  
 Estimated Total Gross  
 This Week.....\$1,127,385  
 (Based on 23 cities, 1,127,385)  
 (Based, chiefly first run, including N. Y.)  
 Total Gross Same Week  
 Last Year.....\$1,261,100  
 (Based on 23 cities, 155 theaters)

**Smalltime Chisel to Save a Day's Freight**  
**With Larger Penalties—**  
**Shorts at \$1 or 2¢ Rental—**  
**Among Insignificant Items**

**Broadway Grosses**  
 Estimated Total Gross  
 This Week.....\$214,580  
 (Based on 10 theatres)  
 Total Gross Same  
 Last Year.....\$264,200  
 (Based on 18 theatres)

'Robin Hood' (WB) on n nabbed \$137,700, excellent. (Paramount, 6,000); 25-26-65-45-9 'Tropic Holiday' (Par) and Xavier Cugat band, with Francis Langford on stage, opens today (Wed.). Second (final) week of 'Cocacout Grove' (Par) and Norvo-Bakley orchestra, \$21,000, lid but some profit, after initial seven days' \$30,000. In these times this house is doing all right and averaging better than other big first runs.

No house even approaching the tempo currently. The Roosevelt opened Saturday (25) with 'Gold Diggers in Paris.' Picture won't top a strata \$60,000.  
 Rest of the houses are also in the same place in following with a vaudeville bill topped by the Louis Schmelting debutants plus Gene Siskier at the Garrick is not getting anywhere either. Apollo has kept two new features, due to the consent of Balaban & Katz to keep two bills out of the loop. To try out with two releases, 'Monte Cristo' and 'Waterfront,' and doing okay.

**Last week, 'Robin Hood' (WB)** (third week), good \$2,500.  
**Original (Hamrick-Evergreen)** (2,000); 32-37-42-'Crime School' (11); dual (2d wk). Will get slow \$2,800 in five days. Last week, same films, \$5,800.  
**Faloma I (terling)** 1,350; 10-27-70-'Karin Tree Healin' and 'Tioff Girls' (Par), dual, and Bell's Hawaiians on stage. Expect good \$3,500. Last week, 'Western Stars' (Rep) and 'Romance on Run' (Rep), 1,000; 10-27-70-'Miss Thoroughbred' (Lasker), 1,400; 10-27-70-'Paramount' (Hamrick-Evergreen) (3,049; 32-37-42-'Jogette' (20th) and 'The Girl and the Criminal' (Crime) (GN), dual, \$2,800, good.

Exhibitors in the New York City area covered by the N. Y. Film Board of Trade recently have learned that the practice of holding over films an extra day or playing them in theaters for more than they were booked is an extremely costly one. There have been a number of cases in recent months in which, short features—with instances of only \$1 or 2¢ rentals involved, were the basis of hauling exhibitors up the carpet.  
 Minimum fine for a violation of the copyright law covering such situations is \$250. Consequently, these exhibitors who attempted to chisel a few dollars on a week's operation, either by bicycling or holding over a print, are confronted with threat of a \$250 fine and have been actually fined up to that amount.

The level of grosses on Broadway remains low for another week, sum total of business being shown showing only a slight improvement. Hot weather Friday and Saturday (24-25) could spooly attendance, while a rainy, cool Sunday failed to bring much of a pickup. A spur, however, was noted Monday (27), with the possibility that most theaters will finish comparatively better than they started.

Radiu City, with 'Life' (5,800; 40-60-94-94-81.8) 'Holiday' (Col) and stage show. Best for this big house in some time, indications pointing to fine \$80,000 in better first week, with show holding second. Last week 'Ridecade' (UA) withdrew to \$67,000, churchy, shows probably hurting. 'Life' (750; 25-40-55)—'Gun Law' (RKO) and Louis Schmelting film. Looks about \$7,000 on the week, risky but disappointing. Last week, 'King Kong' (RKO) (2,000), 45 days, only \$5,000, mediocre.

**Applé (B&K)** (1,200); 35-55-75-75—'Monte Cristo' (UA) and 'Cover Waterfront' (UA). No complaint on these releases, will gather good \$5,500. Last week, 'Holiday' (Col), medium fairish \$4,100.  
 Chicago (B&K) (4,000); 35-55-75-75—'Karin Tree Healin' and 'Tioff Girls' (Par), dual, and Bell's Hawaiians on stage. Duchin is pumping up the take to powerful \$41,000 in one house, both houses doing about the same time. Last week was sad at the top for 'Crime School' (WB) and vaude.

**Roosevelt (Sterling)** (800; 21-32)—'27-70-'Karin Tree Healin' and 'Tioff Girls' (Par), dual. Heading for fair \$2,000. Last week, 'Sheik' (Par) (re-release) and 'Criminal' (Crime) (GN), dual, \$2,800, good.

Though the Film Board claims there has been no undue increase in copyright law violations, there still continue to be persistent violators. Despite this, a majority of violations uncovered have not been detected. The Film Board has a list of certain house managers in a circuit to make a more favorable showing may be obtained.  
 By holding over a picture, just as much is saved in rentals for a week's operation. The few dollars represented may mean the difference between showing the theatre operator a profit or in the red. Book-keepers sometimes hold out prints unnecessarily because of mixing up dates at the source.

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Washington, June 28. Nothing big this week, with blame placed on a heat that is a lack of sock celluloid. 'The Blind Mice' looks to lead town, with 'White Banners' and 'Tropic Holiday' in the Charming p. stage bill expected to bring in some second.

**Fleet Week in Seattle; 'Mice' Dual Nice \$6,200**  
 'Wife' Chilly \$10,500

**HUB BIZ STEADY;**  
**'JEFF' 20 1/2 G,**  
**2 SPOTS**

**Thorrid Love Leaves Mont'**  
**Biz Cold; 6G Top Gross**

**Heat Hits Wash.; 'Mice, Vaude OK'**  
**38G, 'Wife' N.S.G.**

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# Firms Council's Broad Coverage; Zone Repor for All Major Studios

London, June 21. Board of Trade nominees on Films to assist in administering new quota, are a catholic assembly. Good sections of the quota will be ready to meet on the 1st of July. Include three members of Parliament and representatives of the arts, commerce, economic and education.

To defend the trade viewpoint, B.O.T. resident lawyer Stanley has handed nominees submitted by sections of the industry so as to give them a say. Thus far the nominees are representatives of circuits, Indies, small men and the rebellious Scotch-Belt; for districts, one member each for Americans and British; for producers one for the big studios, one for the minors and one for the owners of documentary. And there are two for the labor side.

Composition of the panel will interest the Americans keenly. In view of letting them know who it is to rule their heads during the next year, however, although it has no executive power, it will advise B.O.T. on issues, such as whether to raise the quota scales as provided in the act. The personnel and their connections are:

In the picture business—D. E. Griffiths (First National), Richard Norton (independent), distributors; Richard Norton (independent) and John Grierson (documentary), producers; Arnold Jarrett (G.B. West End), Theatricals and Alex B. King (all Cinematograph Exhibitors), exhibitors; George H. Wainwright, Capt. A. M. Crickett, labor.

Outside the industry—H. C. G. Barrister, Sir Walter de la Mare, big boss of trades union movement; Philip Guddalla, historian, author of "The Battle of Britain"; Robert Morrison, member of Parliament; W. E. Jones, assistant general manager Midland Bank; Ronald G. Wainwright, member of Parliament; Arnold Plant, professor of commerce at London School of Economics; Eleanor Plummer, director of British Film Institute and prominent social welfare expert; Sir Hugh Stubbins, baronet, member of Parliament; and F. Ikinson, headmaster of a London boys' school. Guddalla is chairman both of the original advisory committee under the old quota act.

Frederick Whyte, nominated earlier for chairmanship, has had administrative and diplomatic experience, largely in the film industry. Notable in analysis of trade personalities is meagre representation of the studios. Whole function of Films act is to protect domestic production, yet representing all major studios in Great Britain is one individual out of 21 on full panel, Capt. Dickson Norton, one of the stars in the major production of old here. Possibly the most important order of producers group in Federation of British Industries, whose nominee he was, Norton is not even given influence on the council.

Best time to meet first time June 29 and as government department its activities are likely to reveal when the annual reports go to Board of Trade.

## Hicks Announces New Par Foreign Assignments

New assignments in Paramount's foreign department were announced Tuesday (19) in New York. William W. Hicks Jr., Par's foreign chief, who will leave for Paris Saturday (21) to start visits to London and then go to Panama for a two-day job not named. He was Paramount's special rep. to London for the past two years. Previously named company's division in executive capacity, former director of the Guatemala office has been transferred to Trinidad, succeeding Henry Gordon, who also has been assigned to a new post will be announced Wednesday.

David Rose, Paramount's new sales manager in charge of foreign relations, is due in New York at the end of the month. He will join W. Hicks Jr. to formulate the company's plans for English production under the quota.

## Assoc. Gainsborough Tiff Over 'Convict'

London, June 22. Associated British and Gainsborough are at loggerheads over the latter's release of picture starring Joe Cockerill. Mr. Hay, Label boss, says that Gainsborough registered way back with Register conducted by Federation of British Producers. Lacking support to his claim, but Gainsborough likes the monkey so well it won't withdraw. Cockerill is supporting B.P.P. Register under to abide by its decisions where title disputes arose, but Gainsborough is regarded as likely to test strength of the system, maybe even to bust it. Gainsborough claims its intention of withdrawing from the F.B.I. scheme, which would be tantamount to wrecking the setup.

## TIVOLI GOES DUAL; LOW ADMISS

London, June 22. Bowing to the inevitable, G.B.'s Tivoli in the Strand is to renounce its former position as one of the East End's leading pre-release spots. From all it will present a new policy of dual feature. Items which have already had premieres at other key houses, not specifically G-B theatres at that. Existing policy of dual feature, which Arthur Jarrett when house was shut down for renovations.

Opening will be first week in August, with "A Slight Case of Murder," now in the Odeon, topping the program. Further changes will be in scale of prices, dropping to around 60-70c, with cheaper admission at 46c. an up. Scales are those operative in most good class uptown theatres, and represent up to 60% cut on present rates.

New policy which Arthur Jarrett declines will involve strictly weekly change of dual bill, will bring Tivoli into line with Dominion. The East End's fire more than 10 years ago. Following erection of Jack Buchanan's Theatre at West End, Tivoli recently the Odeon rose on the Alhambra side, and opening of the Warner's in Leicester Square will subsume the present. Additionally came reconstruction and conversion of the Regent Cinema into the Picturedrome Circus, and rebuilding of the Old Capitol, now the Gaumont, has helped.

Most responsible for its decline has been development of Leicester Square as prime entertainment spot in middle London, process which began when Metro rebuilt the Old Empire more than 10 years ago. Following erection of Jack Buchanan's Theatre at West End, Tivoli recently the Odeon rose on the Alhambra side, and opening of the Warner's in Leicester Square will subsume the present. Additionally came reconstruction and conversion of the Regent Cinema into the Picturedrome Circus, and rebuilding of the Old Capitol, now the Gaumont, has helped.

## Cobain Talks Col. Deal After His Two for Par

Hollywood. First of two Tito Guitars stars in a punch. "Two Tinos" was named in studios for Paramount twice last Friday (19). Cobain's deal to film a six to ten picture series for Columbia release when he washes up his Paramount commitment.

## Michele Morgan Signs For 1 Picture with Ufa

Paris, June 19. Michele Morgan, newcomer to French films, will grab the part of large role opposite Charles Boyer in "Orange," and now stars opposite Jean Gabin in "Quai des Brumes," has been snapped up by Ufa to appear in Germany.

Present contract calls for one film with Ufa, with an option for two more. First pick not yet named, but Ufa's spark is knocking out the scenario.

## SPANISH FILM MAN FOR N. Y.

Jose Guerrero, head of Cineaport Film Co., Spanish film importer, is conducting several hours of Spanish-speaking districts to form first circuit of Spanish film theatres in New York. Although the picture is going on now it's not likely that any large scale move will be made before August when the new season of the Hispano Amusement Co. was formed to handle new interests.

Guerrero is holding a long-established Teatro Hispano, 116th street and Fifth avenue, N. Y. Guerrero added the recently opened all-Spanish Granada, at 147th street and Amsterdam avenue. Theatres would be serviced with the Navy Yard, a reconstructed office site for small theatre in the lower Bronx (between and Longwood avenues), the Ironbunder theatre in Newark, N. J., comprise the chain.

Houses would be serviced with Mexican, Argentine and Spanish films. All film production in Spain is likely to prosper as it figures to rise in Argentina and Mexico, plus the expected end of Iberian conflict and subsequent increase in production, will insure sufficient product. All would operate on full-week policy, using American shorts and light single feature bills. With exception of 1,200-seat Hispano, all are small-capacity houses. Hispano also has stage shows (likely to be cut for the summer), while others will be strictly filmers.

## Cammack Accompanies Reisman Back to U. S.

Ben Cammack, Latin-American manager for RKO, accompanied Phil Reisman, general foreign sales chief, to New York when he arrived Monday (27).

He visited Rio de Janeiro, Buenos Aires, Bogota, Santiago, Quito and principal key cities in Ecuador, Colombia, and the Canal Zone. Ufa's Guerrero also has stage shows (likely to be cut for the summer), while others will be strictly filmers.

## Dave Blum of Metro Finds Sweden's B. Bullish; Denmark's Polite Selling

The picture business is rising in the crest of a general wave of prosperity in Scandinavia. In Dave Blum, secretary of Metro's international department, just back from a two-month trip through Europe, Alhambra in Sweden is the latest development. Street plants are operating full blast in Sweden. Blum said that in leaving few if any unemployed in Sweden, Blum said. Result has been a high rate of production in that country is enjoying greater prosperity than ever before.

He has had only one remarkably fine though U. S. distributors find it difficult and slow in getting distribution. Blum made a study and survey of latest developments in the field of European distribution. He discovered that all European countries, including the American picture market, to retain the practice. All favor titles, in preference to dubbing, excepting France and Italy. European distributors, like the Latin-American audiences, went to hear the voice of the star's original stars and to read the titles.

# Japanese Further Contro to Snag Foreigners; Import Dickers Go on

## Gov't Attitude

London, June 21. English Government is evincing more motion picture censorship than heretofore, as evidenced from a recent question. House of Commons. Harry Day wanted to know how much cooperation had been given producers by the Admiralty in the last three years. Day Cooper that five applications had been granted. Picture units paid expenses and in one case paid a hiring fee for use of Government stores.

Interesting about the reply is its indication of broader tolerance to picture business shown by authoritative bodies than only a few years back. Formerly both Government and subsidiary departments endeavored to restrict imports of imported tape and still dignity that any contact will have some effect. But since the screen has proved its value for boosting Government institutions, official opposition has been observed.

## ALL EUROPEAN STAFF JAPAN CONSENSH

London, June 28. Itimated that the entire European staff will attend the special three-day meeting of the Japanese Film Association starting here July 1, when Murray Silverstone, ill make announcements regarding local executive changes. As anticipated, Teddy Carr and George Archibald will become joint heads for the local United Artists.

## Joe Besser Renewed For 3 Wks. in London

London, June 28. Joe Besser, after a false start at the Palladium, has been given three more weeks on top of his original four.

U. S. comedian teed off poorly, opening cold war with the local audience, which physically handicapped his local debut.

Copenhagen is described by Blum as a user back in the most advanced city in the world. Though there is an obvious need for additional theatre, it is not building or expanding. Business comes in the limited theatres in operation so long as the exploitation and little advertising is necessary.

Peculiarity of exhibitors in Copenhagen is that they handle trailers. They wait until only a day or two before a new attraction is being handled. They contend is an admission that the current film will have a long run. Another practice peculiar to Denmark is that of the distributor waiting for a call from an exhibitor who is attempting to sell a picture. Rules are definitely laid, except at request on an exhibitor.

No Slump for U. S. Pic. There is no slump in Europe, as from Frank Milled, Monogram user back from a four-month tour of France. Italy and Balkans, where he found American pictures in great demand. Outlook for Europe was more new; more promising, Melford predicted, in spite of political turmoil and threats of war.

## Japanese Distributors Go on

London, June 28. Japanese distributors are attempting, through legislation, to tie up further the domestic market, pushing a measure to require foreign distributors to incorporate here with Japanese firms. House of Commons. Concensus of Americans here is that their participation to such a program, while possible, is highly unlikely.

Negotiations between foreign companies and the Tokyo sons on lifting the ban on foreign imports is still going on, but will be precipitous results.

According to sources (due to both the American Motion Picture Assn. here and the finance office, the deal in Japan has been agreed by both the home offices of the American Producers and the Finance office of the Japanese government. Details of operation are, a number of smooth out. The authorities say they are not sure of the full understanding of the deal, but are treating the essential parts of the plan will be given out.

Regardless of the minor conditions which may develop, it is certain that money already accumulated here on past releases will not become available to the American producers until three years from the date the agreement is signed. Likewise, money earned on future importations: will be held for periods of three years before it is made available to the producers. While producers have agreed to this unusual arrangement, they are not sure of the amount of money now in cold storage here, plus future earnings as made, must be deposited in the Yokohama Specie Bank of San Francisco and payable to the various producers, without interest at the end of each three-year period.

In return for agreeing to a three-year progressive coin system, American distributors will be granted import licenses by the government. These are issued to them by bringing in some money to Japan. The amount of the whole thing is to be based on aggregate sales of the exhibitor. The exact number of subjects to be permitted is not known. Various exhibitors are expected to bring in the total value of around \$50,000 may be licensed for the first year.

Such an arrangement, besides forming the basis for determining the number of individual subjects, will force exhibitors to make sales in Japan as footage on which America will be considered as income tax. Importation of more than would therefore be limited to the number of actual subjects in the aggregate.

The apparently favorable turn in the negotiations is being attributed by some to the recent cabinet reshuffle in Japan. Some observers assumed the office of minister of Finance. The truth, however, seems to be that the cabinet reshuffle is to realize that the American producers have in their hands a powerful medium of negotiation which could easily be turned against Japan if the producers decide there is no prospect of a continued operation in Japan on a reasonable basis.

If and when the negotiations with the Japanese government are completed, the authorities will face a thorny issue in connection with European film imports. The Japanese exhibitors are represented here by Zap concerns and it is certain that they will demand some sort of protection whereby European films may be brought in.

## Balcon's Solo Pic

Michael Auer will immediately make one picture for Associated Film Distributors at Ealing, not likely to be a picture. Auer cancelled his Metro contract as he was disappointed in working with Ben Croft.

ALGIERS

United Artists release.
Directed by Henri-Georges Clouzot.
Cast: Charles Boyer, Jean Gabin, Jeanette Goddefroy, etc.

ALWAYS GOODYE

United Artists release.
Directed by Howard Hawks.
Cast: Charles Boyer, Jeanette Goddefroy, etc.

Fast Company

Hollywood, June.
Directed by Lewis Douglas.
Cast: Charles Boyer, Jeanette Goddefroy, etc.

Reformatory

Columbia release of Larry Darmour.
Directed by Lewis Douglas.
Cast: Charles Boyer, Jeanette Goddefroy, etc.

Charles Boyer creates an interesting portrait of a continental gangster...
Directed by Henri-Georges Clouzot.

romantic drama of mortal love that after the heart-string but never quite gets a good hold...
Directed by Howard Hawks.

and care have gone into the production. The characters are artfully drawn and each stands a distinct individuality...
Directed by Lewis Douglas.

It's for the bargain program, where customers are not particularly happy...
Directed by Lewis Douglas.

Charles Boyer creates an interesting portrait of a continental gangster...
Directed by Henri-Georges Clouzot.

romantic drama of mortal love that after the heart-string but never quite gets a good hold...
Directed by Howard Hawks.

and care have gone into the production. The characters are artfully drawn and each stands a distinct individuality...
Directed by Lewis Douglas.

It's for the bargain program, where customers are not particularly happy...
Directed by Lewis Douglas.

WESTERN TRAILS

Western Trails (with songs)
Directed by Robert Z. Leonard.
Cast: Charles Boyer, Jeanette Goddefroy, etc.

THE PETIT CHOSE

(The Little Thing)
(FRENCH MADE)
Directed by Maurice Cloche.
Cast: Charles Boyer, Jeanette Goddefroy, etc.

PORT OF SEVEN SEAS

Metre release of Henry Hathaway.
Directed by Henry Hathaway.
Cast: Charles Boyer, Jeanette Goddefroy, etc.

GUN LAW

RKO-Radio release of Bill Clinton.
Directed by Bill Clinton.
Cast: Charles Boyer, Jeanette Goddefroy, etc.

LOUIS-SCHMELING FIGHT

Columbia release of Louis Schmeling.
Directed by Louis Schmeling.
Cast: Charles Boyer, Jeanette Goddefroy, etc.

ALWAYS GOODYE

United Artists release.
Directed by Howard Hawks.
Cast: Charles Boyer, Jeanette Goddefroy, etc.

ALWAYS GOODYE

United Artists release.
Directed by Howard Hawks.
Cast: Charles Boyer, Jeanette Goddefroy, etc.

There Is  
**A LAW**  
Against  
**HOARDING**  
**GOLD**  
That Would Work For  
**PICTURES**  
*Too!*

**If there ever was a time when the best entertainment that money and brains could provide was an absolute necessity, that time is **NOW!****

**If there ever was a time when every PRODUCING COMPANY should do everything in its power to meet this necessity, that time is **NOW!!****

**IT IS UNFAIR FOR  
ANY PRODUCER WITH THE  
MEANS TO PROVIDE  
IMPORTANT ATTRACTIONS  
THIS SUMMER TO  
DELIBERATELY  
DELAY DELIVERANCE  
OF THESE PROPERTIES  
UNTIL THE FALL!**



*Therefore*

# WARNER BROS.

Present An Entirely Unprecedented Plan To

**PRIME THE BOX-OFFICE PUMP**

By Releasing For Summer Exhibition

**IN ADDITION TO  
OUR COMPLETE**

**SUMMER SCHEDULE**

**Every One of these Giant Attractions  
Originally Scheduled as Leaders of**

**Our Program for Next  
Fall and Winter! . . . .**

In this way — and this way  
*only* — can the industry  
smash once and for all the  
devastating product famine  
facing the motion picture  
theatre of America!

# THE GREATEST PL

Baja & Samuel Spewack's  
"BOY MEETS  
GIRL"

Stage Play Produced by  
George Abbott—starring  
James CAGNEY  
and Pat O'BRIEN

with  
MARIE WILSON  
RALPH BELLAMY  
FRANK McHUGH  
DICK FORAN

Directed by Lloyd Bacon  
Screen Play by Gene  
and Sammie Brovack

**CAGNEY** *meets*  
**O'BRIEN** *again*  
in  
**"BOY MEETS GIRL"**  
For Your Summer Screen! After 2 Whole  
Summers and 2 Whole Winters on Broadway!

**NO STORY EVER LIKE IT!**  
**AN ABSOLUTE SENSATION!**

**"WOMEN  
COURAGEOUS"**

From Fannie Hurst's 'Sister Act'—with  
**CLAUDE RAINS · THE LANE SISTERS**  
**PRISCILLA, ROSEMARY and LOLA**  
**AND A GREAT CAST**

"WOMEN  
COURAGEOUS"  
From Fannie Hurst's Story  
"SISTER ACT"

with  
CLAUDE RAINS · JEFFREY  
LYNN · JOHN BARFIELD  
FRANK McHUGH · MAY  
ROBERTSON · GAIL RAGAN  
and THE LANE SISTERS  
Priscilla, Rosemary and Lola  
Directed by Mitchell Cohn  
Screen Play by Julius  
Epstein and Laura Coffey  
From the Greenough  
Magazine Story

Musical by Max Steiner  
A First National Picture

*Open Those Vaults, Mr. Distributor*  
See if you, too, can't take this revolutionary step and join  
**WARNER BROS. PROSPERITY PLAN**





FILM BOOKING ART

For information of theatre and film exchange bookers, VARIETY presents a complete chart of feature releases of all the American distributors for the current quarterly period. Date of the reviews as given in VARIETY and the running time of prints are included.)

Table with columns: WEEK RELEASE, (R) KRISLIES, COPYRIGHT, 1938, BY VARIETY, INC. ALL RIGHTS RESERVED, and WHEN REVIEWED, MINS. BY VARIETY. Rows list film titles, cast members, genres, and release dates.

# The LION'S ROAR

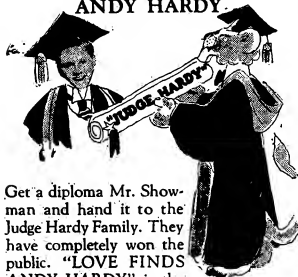


That wasn't an earthquake in New York last week. It was Bob Taylor's arrival in person. THE CROWD ROARS when Bob

A summer release and better than "The Yank." This isn't hoarding. "YELLOW JACK" gets editorial praise. (Yellow journals included.) We've got stacks of editorials. Things like that help the whole industry.

A big hand for Bob Montgomery too. All our Bobs are swell actors. Bob Taylor, Bob Donat, Bob Young, Bob Benchley. S'help me, Bob.

## DIPLOMA FOR ANDY HARDY



Get a diploma Mr. Showman and hand it to the Judge Hardy Family. They have completely won the public. "LOVE FINDS ANDY HARDY" is the hardest of them all. In addition to popular Mickey Rooney, Lewis Stone, Cecilia Parker and all the other folks there's Judy Garland for the songs. It's a sweet attraction for the good old summertime. Give it "A" time. Enjoy pay-time.

## RELEASES FOR JULY

July 1st

### "FAST COMPANY"

(from the popular novel)

with Melvyn Douglas • Florence Rice  
Claire Dodd • Shepperd Strudwick • Louis Calhern  
Nar Pendleton • Douglas Dumbrille.

July 8th

### MARGARET SULLAVAN

#### JAMES STEWART in

### "THE SHOPWORN ANGEL"

with Walter Pidgeon

(One of M-G-M's top flight)

July 15th

### ROBERT TAYLOR in

### "THE CROWD ROARS"

with Edward Arnold Frank Morgan  
Maureen O'Sullivan William Corcoran  
Irene Standler • Jane Wymann.

(An absolute knockout)

July 22nd

### "LOVE FINDS ANDY HARDY"

(The best Judge Hardy story to date)

with Lewis Stone • Mickey Rooney  
Judy Garland • Cecilia Parker • Fay Holden

"Sweetheart of the day"



## AMERICA IS WAITING FOR MARGARET SULLAVAN IN "SHOPWORN ANGEL"

No underground rumors this time. This is above-ground news. We get it straight and you'll get it straight at the box-office. "THE SHOPWORN ANGEL" is a wow. Hollywood clapped expensive mits at the preview. Predictions about Margaret Sullavan's boom at the box-office have thrillingly come true. (And wasn't Jimmy Stewart the perfect choice to play opposite her. That lad has appeal!) Remember what the critics said about Miss Sullavan in "Three Comrades" for instance: "One of our greatest actresses" said Herald-Tribune; "Brilliantly effective" said Daily Mirror; "Performance of real and poignant power," said Telegraph; "The best of her career," said the News. Building star assets is an uncommon talent in film industry but Leo knows how. He gives you Margaret Sullavan.

★ ★ ★ ★ ★

## "BUSINESS IS GOOD THANK YOU!"

If you don't like to read box-office reports, skip this. But for the statistical-minded: Hold-Overs on "Three Comrades" continue: 3rd Week, Capitol, N. Y.; Chicago; 2nd Week at Louisville, Los Angeles (day and date State and Grauman's), Portland, Salt Lake City, Seattle, San Francisco, Cleveland, Hartford, New Haven, Washington, D. C., Worcester, Philadelphia, Buffalo. "Yellow Jack" played two weeks in Frisco, New York, Hartford, Cleveland, Philadelphia, Cincinnati, and elsewhere. "Woman Against Woman" opening nicely in first engagements.

★ ★ ★ ★ ★

## NOTE! Also for release July 1st "PORT OF SEVEN SEAS"

"Ernst Lubitsch" Beery Repeat  
starring WALLACE BEERY

(featuring

Frank Morgan • Maureen O'Sullivan  
John Beal and Jessie Ralph



## WHAT THE TRADE IS SAYING ABOUT M-G-M'S ANNUAL ANNOUNCEMENT

(clipped from the mail)

"Was particularly interested in discovering that out of 55 properties listed in M-G-M library of available material 26 are best-selling books and 18 are well-known stage plays."

"Your star list looks great."

"Most impressive array of material and experts ever lined up by one company. It's like an industry all by itself."

"The only product that spells continued success for me."

"How swift and easy the years roll around when you are protected by Leo."

"Looks like there'll be at least 30 with big star names which is sweet music to my box-office."

"And Metro puts two or more stars in the same picture."

★ ★ ★ ★ ★



Fan ad in August magazines in addition to big national billboard campaign



## "THAT REMINDS ME OF A STORY!"

The one about Heifetz' sensational premiere. Godowsky, the pianist, and Elman, the violinist, watch from a box. "It's a hot night!" says Elman, mopping his brow. "Nor for pianists," says Godowsky. Leo has a happy talent for coming through with Big Ones. When you need them, Winter, Fall, Spring or Summer. For instance, in addition to the four great attractions listed in the first column on this page for July, there's CLARK GABLE, MYRNA LOY in "TOO HOT TO HANDLE" (bigger than "Test Pilot") and "LISTEN DARLING" a grand show with Freddie Bartholomew, Judy Garland and others.

★ ★ ★ ★ ★

Well, so long.

★ ★ ★ ★ ★

See you in the movies.

Leo



## YES, WE ARE HOARDING!

If delivery of a picture every week, as we promised, is hoarding—we are guilty!

If delivering two or more A pictures every month through the heat of May, June, July and August is hoarding—we are guilty!

If delivering to Exhibitors in July three of our most expensive A pictures—Shirley Temple in **LITTLE MISS BROADWAY**, **ALWAYS GOODBYE**, and **I'LL GIVE A MILLION**—is hoarding—we are guilty.

Since April 1 our release schedule shows the following class A pictures:

April 15—**IN OLD CHICAGO**  
 April 29—**FOUR MEN AND A PRAYER**  
 May 13—**KENTUCKY MOONSHINE**  
 May 20—**RASCALS**  
 May 27—**KIDNAPPED**  
 June 3—**JOSETTE**  
 June 17—**THREE BLIND MICE**  
 July 1—**ALWAYS GOODBYE**  
 July 22—**I'LL GIVE A MILLION**  
 July 29—**LITTLE MISS BROADWAY**

With the exception of the Jane Withers picture, not one of these cost less than \$600,000. Every one of them had been promised. Every one of our promises has been kept.

If this is hoarding, we are guilty.

Twentieth Century-Fox is not only guilty but proud of this kind of hoarding. Last year, this year, next year—always—we consider commitments for delivery of pictures our most serious responsibility. This responsibility runs through the summer, for it knows no season—knows no break.

We have kept faith with our customers, and they know it. We are not interested in the opinion of any competitor.

Our policy remains the same:

To produce the best possible pictures to get the public into theatres, not to produce statements to keep them out.



President, 20th Century-Fox Film Corp.



THE KEystone OF YOUR FUTURE







**"TROPIC HOLIDAY"**  
*el box-office sockerifico!*  
**claim critical caballeros**

"A high class package of screen merchandise. An enter ining audience show from opening sequence to final fadeout, cramful of easily adaptable exploi material. Handsomely mounted, blending romance, comedy, and exotic, tingling Mexican music. Peppy in its inclusion of clever dialogue and rich in picturesque production values, the picture brings out the best talents of all... Exploiters can really go to town. 'Tropic Holiday' is worth anyone's ti..."—*Motion Picture Herald*

"Easy to look at and easy to listen to... a gay, colorful consignment of summery stuff admirably timed as to release. Bullfight sequence with Martha Raye as Matador rates as one of the funniest episodes of the screen year. Preview audience practically rolled in the aisles."  
 —*Mot' re Daily*

"A real hit blessed with one of the most gorgeous scores ever to hit the screen. Just about the best musical Paramount has turned out to date. Martha Raye funnier than she has ever been. To say Bob Burns is swell is superfluous. Dorothy Lamour enticingly beautiful."  
 —*Hollywood Reporter*

"Distinguished for its comedy. Plenty of entertainment for the mob. Well designed for summer fare. Martha Raye garners a flock of laughs. Will stand up well against current film offerings and should do satisfactory business."  
 —*Daily Variety*

"First class summery fare. Topping everything is riotous comedy bullfight that rivals Eddie Cantor episode in 'Kid from Spain'."  
 —*Los Angeles Ti*



**"TROPIC HOLIDAY"** with Bob Burns • Martha Raye • Dorothy  
 Lamour • Ray Milland • Billie Barnes • The Cadets • A Paramount Picture

Directed by Theodore Reed • Screen Play by Ben Herzman and Frank Butler, John C. Miffin and Duke Ansberry

Inside Stuff—Pictures

ENRIGHT, NEAR PYSBG, IN DARING STICKUP

Guid Voted Writers' Rep.

Because of the numerous shifts in employers, a natural development in the show business, the Collector of the Third District in New York, the Treasury Department, is striving to have that proper credit for Social Security taxes be paid in behalf of the many artists and individuals in the entertainment field.

Collector Joseph T. Higgins has stated that his office has issued no general rulings with respect to the status of artists or other individuals in the entertainment world who may be employees for purposes of the taxes imposed by the Social Security Act. He indicates that no general ruling can be promulgated which would cover the many varied situations in the entertainment, variety and cabaret business.

For the second time within a month, The Evangelist, weekly of the Albany Catholic Diocese, has criticized the advertising of a picture playing Fabian's Harmanus Bleeker Hall. On the first occasion the paper fired a blast at the advertising curried on "Monstrey".

In the current issue an editorial titled used Against a Release' declares, "Boasts of what the Legion of Decency has accomplished in cleaning up the movies must be tempered when some of the presentations on the screen and the radio advertising are taken into account."

Couple of months ago, WB theatres in Pittsburgh district requested that they have a regular night show. The idea was to have a mid-week midweek boxing feature, Billy Soose. Management figured it would be a good feature since Powell spent four years in Smoky City as an m.c. and Soose attended nearby Penn State College and also hails from this section of Pennsylvania.

Fullon, Htsburgh, found itself in a tough spot over the weekend when the teaming boys had their first fight. The first fight was scheduled to take place at 10:30 p.m. but the referee decided to let fight six extra rounds. "Under Western Stars" without sticking in another flicker to bolster the cowboy opy, which, under ordinary circumstances, would have been a battle between two men.

Harry M. Warner's recent poke at rival stu los for hoarding pictures during the summer months drew a swift counter from Adolph Zukor. Paramount chairman declared that the studio was in there swinging, with fine hot weather releases, five of them representing an investment of millions.

Stu is publicity panti, urging the State of California to protect the working girl, drew a hearty nibble from Governor erriam. Eight once opulent Hollywood stars, now working as extras on the Selznick-International lot, petitioned the gov for a law to safeguard feature film players by conserving 10% of their heyday salaries for a rainy day.

Because Technicolor will be employed in virtually all of the fashion short features which 20th-Fox will produce for 1938-39, company is grooming its crack eastern cameraman for this work. Jack Painter, photographer on numerous fashion shorts, will be working with the crew shortly where he will study Technicolor technique in order to adapt it to the fashion shorts on coming season's schedule. Painter is expected back to the studio to do photography on this series at 20th-Fox plant on 54th street.

Producers reading a big musical production wanted to hear some of the tunes written for the piece. Staff pianist thumped out one ditty after another and at the end of each the producer complained, "I don't chill your ears when that piano is playing it. It's not the piano, it's the pianist. Deposit the pianist playing a tune that had topped hit parade for five consecutive weeks and still the director failed to register a 'chill'." So the musician gave up—without telling the boss about the added strain.

"Algers' print of which arrived in New York during the past week, has been sold to Radio City Music Hall for the week of July 14. Monroe Greenleaf, UA publicity head, is planning two son what difference there is on picture. An electric train, lettered "You are now entering Albany, New York." Another plan is to set up portable apparatus in the town of Albany, Ind. which will be used for publicity for the picture there. Town's population is 80.

James R. Granger, as president of Republic made some 500 telephone calls throughout the country's show cities, and was merely to extend their offers were to his friendly studios, and was merely to extend their offers of cooperation and a welcome. Good-will calls reached practically every circuit and important indie theatre operator. Stone's operators credited in the trade press will find their way over a film exec.

Pittsburgh, June 28. Scores of pedestrians struck by a lone bandit stuck his gun through the ticket window of WB Enright, Joe Liberty, last week and forced Jewel Fitchel, cashier, to hand over five in change and bills she was waiting to hand over to the manager.

Robber commanded her to pass through the coin but she attempted to delay him in order to sound the alarm, continuing to roll up the change. He waved his pistol and warned her he would shoot her on the spot unless he got the cash immediately. Miss Fitchel complied just a second before another customer stepped to the ticket.

Philadelphia, June 28. Burglar last Friday night broke into the Walton here and stole \$40 from the safe. Nabed generally for some punko that was being held, actor Dave Milgram that he lost three days' receipts.

STILL WORTH \$25,000?

Use of a Photo Figure in Suit vs. Paramount

Paramount Pictures, Inc., and subsidiaries were sued in N. Y. federal court Thursday (23) for infringement of a copyrighted photo by the use of it in a sequence of the motion picture, "Dangerous to Know." Turner Theatret Corp. and the Macon Auto. Corp., which operates the Criterion theatre, N. Y., are defendants.

The plaintiff, Edward Poland, professional photographer, claims a copyrighted photo of the Capitol at Washington was shown in the motion picture without his permission. He was granted of \$25,000 damages as an injunction.

Detroit Fox's Open Door To Kids Over the Summer

Fox theatre has thrown open its doors for the summer to thousands of Detroit's needy kids in cooperation with Board of Education, Catholic Youth Organization, American Legion and other agencies. Manager Dave Idzal said about 5,000 kids will be certified by sponsors and groups to admit to the theatre every Friday noon through summer, and also on some other weekdays, as big prizes.

Getting to Be a Habit

Republic has bought screen rights to "Colorado Sunset", a song by L. Wolfe Gilbert and Con Conrad, to be used both as a title and a theme for a new Gene Autry western.

First for Three

Hollywood, June 28. Three firsts were celebrated on Friday (24) when Metro started shooting on "It's Now or Never". It was the first time a first solo starrer on the home lot; Ruth Hussey's first lead since she left the lot; and the first American appearance of Reingold Schunzel, European director.

STORY BUYS

Hollywood, June 28. Monogram purchased Frank Leonard's year, "First Assignment". Byron Morgan sold "Flight Inspection" to Republic. Wynona purchased Francis Waller's "Women in the Sky". Metro acquired Elizabeth Shand's "Miss Fanny Hill". Ayn Rand sold "The Art of Jan. 16" to RKO. Goldwyn bought her story, "Skipper McCoy, Gent." to Monogram.

TITLE CHANGES

Hollywood, June 28. Warners switched "Betty on Broadway" to "Doris' Island". It was the Fox' changed to "In 16 Mexico" at Paramount. "Broadway Musketeers" is new tag for "Banners" "Three Girls on Broadway".

(Continued from page 7) film companies are engaged in inter-union business, producers will again be ordered to negotiate. Both the Screen Guild and the Writers Guild will file an appeal at this point to the U. S. Circuit Court of Appeals. The writers' decision would result in a further appeal to the U. S. Supreme Court, with the result that negotiations must be delayed a year longer.

Fifteen studios at which elections were conducted have announced their winners. Columbia, Warner, Universal, Republic, RKO, Selznick, Wanger, Mjor, Monogram, Trem Carr, Grand National, Grand National, Roach, Schulberg, Darnour, 20th-Fox, Goldwyn.

Robert Ardrey drew honor of being first writer to cast a ballot. Later voted last Thursday in office of Dr. Towne Nylander, regional director of I.B.R. Robert Carson, who scripted "A Star Is Born" for I.C.R. International, was first writer to register.

The SWG kept observers at polls on registration and election days, but SF did not turn out until election day, although John Lee Mahin, prey of SF, and Howard Emmett Rogers, observer, registration at Metro for a few minutes.

With the election of writers out of the way, Dr. Nylander started writing the decks for trial of 90 other cases involving the film industry. First to be called for being probably will be petitions of the Society of Motion Picture Artists and Illustrators, Society of Motion Picture Art Directors and Society of Motion Picture Film Editors. Latter has independent observers, registration at Metro for a few minutes.

Directors to be These cases will require only a few days to dispose of and Dr. Nylander will then set date for trial of Screen Directors Guild case. SDG is seeking to negotiate a working pact covering directors' unit managers and assistant directors.

Arbitration between the producers and the Screen Actors Guild, the demands of latter for an 8-hour day and adjusted wage scales for players receiving up to \$50 a week will not get under way for more than 30 days. Murray Kimmel, arbitrator for the Guild, checks out on a vacation first of week.

At present time only one studio has named its arbitrator. While a majority of the majors have indicated that B. B. Kahane, of Columbia, will set for them, he has not yet been offi ally named. It is generally believed arbitration will develop in a case of each side attempting to wear out the other. Extra placements for June are expected to establish a new high for the month. With calls averaging nearly 1,200 a day for more than a week, total jobs passed the 17,000 mark on, onday (28). If heavy calls continue for several days, total work may be over 18,000. In several places or surplus May, when 3,588 players were given jobs. Exact total for the month is not known for several days.

Musicians Local 47, American Federation of Musicians, has agreed to accept a wage slash of 15% per man when the union is called to work in theatre. Action was taken to guarantee return of stage policy. Musicians will be paid \$5.00 for 90 shows weekly, with \$2.50 per show for additional performances.

Jurisdiction of Theatrical Managers, Agents & Treasurers Union over managers and front office employees has been attacked by International Alliance of Theatrical Stage Employees. Position of latter has been taken by Willis Green, president of American Federation of Labor. Green sent following telegram to Hal Oliver, national organizer for T.M.A.T.

"I direct you to refrain from organizing those employed in motion picture theatre at Hollywood. Advise you to take up with George E. Browne, of Theatrical Stage Employees, any jurisdiction controversy you may have with that organization over organization of motion picture employees."

Browne and his personal representative, William Bloff, are due here this week to start drive to extend IATSE jurisdiction to entire film industry.

Employment

Employment in film industry has hit a new high for the year. Vern Mukerup, business representative of make-up artists and hair stylists, said organization has only few idle workers on call list. L. C. Helm, head of Studio Utility Employees Local 724, said less than 2% of his membership is unemployed. IATSE also reported that practically its entire membership is working.

William R. Walsh, senior counsel of I.B.R., will be one of the principal speakers at the mass meeting of the Conference of Motion Picture Artists & Crafts at Hollywood Blvd Thursday (30). Meeting was arranged to consider Conference's new program designed to stabilize film production over a 12-month period. Program calls for adoption of five-day week, with present pay and a half time over time.

Joe Robbins, former head of the transportation department at Paramount, has been named mechanical superintendent for the lot. He will work directly under Keith Glennan, studio head.

New York Theatres advertisement for Loew's State Theatre and Radio City Music Hall. Includes showtimes, cast members like Martha Raye, Frances Langford, and "TROPIC HOLL" with Xavier Cugat and His Band. Also mentions "RACE OF PARIS" and "HOLIDAY".

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# EXPLOITATION

## Now He Knows

Using pamphlet holders in all surface areas in the burg as a medium for distributing 1500 anti-vice "11 Movie News" papers monthly, Manager Harold E. Lewis is now doubling as editor of the paper and as the award committee. Lewis has been busy the last week. With "Blockade" on the screen, even a pamphlet holder is a thing of no account. Lewis has offered 20 pairs of duets and 20 pairs of trousers for the winners who took a walk in the park using the pamphlet holder in reaching a number.

The contest was originally conceived by Ewert as a means of determining how many papers reach the paper which is tagged "Love's Movie News". The replies have reached the theatre in such quantities that Ewert drafted Lewis, Edward Richardson and Ray Quillen acting publicity director for the month of a stunt that called for overtime work. The "News" came from a new space for advertising letters, stories and announcements of forthcoming attractions, and carries considerable hot weather food recipes. Ewert made a tieup with an advertiser who uses coupons in street cars, and through this obtained exclusive use of the pamphlet holders. In return, the advertiser gets space in the "News" to advertise. This is the first time such a stunt was used by a local movie house and it is attracting a job of attention.

## Jazzing Jeff

Manager New D. Toups grabbed off some fire for the showing of "The Wolf" when he beat his way to the punch by inviting officers and members of the visiting fire department, President Samiento, to see the film as his guests on the opening night. Large groups of officers and papers covered event. The officers and visiting artists give the front of the house and the box office a nautical check with ship lights, life preservers. A clever attention-getter was equipped in the form of a model airplane in the lobby. The ships were decorated for sailing by the Sea Scouts and manual training class pupils and included everything from the USS Columbus to the USS battleships and the Normandie. The display of the 1000 ship models distributed quite a bit of space on the display.

## Closing Ti

All entrants in United Artists' National Showmanship Week must submit their exploitation campaigns by July 15 in order to be eligible for the \$1000 prize. The contest was announced Monday by Monroe W. Greenhalgh, advertising manager of United Artists. The competition was held in connection with the national week of Walter Wanger's "Blockade" and open to any manager who has a picture in the district during the week of July 17 through 24. The prizes will be awarded Friday, \$500; second, \$350; third, \$100; fourth and fifth, \$50 each and sixth, \$25. Judges in the contest will be Walter Wanger, George J. Schaefer, vice-president and general manager of United Artists; A. W. Smith, Jr., general sales manager of United Artists; Monroe W. Greenhalgh, advertising manager for United Artists and paper press.

## Bannered Store

Feeling that "White Wings" called for something different, and not a sensational, Howard Bannister of the Warner theatre at Memphis, said his equipment is not up to the job. His five item store was not of the proper color. All it cost him was \$1000 in robes at the store. He came up, thanking the store for its recognition of the picture. Store went to town in its newspaper copy, welcoming anything that might give a boost to the mentioned home and playdate in all copy, but was pretty well worn out by the department carried extra blankets, a razor, and filled a variety of show window merchandise offered. The store of town talk, it made business for both store and theatre, and it was easy to work.

## Tarzan in the Straw

D. Fuller used two bales of bromide paper and two yellow bales of a size cut out of Tarzan standing before a lion and tiger, to decorate walls of the Circle City week preceding showing of "Tarzan's Revenge". Circle City was a lion and tiger slink in the semi-enclosed of the theatre. The came up to the walls of "Tarzan" was draped on the wall backing up to the auditorium with the yellow bales draped over the door through which the patrons entered the auditorium.

## Out for

Something new in press agency broke in Philadelphia for the engagement of the circuit publicity program, looking for something worth doing. The campaign for a blood storage movement which had been started by other agencies in the country.

With the cooperation of hospitals, physicians, nurses, and veterans and others, the Colonial theatre was designated as the headquarters for the collection of a blood library and testing station. Local physicians and nurses and those whose blood was immunized to certain diseases through recovery were urged to contribute to the bloodline to be established in a local hospital which under modern methods blood can be defibrinated and stored for considerable periods for emergency use in transfusion.

The stunt made front pages both day and out of town, and it is hoped that the idea will be adopted by other "Yellow Jack" campaigners to spread the movement. Idea will not do away with the other agencies, but the theatre merely started the ball rolling. Local physicians and newspapers will seek to keep it in movement.

## Omaha

Lobby of the Omaha theatre is drawing more spectators than the other theatres in the city. Eddie Forester's new build-up for "Tropic Holiday" Forester began by advertising the picture in the life-size figures Dorothy Lamour, Virginia Riddell, and the other stars, and "Big Zulu" with girls in the picture. The lobby has a holder or a new lobby with girls in the picture. The lobby has a holder or a new lobby with girls in the picture.

Photographer for commercials and persons photographs. The lobby has a holder or a new lobby with girls in the picture. The lobby has a holder or a new lobby with girls in the picture.

Philadelphia. Scaffolding has been removed from the building. The lobby has a holder or a new lobby with girls in the picture. The lobby has a holder or a new lobby with girls in the picture.

Atlantic City. Margate theatre. The lobby has a holder or a new lobby with girls in the picture. The lobby has a holder or a new lobby with girls in the picture.

Stunt, which ran a full week, garnering two and three-column page in the "Daily News". The lobby has a holder or a new lobby with girls in the picture. The lobby has a holder or a new lobby with girls in the picture.

Used Capsules Warner publicity used the capsule for the press preview of the picture. The lobby has a holder or a new lobby with girls in the picture. The lobby has a holder or a new lobby with girls in the picture.

# Ozark Burg Gets Juice; Lone Cinema Relights

## St. Louis, June 28.

Residents of Thayer, Mo., 2000 population, near the Arkansas border, are again patronizing the Royal, town's only house, with a two-month shut-down occasioned by a fight between the city and the Arkansas-Missouri power Co. On April 14 the city, powerless to stop the rates of the power company, ordered it to shut down and take its equipment out of town as the city intended building its own plant.

The town was plunged into darkness, save for lamps and candles, and after several days an emergency portable plant was obtained from St. Louis to provide partial light. The burg but this plan did not include furnishing power to the Royal. In the meanwhile the State Public Service Commission ordered the power company to resume service but the City-Council did it could not be done until the town's plant was constructed.

Last week the municipal plant began the generation of juice and now is all serene in the village burg in the Ozarks.

## Theatres-Exchanges

Petersburg, Va. Century theatre sold to have the oldest, doorkeeper in the city. Henry's John J. Donahue, who took over the theatre, celebrated his 79th birthday June 23.

Lincoln. Bill Lindeman, former manager at the Liberty, was sent this week to the Warner Brothers, Virginia, to manage J. H. Cooper's M. J. and replace Martin Cooper, who was sent to Charlotte since February 13, 1938. Has been promoted to the management of the Atlantic exchange.

Charlotte, N. C. Ralph W. McCoy, branch manager of the Warner Brothers, Virginia, is planning to build a new theatre on Longings and plans to build a new one in Atlantic.

Philadelphia. Scaffolding has been removed from the building. The lobby has a holder or a new lobby with girls in the picture. The lobby has a holder or a new lobby with girls in the picture.

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# News-Schmelting

## (Continued from page 12)

after the scrap. That was true in the case of the "Rialto" nearby on Broadway, with similar reports from other spots. Indications are that the firm is still in. Attendance over the weekend—no way off.

The outstanding feature of the week was the slot the news takes up most of the footage. Clearly the news is the most important thing that is not credited, but they are ineffectual. The knockdown high-point of the week was the news of Schmelzing on the ropes. When separated by the referee, the foreigner, who once held the title, is seen peering at his tormentor, but he was glass-eyed then. The towel tossed into the ring is shown floating to the canvas and the piling into the ring of cops after referee Arthur Donovan declared the fight over. Results of Schmelzing's condition are not revealed nor is Louis seen speaking into the radio microphone.

After the fight, the champ and others went to the Hippodrome. Several shots, to which he assented for the first time after a contest. One of the shots was to lengthen it a bit. The fight was a bit of a surprise, with Donovan reading his comment on the fight, mostly to the effect that Louis was in a better condition than for the first encounter. The fight was a bit of a surprise, with Donovan reading his comment on the fight, mostly to the effect that Louis was in a better condition than for the first encounter.

Newspaper men at the press conference used bit, it is the same outfit that has been filming the fight for years. Ripped and dirty, the outfit that has been filming the fight for years. Ripped and dirty, the outfit that has been filming the fight for years.

## BLACK LIMELIGHT

### (BRITISH MADE)

Associated British June 22, 1938. "Black Limelight" directed by Paul Verhoeven. Starring: Greta Garbo, George Brent, Robert Montgomery, and others. Running time, 90 mins. The picture is a story of a woman who is abandoned by her husband and who is later discovered by him. The picture is a story of a woman who is abandoned by her husband and who is later discovered by him.

Whatever chance this one might have had in the American market for the picture is entirely due to the picture of "Love from a Stranger" by Raymond Chandler. The picture is a story of a woman who is abandoned by her husband and who is later discovered by him.

Script follows closely the stage version, and except that the culprit is indicated too early. Plot is therefore too limp in its early unwinding and doesn't accrue by prolongation.

Templicity to overact before the camera has been carefully subdued, but the inclination to shout by Miss Greta Garbo is the least objectionable of her. Early in the picture she is seen with her husband being charged with the picture. The picture is a story of a woman who is abandoned by her husband and who is later discovered by him.

Pan Redaktor Szalaje (The Editor is Crazy) J. H. Haddock review of "Black Limelight" in the "New York Times". The picture is a story of a woman who is abandoned by her husband and who is later discovered by him.

# Film Reviews

should do o.k. A rather fast paced romantic farce, what is lacking in plot is made up in a breezy, light-hearted story and no one walks off with any acting credit. The picture is a story of a woman who is abandoned by her husband and who is later discovered by him.

Yarn has to do with an editor of a sports paper, which needs reminding that the picture is a story of a woman who is abandoned by her husband and who is later discovered by him.

Production pretty good, though it is a bit judgmental to take backgrounds in a studio for outdoor scenes during closeups when same actors, in sun shots, were used before at its respective sets. Canvass sets too obvious in some of the scenes. The picture is a story of a woman who is abandoned by her husband and who is later discovered by him.

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For the relatively good market in the U. S. for Polish pictures.

# THE FARMER AND THE RADIO

## GOLDFISH BOWL OPAQUE

Despite promises that the McNinch regime would find the FCC comparable to a goldfish bowl, the grape-juice which hides official action from the public as well as the radio in industry reference in effect this week. This is again noticeable in the reference to citation of five stations for unknown offenses which are deemed so "ciently serious to justify public hearings on their renewal-license pleas.

Decision to set the operators down was reached Wednesday (22) and promptly announced but five days later, the Com'nich's hush-hush attitude still blocked all attempts to learn authentically what the arraigned licensees are charged with and/or not leaving done.

Operators received the good old-fashioned run-around which has characterized FCC operations since the start. Chairman Frank R. Mc. was unable to supply the info, members of the special committee on handling of complaints thought the responsibility belonged to someone else; the law department just wouldn't talk, with James Cunningham, who is boss of the squawk section althoing that he could talk without getting in dutch; the formal statement of issues to be heard hadn't reached the docket sect; and the press relations officer hadn't been let in on the secret.

Incident emphasized the need for clarifying procedure. Some members were un er the in session it was agreed information about the nature of charges could be given out to the press whenever final action was taken. Others were not clear in their own minds about the releases or the action of the law department people complained they have received no clear instructions and were unwilling to run the risk of being punished for telling what was going on.

No satisfactory explanation why, when the Commission has given the matter sufficient study to decide what to do, taxpayers should be unable to learn about the motives behind the decision. Goldfish bowl appeared in need of thorough rinsing—or a few snails.

Lag in preparing the formal charges was attributed to overwork, but this explanation did not indicate why at least a general summary of the alleged offense could not be prepared in short order. (Wheels moved fast enough so accused operators learned within 24 hours they have been indicted for something, but even after 96 hours they still had no definite idea of what they will be tried for.

## ETHRIDGE IN SWAN SONG WARNING

Washington, June 28. Warning that the radio industry will continue to be a business pig and political football unless the broadcast cast get together and build up the National Association of Broadcasters to represent them was issued by Mark Ethridge, retiring exec. of Point-to-Point, in a radio address last night pending at Congressional adjournment. Ethridge predicted that they will be reintroduced at next session.

Industry, he said, will have to be in a position to state its case, he declared, though some legislation is inevitable. He stressed the Government bills, calling for coverage of short-owned writers to broadcast programs to offset South American propaganda furnished by the U. S. and Japanese trans-

## Nellie Revell on Two New Waxed Serials

Nellie Revell is the star of two different script serials which have been prepared for auditioning before agencies. The first is a radio fiction serial characterization Miss Revell. One "How to Live Indolous," scripted by Yolande Langworthy, and the "Maratona," by John Fleury. Both are completed by quarter-

## ROTTEN NEWS SET FOR AUGUST

NBC and CBS Want That Extra Coverage—New Respect Interland Pur-

SMALL LUXURY FIELD

NBC and CBS are taking the American farmer to town. Latest competitive tactics between the two networks involve the sod-busters as they go about letting their farm monopoly claims pass unchallenged. CBS is now investigating in an effort to show that the postcard survey merely reflected admitted popularity of NBC nighttime Farm and Home hour.

Under the surface of struggle to make something out of Rural Free Delivery is the impor at question of big national advertisers' increasing respect for the silo-owners. NBC sees a dazzling vision of pre-emptive use of a cable network. NBC hands the great open spaces to national advertisers as a premium plus over and above the populous urban centers. CBS has called out the reserves to prevent its rival snatching the cordons.

Joint committee statistics have lately indicted set ownership among farmers to be 70% of the total number.

Statistical pie-charts in the new NBC-CBS feud will be backed up by an increasing number of programs aimed at the farmers. CBS dashed to Boston recently to contact publishing houses controlling old-time plays that have been popular for generations with the sticks. CBS has taken on doing these hick classics. NBC, thereupon, also lined up its own array of hick plays, including the melo-

CBS will have a 'Farmer's Wife' program with Irene Bringer, and also on Sunday afternoons, a 'Farmer's Forum' called 'The Farmer Takes the Mic.' In which representative farmers of all ages under will be invited to speak their minds. CBS will skip around the country to find affiliated stations to sample all kinds of farming products and opinions.

Some farmers paradoxically are good customers for packaged food products. 'Very often they get their fresh milk to market and buy canned milk themselves. Far women are also increasingly using soaps, cosmetics, small luxury items and branded items generally. Which along with Government cash donations, makes them a 'plus' that looks large in radio network advertising. Comdex sales section definitely finds the farmer in a riding suit. Best starts in a new radio sustainer for CBS July 4, dealing a 12:15-12:30 p.m. slot today.

Praise From Wallace Washington, June 28. National Farm and Home Hour (27) broadcast for 1,000th time. Brought praise from Secretary of Agriculture Henry A. Wallace. NBC and CBS are 91 associated transmitters. Continuation of station owners and operators by Wallace as Secretary, who said that broadcaster-

## Transamerik Teams Serial Writers; Believes Collaboration a La Films Will Bear Richer Radio Fruit

Auditions Funeral Knoxville, Tenn., June 28. Fred (Bush) Breazale, 44-year-old former out in Roane County, appeared as a special guest on WNOX to invite listeners to a public rehearsal of his funeral, which will be held July 3 at Cave Creek Baptist Church.

For a long while now, Breazale has had his coffin ready and now wants his whole funeral ceremony rehearsed to make sure everything goes off alright after he's no longer able to personally make sure of it.

## WWJ Figured Seeking State Web a La WXYZ

Detroit, June 28. WWJ this week will start piping up Ryan's baseball broadcast to WBCW, Bay City, in what may become a nucleus for a rival state web to WXYZ, which is now in its seventh season. WBCW recently dropped off WXYZ's web after several years.

Although WWJ officials withhold comment, it's reported that Detroit News outlet here is seeking NBC's play on shipping of NBC Red sustainers to Bay City station. That WWJ will get that permish seems fairly certain since that is precisely what WXYZ has been doing with its affiliate in Grand Rapids, WOOD-WASH. for some time now. That WWJ has something up its sleeve as regards development of a state web, is readily apparent in view of the long haul between here and Bay City, some 90 to 100 miles. There are still several stations across Michigan which at present are unaffiliated, although WXYZ right now has the key outlets in most of the larger towns.

Piping of WXYZ's baseball airings, to WBCW will entail no difficulties as officials here have been bunkrolling the baseball stuff in Bay City with WXYZ's Harry Hellmann at the mic. WXYZ started airing the Tiger games in Detroit this year for the first time in five years, competing with WWJ which has aired games for past 13 years. Previous to this season, Hellmann's broadcasts went only to WXYZ's state web.

had 'gone much further' than mere compliance with their obligation to operate in the public interest concerning their success, and in spending their efforts to make the Farm Hour success with listeners. Industry has it insight to permit the most significant of this nature, Wallace said, and broadcasting of technical and informative content has helped citizens with destructive natural forces, operate farms and homes efficiently and get a return for their investment and work that individual effort can bring. Program also has prospective of extending and extension among farmers in carrying out national agricultural plans.

Secretary of Agriculture Henry A. Wallace, who said that broadcaster- Carolyn Montgomery, KTVU, Tel-Austin, head black-palmed Frank Muller, orchardist of the Farm Home Hour; El Drips, its supervisor, and Lenox R. Lohr, presxy. Carolyn Montgomery, KTVU, Tel-Austin, head black-palmed Frank Muller, orchardist of the Farm Home Hour; El Drips, its supervisor, and Lenox R. Lohr, presxy. Carolyn Montgomery, KTVU, Tel-Austin, head black-palmed Frank Muller, orchardist of the Farm Home Hour; El Drips, its supervisor, and Lenox R. Lohr, presxy.

## MUSTEROLE ON NBC BLUE

With Transcription Repeat for WLV-Carson Robison Again

Musterole (cold tablets) will spot a half-hour Monday 8-8:30 p.m. program over 34 NBC-Blue stations starting Oct. 10. Carson Robison and his Buckaroo will be the talent. Erwin Wasey is the weekly. Last season the account had Robison riding Mutual three weeks with daytime quarter-hours. Finds informal this coming year will find program script continuity tying up the songs, a new production touch.

## BERLE, BENCHLEY DISCED BY GOSCH FOR CBS

Hollywood, June 28. Waxes on Two Columbia auditions were shipped east last week for agency review. Max Erbe Gosch produced a half-hour comedy turn built around Robert Benchley and Lita Gray, which was a success. Hasty's adaptation of Paul Gaitlen's 'Golden Glories' was completed by Bill Lawrence and Bill Hallop (Dead End kid) have the leads; the rest is Gaillette razor is interested in 'Glories.'

Gosch is now working on the audition of a Milton Berle show, with Harry Connors disting up the musical 'Charm School' with a film name as cast topper; also is in his last before he returns to New York. George Perkins' Apenninomyosy. George Perkins, program director at WFLB, underwent an appendix operation and will be away from his desk for at least two weeks more.

Transamerik Broadcasting & Television Corp. has gone for a policy of leaning up successful writers of dramatic serials on the theory that a better and well-rounded work will result from the blending of distinctive y s of creative ability. It's a case of adopting an arrangement which has prevailed in motion picture production for years. Transamerik has already said a show stemming from such collaboration to Procter & Gamble through the Compton agency. Title is 'Life Can Be Beautiful' and the co-authors are Cap Erbe and Don Doherty. It is Transamerik's plan to build up a staff of established serialists, but with the team idea dominant in its show-building operations. It found expedient, as many as three writers will be assigned to a single serial. Plan follows the Hollywood concept that two or more literary minds can be better than one. Erbe has something of a specialized nature to contribute. One may have a strong turn for romantic writing, another for developing plot, a third for fishing out homely sentiment and fourth for interpenetrating comedy situations. Other's write shows a decided knack for two of these qualities, the result that the collaborating staff is no more the smaller. In the instance of 'Life Can Be Beautiful,' Becker is head of Transamerik's production department and the creator of 'The Life of Mary Southern,' while Bibby was the original writer of 'Darius' and did much of the scripting of 'Big Sister,' a Lever Bros. serial. 'Life Can Be Beautiful' will start on NBC the first week in September, with the schedule for a quarter-hour every day from 7:30 to 8:00 p.m. Sunday. Transamerik will also produce.

## Morton Downey Dies For Procter & Gamble May Necessitate Voyage

Morton Downey has reservations on the Normandy's July 15 sailing to go to London to make a series of transcriptions for Procter & Gamble. Dies would be used on various European stations. Although reserving passage Downey is endeavoring to eliminate the trip and cut the platters on this side. He has also produced a radio deal on the fire for the fall, one of which is a series with Eddy Duchin.

## WALTER WANGER MAY BROADCAST ON CBS

Hollywood, June 28. Hollywood show with a beehive - the actress produced twist is being framed by Walter Johnson of Music Corp. for summer airing. Walter Wanger, success, and, in spending their efforts to make the Farm Hour success with listeners.

## Cranberry Acct. Moves

Batten, Barton, Durstine & Horn Agency has the American Cranberry Co. account and will be spread in October and November. Graham Advertising formerly handled.



## Longer Broadcast Day in Canada Will Be Budget Problem Aug 15

Montreal, June 28. Executives of the Canadian Broadcasting Corp. are scheduled to huddle on Aug. 15 to determine production activities for the coming year and to discuss the budget which plans will be based. At present, the CBC spends about \$200,000 a year on production in the Province of Quebec and approximately \$250,000 a year in the Province of Ontario, with possibly \$100,000 in other parts of the country.

Starting Oct. 1, the CBC will be on the air 16 or 17 hours daily instead of 12 hours. Production costs must be upped accordingly to provide for programs during this additional period.

Amount of coin available for CBC programs is limited due to the fact that commercial business cannot be taken by the Corporation is restricted to approximately \$50,000 per annum, in line with self-imposed policy of the CBC to disarm the criticism last year levelled by various publishing interests. Only other revenues available to the CBC are from the annual license fees of \$2.50 even this source of income may be reduced since the report of the Parliamentary Commission which investigated the activities of the Canadian Broadcasting Corp. contains a recommendation for a reduction in the license fees.

## B.B.C. PLAYING UP DISCUSSION GROUPS

London, June 20. Serious side of B.B.C. programs during the Fall will include special series designed to promote debate among organized "discussion groups" in all parts of U.K. Will include number of programs titled "Men Talking," in which parties of men involved will be brought before the mike for spontaneous unheated discussion of any subject, technique being to start them talking and only cut in the mike after they have gotten warmed up. Monday evenings will start Oct. 5, eleven evenings.

All scheduled are 11 talks on "Crisis in Encyclopaedia," dealing with social structure of the country, discussed by experts as basis of discussion among listening groups. Opening Oct. 4.

Third series will deal with "The Mediterranean," considering geographical and political issues centered on this sea, and fourth will be centered specifically at youngsters above 14, intended as a link between their school studies and problems considered in adult listener groups.

## BEAMED AT SWEDEN

CBS Shortwave Devotes Time to Visiting Crown Prince

CBS, through its short-wave WKBX, beamed three separate broadcasts to Sweden on Monday (27). Occasion was the arrival in Willington, Del., of the Scandinavian country's crown prince.

Web's short-wave dept. had a gang on hand to greet the throne-inheritor as he landed and desired to be interviewed in Sweden. Several hours later, the Rev. Hiding Eklund translated into Swedish for Eklund to broadcast a sermon in English between the Crown Prince and another broadcast to Roosevelt.

Windup came at 3:30, with another translation of a talk between the royal visitor and the U. S. Secretary of State, Cordell Hull, who rarely short-waves to the Scandinavian countries.

Tommy Douglas and his Band from Kansas City, Mo., touring U. S., were in states hopped into Estevan and Regina, Sask., for one live broadcast. In Trianon at Regina, Douglas broadcast twice over CJRM.

## Unusual Sponsor

Yorkton, Sask., June 28. Ducks Unlimited, \$1,000,000 American sportsman's organization formed to preserve waterfowl and breeding grounds in Canadian prairielands for shooting purposes, has taken to radio with series of 15-minute talks each Wednesday on tri-territory network of James Richardson and Sons, Ltd., stations.

Talks broadcast from CJRC, Winnipeg, and piped to CIGZ, Yorkton, and CJRM, Regi.

## Imperial Tobacco Using Wax; Return of Ken Sisson Web Show Is Uncertain

Montreal, June 28. Beginning July 11 Imperial Tobacco goes on the air over 37 stations in Quebec with a series of transcriptions made in New York by NBC. Sponsor is not using the Canadian Broadcasting Corp. chain, taking stations in Quebec areas without regard to affiliation.

Transcription series, which is to be programmed until Canada's "Light Up and Listen Club," was made with American radio enterprise.

Will be aired five times weekly, 15 minutes, for a period of ten weeks or longer. At present 50 transcriptions are called for with 34 already made.

Network sponsored by the Imperial Tobacco Co. and one of the costliest productions over Canadian air waves last season, is uncertain as to its war. New production is being mulled with possibility that Ken Sisson may again be called upon for musical arrangement and direction.

Nothing has been decided.

## THE VARIETIES SET IN British Glee Quizzes from American Radio—Sunday Afternoons

London, June 20. When B.B.C. cottons on to an idea it chews at it till there isn't any meat left on the bone—and hardly any bone! Since Corp. caught spelling bee fever in America, every conceivable variation has been aired, and it has now gotten round to a "longue" variety, which is heard through the mike on the Scottish program July 4.

Paul Ellingham of Edinburgh staff is responsible and has organized England vs. Scotland contest, in which competitors speaking at a dictation are penalized those speaking selected "twisters" first time getting most marks.

Although it's an odds-on wager they'll include it. "The Leith police dismiss us." Try it.

Although recent London census by B.B.C. effectively proved unpopularity both of dance music and of relay from United States, B.B.C. will flout its public by continuing to put U. S. bands over on hook-ups from New York on Saturday nights throughout Summer period.

Factor impelling Corp. to use material not particularly popular is that American chains borrow so much program material from B.B.C. that latter is forced to balance up.

## English Notes

Laurence Gilliam's first job after six months with Canadian Broadcasting Corp. in U.S. will be production of "Fall of An Empire" for BBC July 15.

E. N. Longstaffe, first first production of B.B.C. "Palace of Varieties" program in U.K. has brought to the mike nearly 60 new pro acts never before aired at average rate of two per program.

Collinson and Dean, crosswalk duo on London's halls, will also have character for first time in B.B.C. presentation "The Skipper's Birthday."

## French Broadcasters in New York, Another Group Coming—Report Newspapers Savagely Bitter Due Effectation of Adver-

## CHEVALIER'S \$700

Long backward in broadcasting matters France is now among the few countries in the world where radio is rapidly expanding commercially as an advertising medium. So declares a party of Parisian broadcasters headed by Marcel Weinstein, now visiting in New York City.

Gross time sales revenues hopped an estimated 50% last year in France. That commercial broadcasting is important can be gleaned from the fact that French newspapers are battling it tooth and nail just as in the United States. Sponsor of the radio was ignored by French publications until it began to sop up advertising appropriations.

French situation isn't really a complex one, the visitors explain. Government operates 14 stations non-commercial, and there are 14 independently owned commercial ones. The latter category, both located in Paris, one is Radio Cite and its (Continued on page 54)

## B.B.C. Pays For Series of Yank Swing Bands

BBC is picking the list of swing orchestras to go short-wave to the British Isles from New York is summer each Saturday afternoon, commencing July 9. Pickups will be made from CBS studios in N. Y., although Columbia itself may not carry all the programs.

Count Basie leads off the procession, with Hal Kemp the following week and Bunty Bragan set for July 23. Next week is open as yet, with Gene Krupa tabbed for Aug. 6, Sammy Kaye for July 13, and Benny Goodman for Aug. 20.

Of the lineup, only Gales and Beigan have short-wave programs to BBC before. Orchs get paid in foreign units by BBC for the stints.

London, June 20. Although recent London census by B.B.C. effectively proved unpopularity both of dance music and of relay from United States, B.B.C. will flout its public by continuing to put U. S. bands over on hook-ups from New York on Saturday nights throughout Summer period.

Factor impelling Corp. to use material not particularly popular is that American chains borrow so much program material from B.B.C. that latter is forced to balance up.

## Aviation Protest Ignored

Regina, Sask., June 28. Complaint by city of Vancouver, B. C., over location of Canadian Broadcasting Corp.'s new 400-foot tower antenna have been received at western office of aviation division of Federal Department of Transport. Vancouver authorities claim location of the antennae on Lulu Island in Burrard Inlet, will be a hazard to the Vancouver-Seattle air mail line. This is third protest but construction continues.

## Beaudet of Canada in Europe To Arrange Exchange Shows; Fascist Angle Very Delicate

## One for Mencken

Buffalo, June 28. Buffalo announcer just back from a vacation in London told WGBX-WKWB sportscaster, Sig Smith, With co-operation of the British Broadcasting Corp. made a batch of man-in-the-street interview transcriptions in London.

One attempt to baffle the interviewer with American slang proved a boomerang. He asked a native, if I said scram what would you do?

"I'd yell sort one for you," was the reply.

That stumped Smith. Englishman had to explain that "sort one out" means "hang a dirty one on the chin."

## Maxwell House of Canada Excused as Defendant In Delf's Plagiarism Suit

Maxwell House Products, Ltd., of Canada, on Monday (27) lost out in a \$100,000 infringement suit brought by "Harry Delf" against the Y. Federal Court resulting from one of the broadcasts sponsored by General Foods.

Maxwell Delf agreed the Maxwell subsid was not within the jurisdiction of the U. S. courts and consented to a judgment of withdrawal in the suit.

Delf is suing Metro Pictures Corp., General Foods, Benton & Bowles, and National Broadcasting Co., Marcus Loew Booking, Inc., Loew's Inc., Frank Dolan, Meridian City, Robert Taylor and June Clayworth, claiming that during the weekly broadcast on January 27 last of the "Good News of 1938" program, Taylor and Miss Clayworth were the authors of a sketch titled "The Jewel." Delf claims he wrote the piece in 1934 and Dolan had pirated some of his stuff.

## UNION REPORTS PROGRESS

AFRA Asserts Montreal Has 260 Members Signed for Spreads To Ontario

Montreal, June 28. Membership in the local branch of the American Federation of Radio Artists has now reached a total of 260 according to union officials. Strong efforts now being made to induce producers to join also.

Local union officials are now considering advisability of approaching the Canadian advertising agencies with a view to enlisting their support for complete unionization of radio production, since are awaiting further development in New York before deciding on definite measures with regard to local advertising men.

Meanwhile, AFRA locals are being organized in various cities in Ontario.

## Radio Sets Looked Into

Montreal, June 28. Tariff Board will begin an investigation of the radio industry at Ottawa around July 12. Inquiry will cover the entire field of radio manufacturing, production, distribution and sale of sets, parts, tubes and batteries.

Investigation was ordered by Finance Minister Dunning and will include an airing of patent laws as applied here to prevent the importation of certain makes of radio sets and tubes from the United States.

Montreal, June 28. Jean Marie Beaudet, program director in the province of Quebec for the Canadian Broadcasting Corp. left last week for Europe to make a complete survey of English and continental music and musical radio production and to bring closer completion of arrangements which are reported under way to increase the exchange of radio programs between Canada and England, France, Italy and Germany.

In view of the furor created by a recent report that Fascist states would be interested in the exchange of programs because of the opportunities it would open up for the "infiltration" of Canadian and North American listeners with regard to the blessings of Fascist cultural education, the report is reticent regarding further details of its survey.

It is understood, however, that while the CBC official will confine himself mostly to a study of musical shows for exchange purposes, foreign talk programs will also be given the once over lightly. It is also noted that a vast amount of programs which might be considered for Canada would be given careful scrutiny.

It is reported here also that Beaudet will most likely consult with various music publicizing agencies performing rights to certain copyrighted works with a view to arranging collection of such works.

Canadian Government officials, strongly bent on advancing Canadian short-wave broadcasting because of prestige and commercial value to Canada abroad, will press strongly for an appropriation of from \$250,000 to 60,000 for the purpose of constructing a powerful short-wave station at the earli possible moment.

CBC engineers have been short-handed in planning for foreign exchange programs, was formerly ascribed to Alfred Pelletier of the Canadian Broadcasting Co. It is reported that smoothest reception may be obtained at 25.24 metres, with a good return to Canada.

Beaudet, who is now in Europe furthering plans for foreign exchange programs, was formerly assigned to Alfred Pelletier of the Canadian Broadcasting Co. Symphonies de Montreal, here.

Roosevelt, program director short-wave for the Canadian Broadcasting Co. in Montreal, is slated to leave for England this fall to study production of radio programs with General Broadcasting Corp. Will spend eight months at BBC and follow up with an investigation of radio in France. He will then make a survey of Italian and German radio production cover the entire field of radio manufacturing, production, distribution and sale of sets, parts, tubes and batteries.

Gerald Arthur, chief announcer at CBC here, will renounce Pelletier during the latter's absence.

## IMMORALITY CHARGE JAILS AIR SHOW M. C.

St. John, N. B., June 28. Paul Collins, who for eight years did an inventory of air show acts, C.I.J.S. has been sentenced to prison at Dorchester, N. B., for two years as a result of charges of obscenity three months.

Collins was to do the daily program Collins, who billed himself as the Strutting Vagabond of the air, was charged with showing amateur productions, including sacred plays.

Bill Speers, production chief CKCK, Regina, Sask., off on an motor holiday to Pacific Coast.





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# Follow-Up Comment

Tim and Irene (Ryan and Nollette) went up with a nice score on the NBC-Blue Friday (24) night broadcast of the show had choppy moments, and perhaps it would have worked out better if some of the material had been scrapped and only the best stuff been used. But otherwise do.

Peace de resistance of the comedy show was, however, version of "Uncle Tom's Cabin." About the only relation to the Harriet Beecher Stowe work was Ryan assuming a "big" Negro dialect and his partner piping her voice up high and answering to "Tiddy Bergmann, who jacks-up." Tiddy Bergmann, who jacks-up all characters on the show, did the pseudonym of Uncle Hopsy, and "Simon Legree" in a Russian tongue-twitchiness. Noises of bloodhounds bayed in the background several times.

George Olsen's orchestra used just a few on this show. Did nicely on a string of songs, which included "Laugh in Slanlight," "Sentimental Side and Somewhere" among others.

Commercial as getting racketeer slick on this program, for a sport with no "Y" sales outlet. Burns are trim and unobtrusive.

Mark Wahlberg was on the Peg Murray show Sunday (26). Opera tenor was at the mike twice on the stanza, without having any time to do either.

First occasion, he posed as an 'anagram expert,' getting off a couple of inconsequential sentences, then offered some tongue talk in his native Polish. For his second stint he first related a bit about his history and how he crashed opera. Then he explained he was tired of hearing swing versions of the classics, so was going to "unswing swing." With that introduction, he warbled an operatic type of "My Heart Is Taking Lessons" and the idea was to get even with the swing fans he was doing alright. But if anyone had suspected the offering to turn up as radio entertainment or to present Windheim in complimentary light, it was a bad guess.

As a matter of fact the entire Fieschmann's Baker's program was characterized by painfully feeble scripting. For her part of the show, Gail Patrick was interviewed by Feg Murray, with Otzie Nelson, Harriet Hilliard and Windheim. Inane, trite and dull gab about fashions and trivia.

Ben Bernie had 11 of the Bernie clan on his program last Wednesday including a host of brothers and sisters. Left and Dave Bernie, known in the profession, were the best, both are in the band-music publishing business. Others were strictly from Bowes although Herman Bernie, the agent, could also throw his NVA card away for that one line allotted him. It

is moments. Rose Bernie who with Phil Baker's sisters conducts the Bernie-Baker. It fell again to a plug for her coloring contest. Dave's satire on the pop ballad, a double talk lyric titled "In the hinterlands," is on the Lindy side for satire, and possibly some took it straight. However, it was one of the better moments.

Rose Karna guested on the Kraft show on NBC, and last Thursday night (23), teaming with Bing Crosby in a bit about a frank page, hogging a drug store phone booth. It was a characterization right up to the very end. Bernie's ally, and he whammed it over. However, the screen actor put into the bit the crew emphasized the negative taste of the material.

Rather incoherent that such subject as tooth-extraction, good and bad, still are considered never-failing sources of fun. Laughter at the pain of another is not evidence of a sense of humor, rather it indicates lack of imagination—and imagination is the essence of humor. (Or is Variety too rough-minded?)

"Rainbow House" (Sunday morning at 9:30 over WOR, N. Y.) played "Uncle Tom's Cabin" straight and well under the direction of Bob Emery. Performance, using a large cast, suggested more than ordinary care in scripting and producing. Original script stripped down to the bare thread with most of the side-slipping omitted.

Lucy Lowell played Simon Legree with a nicely dirtied-up leer a la Jack Lowmyn, and got labored in melodramatic tradition with his own whip in the end by Jack Lord as the hero, and author of the best-selling "My Shelby. Emery announced Lord as a newcomer to the radio troupe. Handled his first assignment nicely. Full cast credits are given at the end of the broadcast but only a shorthand slogan can write 'em down that fast. Suffice to say, Eva, Uncle Tom and Ophelia were sharply played and Mr. and Mrs. St. Clair were not.

Jerry Daniels-Dave Driscoll combo still going into people's homes as WOR, N. Y., carries on its unimpaired "Let's Visit." One of the first programs of its kind, the failure to sell this one suggests either that the sales push wasn't there or that the program has bumped along uncertainly in entertainment average. In the latter event—and Monday's show was possibly—there's a need for a revised formula, more insurance against those awkward lags.

Against a bright chapter like Gellert Burgess, the going is good. But others do not always stack up. Some personalities, even with basically amusing oddities of experience are not colorful.

## LOUIS-SCHMELING FIGHT With Clem McCarthy, Ed Thorger-BULLCK

WEAF-WJZ, June 27, 1937 (Kridner)

Joe Louis' attack on his assault and battery on Max Schmeling was over so quickly that stories were told afterward of persons stopping to wipe their eyes, looking away and missing the fight. Over the air the swiftness of the knockout hardly permitted the listeners to adjust themselves to their easy chair. By some logic Clem McCarthy never had a chance to get warmed up. It was so conclusive that the fight was down and the fight over without any clear idea of what was going on. The fight was so fast that it was confusing.

Bullck got one opening commercial and another—very awkward—from the studio. There was a pause in-between, music filled the air five minutes, and then NBC jumped back to the Yankee stadium for interviewing and comment. Much of the latter strictly dose and dem. Possibly anybody who could do anything but care a hoot that the typical pokesman for boxing as an institution give the public an impression of complete unfamiliarity with singular and plural, with pronunciation, and with the accents of educated persons. The ad lib after any big time fight is intellectually on a par with the sweepstakes winners in the newsreels.

There is little to be said for or against the word-work of McCarthy and Thorger. For them it was a no match.

## EUGENE LYONS TALKS Minis. WABC-CBS, New York

Eugene Lyons, on-time/United Press and Vanuay correspondent in Moscow and author of the best-selling "Assignment in Utopia," talked to the H.V. Congress, a youth organization, conventioning in Berns, Ky. His theme was democracy and he drove home the dangers of lack of democracy.

Speaks well and draws on a rich practical background. Probably aiming at lecture career eventually.

## SIMONE SI KRAFT WEAF, New York

(J. Walter Thompson)

Simone Simon achieves a bold twist to her lines because of her clear, Parisian accent, and, apparently relying upon this angle of her talent plus her fame as an actress, the program makers decided to provide her with only some casual repartee about her double name. But they could have done better by her and her listeners.

She was the first of three guests to appear and was off almost before the program got under way.

# Inside Stuff—Radio

Under the title, "How to Build the Radio Audience" (Harpers, \$3), has Dr. Connaught Vanuay radio director of the James A. Greene agency of Atlanta has gathered together considerable data, examples, and quotations from Vanuay and other publications bearing upon the subjects of promotion, publicizing, and radio exploitation generally. It is believed to be the first book on this particular phase of broadcast advertising.

Another time on radio technique in the ever-increasing parade of such works is "How to Write for Radio," which McGraw-Hill brings out next week at \$30. It's by James Whipple of the Chicago office of Lord & Longmans, Green & Co., publishers of "Practical Radio Writing" and under an advance payment from a publisher.

New book, by James Whipple has the same title, "How to Write for Radio," as a previous volume, by Katharine Seymour and J. T. W. Martin, whose next collaboration, "Practical Radio Writing," is due for publication in about a month. When it was first learned that Whipple was writing in connection with that name, it was thought that the volume was set up and ready for publication and the cost of making such a change would be prohibitive.

This is a banner baseball season for Powell Crosley, Jr. The all-star game is to be played on Crosley Field July 8. Five of Crosley's Cincy Reds have been picked for the National League's club—one of 'em, rookie Vander see, baseball's all-time champ no-hit pitcher by reason of his recent two successive blowless games.

Two of Crosley's WLW-WSAI sports specialists have been picked to mike the all-arounder for separate appearances: Red Barber for NBC and Dick Bray for Mutual.

CBS sales promotion dept. celebrated moving into new quarters in the home office building, New York, by tossing a shindie. Promotion staffs and sales and publicity contemporaries were strictly uninvited. Free food and free beer.

Sales division gobbled up space formerly occupied by the statisticians and ammunition-providers on 19th floor. Only department heads Vic Klatner and Dr. Frank Klatner, in lieu of promotion staff on latter floor, Fival and non-coms went on 12th.

## DRUMS UP POLITICAL BIG

WEW Donates Neutral Comment to Give Impetus to Card Rate

St. Louis, June 28.

Candidates for various political jobs, ranging from United States Senator Benet Clark to the lowest office, will have an opportunity to present their strong points in favor of WEW during the next six weeks. General Manager Al S. Foster has set men points to 26 registered candidates in which they were invited to send their records, list of meetings, autobiogs, etc., to the station.

This news will be aired by Mrs. M. J. Conroy, commercial manager, in a 15-minute program every Monday through Friday. Candidates may not appear in personal appearance on the air except at card rates. Foster believes a fair presentation of the records, etc., by the various politicians will be big getter, as there are number of spirited contests to be decided in the August primary election.

## Wholesale Interviews

Mason City, Ia., June 28.

KGLO aired massed-band concert of 2,000 local musicians as climax to annual North Iowa Band Festival at Roosevelt Stadium on night of June 21. Some 40 drum and five drum corps took part in the annual fest, this year combined with the Centennial.

KGLO during the day oozed conducting North Iowa Band Festival, interviewed 14 of the 37 fests. Each interview sends a message with its troupe, the winners selected as Queen of the Festival.

## BUNS AND BRAHMS

Philadelphia, June 28.

Hot dogs and symph being mixed up here by WFIL. Burk's Frankfurt Company, among on 15-minute period weekly in and preceding concerts by men of the Philly Union.

Weeny works airing tiny musical show itself, including Norman Barr, baritone; Carolyn Thomas, soprano; and Coletta Kirk, pianist.

Carlisle Plays Grandson Role

John S. Carlisle, Columbia's producer, was a guest of honor and participated in a three-day celebration at Clarksville, W. Va., last week, marking the 75th anniversary of the founding of the state.

Carlisle's grandfather, for whom he is named, wrote the West Virgin constitution and was off most before the spirit of the movement which created the state.

Harry Clark, special events announcer at WPRO, Providence, joined announcing staff of WTIC, Hartford, on Monday (27).

## WLW Case July 18

Washington, June 28.

WLW's day court set for \$500 kilowatt experimental license has been set for July 18. Application for renewal will be heard then.

Three-man committee of F.C.C. will hear.

## In Baltimore, it's

ON THE NBC RED NETWORK NATIONAL REPRESENTATIVES EDWARD PETRY & CO

## KING-TRENDEL BROADCASTING CORPORATION

### Announces



# MCNINCH-PAYNE RUMORS

## PAYNE RAPPED, HE HITS BACK

Washington, June 28. Removal of Federal Communications Commissioner George Henry Payne demanded last week by Representative Eugene E. Cox of Georgia, one of the leaders of the group which killed the Connery radio probe resolution during closing hours of Congress. Says Reform Advocate is just a 'troublemaker.'

In unspoken speech printed in its adjournment issue of the Congressional Record, the conservative Georgia Democrat, voiced complete confidence in Chairman Frank R. McNinch of North Carolina but said he was being obstructed by Payne. Connish could function much more effectively, and would regain public confidence, with Payne's identification, in Cox's opinion.

Blasi was answered by a tart report. Payne declared Cox is obviously trying 'to bring the issue of radio reform' and was entitled to little notice.

The question of veracity I am perfectly willing to leave to those who know Cox and those who know me. FCC reform advocate shot back. 'He has made an invidious attempt to shake an official in his strivings to protect the public. He has built his whole case upon misrepresenting what I said. He is trying to make out a case for monopoly and abuse in radio. I am sure he will fail.'

In reproaching Payne, Cox complained about the publicity which was given the sensational charges of corruption fired against other FCC members and Payne's complaint that members of the House Rules group had tattled about what happened

## Echoes Radio Claim

King Features Syndicate (Hears) unwittingly delivered a boost for radio via the syndicated strip, 'Mandrake the Magician,' which was printed in comic sheets throughout the country May 11 and 12. One character in the strip expresses amazement at the exhibition of an electro-controlled 'talking book,' and adds, 'You don't have to read, you just listen.'

Another character rejoins, 'Excellent idea! People remember what they hear better than what they read.'

behind closed doors. Georgian said Payne apparently did not want it known that he could not back up statements about wrong-doing at the Commission.

Payne's failure to consult with his colleagues about 'hundreds of complaints' from listeners also prompted denials to associates about the alleged broadcaster lobby.

'It is my opinion—and, I am sure, shared in by other members of the Rules Committee—that the restoration of confidence in the Communications Commission and the prompt discharge of its statutory functions would be aided if Commissioner Payne were separated from the Commission and the Chairman of the Commission, Frank R. McNinch, and the Commission be given as free a hand as possible in the performance of their labors.' Cox summed up. 'With the Chairman given associates who will cooperate with him, there can be no question but that the Commission will quickly overcome the injury done the Commission in the public mind by Mr. Payne, who has convinced himself as being entirely irresponsible and wholly unfit for a place on the Commission.'

## EXPECT SEQUELS TO FCC FEUDING

### Chairman Denies News Report of His Return to Lower Commission—His Speech to Relay League Considered Significant—What Next in F.C.C. Rump is Question in Washington

### A SPANKING?

Washington, June 28. Further shake-ups in the Federal Communications Commission looked probable this week. Delayed aftermath of the Congressional shouting about inefficiency, laxity, and skulduggery in regulating broadcasters.

Definite hint that personnel purge will be resumed was given Saturday (25) by Chairman Frank R. McNinch in a speech which temporarily squelched renewed rumors he will go back to the Federal Power Commission shortly. Meanwhile feud between McNinch and Commissioner George Henry Payne continued to simmer.

With colleagues still talking spasmodically about desirable staff shifts, McNinch told the Atlantic Division of the American Radio Relay League that 'I shall do everything in my power to have the Commission deserve the fullest possible

## Funny at Parties

Radio exec who interview, would-be comedy writers asks application that made 'em first think they have what it takes on radio.

Many, reply: 'At parties my friends tell me I should write for radio.'

measure of public confidence' and announced he is going to push on with assignment to improve conditions 'without fear or favor and with the public interest as my guiding star.'

Chairman said flatly that procedure must be overhauled and the efficiency of the staff personnel as a whole increased' but went into no detail. Promised these matters will be attended to in due time and many of these changes can best be made during the approaching summer and early fall.

New warning that broadcasters will be forced to toe the mark more strictly also was conveyed, in hoping to solve 'vexatious problems' confronted in policing broadcasting. McNinch reiterated his desire to make sure that persons using radio frequencies 'which are part of the public domain' operate in the public interest.

Raps FCC Critics  
In talking about internal affairs, McNinch denounced the 'deliberate campaign of propaganda by innuendo and misrepresentation' which, he said, has been aimed at the FCC 'by a few' and took pleasure in the House refusal to authorize a special probe. One-sided licensing administered the inquiry agitators was termed 'a vote of confidence' and at the same time regarded as a solemn mandate that the Commission should proceed in the orderly, fair, impartial and courageous administration of the

(Continued on page 51)

## CALL SEATTLE SUIT POLITICS

Seattle, June 28.

Democratic State Senator H. I. Kyle charged in keynote speech before King county Democratic convention that recent \$250,000 suit filed by KOL against Senator Homer Bone, Saul Haas, Columbia Broadcasting Co. and KIRO was political plot to damage Bone. Kyle said in part: 'On June 11, the day Republican convention was held here in Seattle, five minutes before noon there was filed with clerk of superior court of Tacoma, 30 miles away, a complaint against Senator Bone and others, charging the Senator with having conspired with these others to deprive a certain radio station of its franchise. On that same day and that precise minute, at the Republican convention in Seattle, announcement was made to the corps of newspapermen covering the convention that this suit had been filed in Tacoma. Furthermore copies of the complaints were handed out to them. Bone files litigants do not go about passing out copies of their complaints to the newspapers at political conventions. Every element of this unsavory affair points to conclusion this was political plot to smear and damage reputation and standing of Bone on eve of his campaign for reelection.'

Dale Harrison, Associated Press columnist, guesting on the 'If I Had the Chance' program on WJZ July 4. Sustaining show also has Lowell Thomas and Renee Carroll set for July 11.

GET YOUR STORY ACROSS!

SALES RESISTANCE

WCAU  
50,000 WATTS • PHILADELPHIA

# POLITICAL RESPONSIBILITY OF STATIONS MAY BE ILLUMINATED BY F. R. MCINCH

### WTAR, Norfolk, Strongly Hits the Commission's Laziness in Meeting Need for Clarity—Stations Under Constant Fear of Innocent Involvement

Washington, June 28. Promulgation of rules which would remove much of the widespread doubt about provisions of Section 315 of the Communications Act—requiring broadcasters to extend "equal opportunity" to political candidates—will be attempted by the Federal Communications Commission on stations through the hot 1938 Congressional campaign.

Delicate questions which have perplexed station managers for years will be taken up by the Commission in response to report of WTAR, Norfolk, for a clear interpretation of the statute and some explanation about the apparent conflicts in Federal policy.

Whether formal regulations can be written in time to serve the industry this year—or whether it is possible to write any rigid code at any time—remained a matter of speculation, but at least an informal explanation of how the legal obligation applies to broadcasters is expected to be forthcoming.

Matter already has been taken up with Chief Counsel Hampton, Gary, but it is unlikely there will be any formal decree this year. Lack of time prevents going through the rigamarole of publishing proposed rules, holding hearings, and then rubber-stamping. Statement of policy, memorandum interpreting the section, or some other informal advice to operators is most probable.

Gary has asked his aides to put on paper any ideas they may have about the way the section should be applied. When slants are accumulated, the consensus will be turned (Continued on page 52)

### Avery on Leave to Set Up Police Radio System

Roanoke, Va., June 28. Robert D. Avery, chief engineer at WDRJ here, has been granted a six months' leave to supervise the construction of a Virginia state-wide police radio system.

During absence, Jim Robertson will act as chief engineer at station, to whose engineering staff Ed Lemon has been added.

### Unions on KMO

Tacoma, June 28. Two furniture workers' unions here have gone on the air with a program over KMO. Raised special fund by assessing members and are devoting it exclusively to a weekly stanza of 15 minutes each and several five-minute periods.

Since this program broke Seattle stations have similar ideas but not yet signed.

### Peggy Paige as Goldlocks

Peggy Paige, wife of Tony Sanford, J. Walter Thompson agency exec who produces the Rudy Vallee (Royal Gelatine) programs, is starred in a wax figure serial being offered to agencies and sponsors this week.

WHN Uses Edison Aud. When N. Y. has made a deal with Hotel Edison, N. Y., to use the spot's 800-seat banquet hall for airing of its weekly "Broadway Melody Hour," Station has no accommodations for any sizable studio audience within its quarters.

Melody Hour is currently sustaining, Jack Walton m.c.'s the show.

### BYGONES ARE BYGONES

Station WFL Friendly With Star-Times—Opposed, Latter's New KXOX

St. Louis, June 28. WFL and the Star-Times Publishing Co. until recently bitter foes before the Federal Communications Commission and in the courts, have become buddies. Star-Times, which is reading KXOX for operation in the fall, has bought 50 announcements on WFL, while the latter station is buying space for the same newspaper, and reported on a cash basis either way.

WFL was the last of the three local stations to oppose the issuance of license to the Star-Times, with the three-year battle reaching the U. S. supreme court. Rest of the opposition came from KWK and KSD, the latter owned by the St. Louis Post-Dispatch. Threesome's main contentions was that there was no need for another station. Town's fifth outlet is KMOX, CBS's 50,000-watt.

### Politics Will Spend 150G on Coast Radio

Los Angeles, June 28. Stumping politics may be a pain in the neck to listeners but their placiver will carry a cheery note for Coast stations. Just when the pickings are slimmed, along come the lads who aspire to public office and let go with a shower of coin. Figure around \$150,000 will be spent here, the many state races to be run off. Don Lee net with its 28 outlets in the state is grabbing off the lion's share of the campaign dinero under contract.

Heaviest outlet is in the gubernatorial contest, with the incumbent, Frank Merriam, fighting off a field headed by J.E.T. 'Jett' O'Connor, former U. S. comptroller of currency.

### WMBG Changes Reps

WMBG, Richmond, Va., has turned its national sales representation over to John Blair & Co., effective July 1. Station was formerly with Gene Furguson & Co.

# Havana Pact's American Results

Washington, June 28. This is what the Havana treaty, with an avoidable reshuffle of the bulk of the American radio industry, would mean in terms of station reassignments whenever the treaty becomes effective:

1. No change in the location of stations currently using any frequency between 550 and 730 kc.
2. Transmitters occupying berths on frequencies between 740 and 780 kc. and with a few exceptions mentioned later, from 1060 to 1450 kc. would move to the next higher channel (up 10 kc.).
3. Stations operating on frequencies between 880, 920, and 870 kc. and 1180 kc. would move two channels higher (up 20 kc.).
4. Stations located on frequencies from 880 to 870 kc. and with a few exceptions mentioned later, from 1060 to 1450 kc. would move to the third higher channel (up 30 kc.).
5. Stations on frequencies 980, 990, 1000, 1020, 1040, 1470, 1480 and 1490 kc. would move to the fourth higher channel (up 40 kc.).
6. Stations on some channels would have alternative choice. Those on 1710 might go to either 780 or 1110; those on 1010 might go to 690, 740, 990 or 105; those on 1140 might go to 1070 or 1170; those on 1160 might go to 1170 or 1190; those on 1200 might go to 1170 or 1230.
7. Stations 1500 would go down one notch, to 1490; those on 1520 would go to 1590 and those on 1550 to 1600.

### WPRO, Prov., Feeding Specials to Inter-City

Providence, June 28. WPRO, local outlet of the Inter-City regional, has started regularly feeding special events to the web. In past wasn't so active.

Four programs in connection with the graduating exercises of Brown University here have been sent out, plus a recent civic affair when the city celebrated its 100th day since an automobile accident fatality. Last week the dedication of Scarborough State Beach was fed Inter-City and also dance music from a date Duke Ellington played here.

### Albany Columns Out

Albany, N. Y., June 28. Gannett chains' Knickerbocker News has dropped the radio columns of Ed Healy and Mary O'Neill, despite the newspaper's tieup with WOR and WABY, Albany outlet. Times-Union (Hearst), which has had no weekday radio columns, has now elated the Sunday radio page.

### Joe Keely Leaves Ayr

N. W. Ayr agency is now operating its New York office sans a publicity department, and none will be restored per ten. Joe Keely and Tom Foley formerly pumped out the praise page by the week. Joined J. M. Mathes agency to help Charlie Heaslip do publicity promotion.

Keely was with Ayr for eight years.

### 16-Year-Old Director

Detroit, June 28. Jeannie Rand, 16, succeeds Beryl Vaughn as stage director of 'Children's Theatre of the Air,' aired weekly from downtown Capitol theatre over WXZY.

Miss Vaughn recently resigned from WXZY staff. Miss Rand has been member of station's children group for several years.

# INTERNATIONAL GESTURE TOUGH ON U.S.A.

Washington, June 28. All but a handful of stations will have to accustom themselves to new positions on the radio spectrum when the North American radio agreement negotiated at Havana last winter becomes operative. Federal Communications Commission served notice last week. Time when pact will go into effect is contingent upon action by Mexico, which is not terribly pleased and may balk at ratification.

Promising a hearing to all affected licensees, the FCC last week made public the way the regrouping will be carried out, with only about 75 stations escaping the general shake-up. Bulk of the channels would be classified differently than proposed by the Commission in the rules and regulations currently being pondered for promulgation to direct U. S. broadcasting.

Analysis of the spectrum revision—highlights of which are explained in adjoining column—indicates that a score of stations will move up one notch on the dial; about 30 will go up two notches; by the Commission's three notches; about a score will go up four notches; nearly 50 will go down one notch; two will go up six notches, and five will go up five notches. In addition about a score will have some choice between going to one of several other channels.

Whole pile of channels will be regrouped, with many which the Commission now propped to earmark for particular purposes being designated for some wholly new type of operation. Dial would become virtually unrecognizable to U. S. listeners, who would have to memorize all over again where their favorite programs can be picked up.

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Miss Vaughn recently resigned from WXZY staff. Miss Rand has been member of station's children group for several years.

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Completing June 29th... 28 WEEKS (5 Programs Weekly) for WRIGLEY Products

★ Opening Dates... July 1st Earle Theatre Philadelphia July 13th Paramount Theatre New York (TWO WEEKS) July 29th Fox Theatre Wash D.C.

IVE ON DECCA RECORDS

ROCKWELL O'KEEFE

# F.C.C. Cites Five Stations But Is Hush-Hush on All Details; Shepard Local Politics Echoes

Washington, June 28. Five indictments of five stations were voted last week by the Federal Communications Commission, stepping up the recent scrutiny of licensees' conduct, while several new stations went on the list of temporary ticket-holders. At the same time, eleven operators who have been holding short-term licenses were given regular renewals.

Hearings on the public-service attitude of WHEB, St. Paul; WAAB, Boston; KGCC, San Francisco; WMBC, Detroit; and KOCT, Oklahoma City were voted Thursday (28) following prolonged inquiry into complaints about their operations. Most important of these cases is that against WAAB, the John Shepard transmitter, which is under strong political fire.

In grinding out numerous routine renewals, the Commish put temporary limitations on the tickets given seven stations and extended the present papers of ten others.

Those which finally received full-time renewals—after holding short-term tickets—chiefly because the Commish had not acted on some other application—included WIBW, Topeka; WSAL, Salisbury, Md.; WBBB, Rock Island, Ill.; KJMA, Yuma; KRKO, Everett, Wash.; WMEX, Boston; WRBL, Columbus, Cal.; KCMN, Kansas City; WMBC, Richmond; WQBC, Vicksburg, Miss.; and WTAL, Tallahassee, Fla.

Extensions went to WSAN and WGBA, Allentown, Penn.; WAGM, Presque Isle, Me.; WCNW, Brooklyn; WHDF, Calumet, Mich.; WKAT, Miami Beach; WFLA, Puerto Rico; KOOS, Marshfield, Ore.; KSUB, Cedar City, Utah; and KGBU, Ketchikan, Alaska. Several of these had been on the temporary list before.

Renewals on a temporary basis, aside from the transmitters ordered to defend themselves, were served to KDAL, Duluth; KMAC, San Antonio; WBNY, Buffalo; WRDO, Augusta, Me.; KOBB, Black Hills, S. D.; WHEP, Kosciusko, Miss.; and WRBI, Richmond, Ind.

Shepard crack-down was the most significant, but no official information was available about any of the cases. Under the FCC secrecy policy, nothing can be obtained from any Commish source until the formal bill of particulars in the notice of hearing is published. Due to the slowness of the law department this will be a week or so in reaching the accused operators.

### Shepard Cites 'Grudge'

Partly caught in political cross-fire, WAAB was cited because of charges filed by a former employee who has been in Washington considerably over a period of months lobbying for action which would force the Bay State pioneer to be less aggressive. Shepard's answer, disclaiming any wrong-doing and chalking the complaints up to a grudge, failed to convince the Commish that the thing should be dropped.

Violation of Massachusetts election laws, taking sides in the Boston mayoralty fight, failure to afford equal treatment to political candidates, and participating in the Massachusetts war over dog tracks

are involved in the WAAB indictment. Voluminous complaint referred particularly to the crusading activities of Leland Rickford, head of the Yankee Network News Service and WAAB-WNAC news commentator who recently was involved in headlines through corruption accusations he heaved at Bay State lawmakers.

Shepard filed lengthy and pithy taint-iso, accompanied by counter-accusations, but the Commish considered there is an appearance of misconduct which justifies formal hearing. Evidence-taking unlikely until late fall, so the fate of the Massachusetts transmitter probably will hang in the Commish balance for most of the coming year. Exact nature of the cases against the four other accused broadcasters is not known. Frisco outlet believed on the carpet because of complaints about unfair treatment of certain labor factions, while types of advertising carried are said to be behind the Detroit plant's citation. Program taste is generally taken as the primary issue in the cases.

Host of offenses contained in indictment against KGCC, while WMBC and WMIN are carpeted principally for allegedly carrying lotteries. No violations behind hearing order to KOCT, which was set down because another aspirant decries Oklahoma City plant's facilities. Lengthy set of listener squawks about the Frisco station includes: Questionable medical programs, lotteries, solicitation of funds, and alleged illegal lease of station facilities in addition to the labor policy matter, informed persons revealed.

## E. M. WEBSTER IN F.C.C. POST

Washington, June 28. Birth of F.C.C. assistant chief engineer, vacated by Lieut. E. K. Jett, who was upped to chief engineer, was filled last week by Commdr. E. M. Webster. Appointment will take effect July 1.

Webster, a former Coast Guard officer, was born in Washington in 1889. Was in charge of the Coast Guard Communications Commission, involving 3,000 miles of circuits and approximately 30 radio stations handling traffic to and from Coast Guard ships, aircraft and other service agencies.

New assistant chief also trails an active war record with him and is one of the original members of the Interdepartment Radio Advisory Committee. Has assisted the U. S. State Department in preparing data for 10 international communications conferences and has attended the get-togethers as U. S. representative, designated by the President or Secretary of State.

Other signal services which qualify Commr. Webster for the new job include his work on a special technical committee appointed to probe the Mohawk disasters and subsequent drafting of the radio provisions of the International Convention for the Safety of Life at Sea. Webster, who for the past 11 years has been chief communications officer of the Coast Guard, is credited with perfecting "present high state of efficiency" of the Coast Guard's communications system.

### This Keeps Happening

Philadelphia, June 28. Norman Sickle and Theda Diamond of WFIL dramatic staff take their parts seriously. For past six months they have been doing daily skit tatted, "Married Life," portraying the "battling O'Learys."

This week they announced their engagement. George Sutherland, who gave up his gambling job at WIP, Philly, last month to free-lance, has been heard commercial singer of WSAR, Fall River, Mass.



The COCOANUT GROVE  
 AMBASSADOR HOTEL L.A.  
 presents  
**Leo Reisman**  
 and his Orchestra

5000 Say 1000 Night  
**LEO REISMAN**  
 Columbus  
 ALL YOU NEED IN CENTRAL OHIO  
 John Blair, rep.

# REGIONALS PRESENT THEIR CASE TO F.C.C.; SEE SUPER-POWER LAPPING UP CREAM

## John Shepard Is Grilled on Stand—Former Pessimistic Statements Quoted—He Sticks to Position That Juice Favors to Few Hurts the Many

Washington, June 28. Regional broadcasters' apprehensions about superpower would upset the industry's economic aspect without bringing equivalent benefits to either operators or the public were sketched in detail before the Federal Communications Commission last week.

John Shepard III, president of the National Association of Broadcasters, testified that considerable hazing about his personal fear of more wage was administered to John Shepard III, president of the National Association of Broadcasters, who followed engineering witnesses with technical objections to proposed creation of Class J-A stations.

Shepard's testimony was aimed directly at the arguments of William H. Payne, FCC chairman, who stated that CBS thinks lighter wattage would be unwise but is prepared to start a battle of juice.

**CBS Encores 1936**

Resting on previous testimony, CBS passed up the chance to request its well-timed diskette for superpower last week. Saw nothing to be gained by taking a lot of time covering points already emphasized.

St. Paul A. Porter, local web attorney, merely asked the FCC to take judicial notice of William H. Payne's FCC statement that CBS thinks lighter wattage would be unwise but is prepared to start a battle of juice.

## 6 Operas from WLW

Cincinnati, June 28. First of six Saturday night broadcasts of Cincy's summer grand opera, "The Merry Widow," will air on WLW July 2 from 10 to 11 p.m. EST for feed to NBC.

Arthur Gruber, WLW announcer, will act as narrator to the first two airings. Joseph Rios, educational director of the Cincy stations, will fill that role on the remaining broadcasts.

Operas, in order, are: "Faust," "Tosca," "Aida," "Boris Godunov," "Carmen" and "Pagliacci." Singers to be heard include Norman Conrad, Sidney Rayner, Maudie Robinson, Joseph Rios, Rosa Blampain, James Melton, Rose Tomenti, Carlo Morelli, Lucille Muesel, and Nicholas Messner.

Melton will be guest star on WLW's weekly Summer Concert series, directed by Josef Cherniavsky, July 8. Feeds to NBC.

# Indie Broadcasters Have Say

## Locals Think Their Interests Should Not Suffer to Accommodate Giants' Demand for Power

Washington, June 28. Little lovers who don't want to be kicked around the spectrum began taking action at the proposed new Federal Communications Commission channel allocations last week. Parade of letters to the FCC was headed by WFTZ, Raleigh, and WHKC, Columbus, Ohio.

Change in the frequency groups is sought by WMBI and WCBN, Chicago, WFL, St. Joseph, Mo., and WFTZ, Raleigh, and WHKC, Columbus, Ohio.

Inclusion of 1080 kc in the group of channels open to J-B stations urged by witnesses for the two Chicago time-shares, who fear the results if the frequency is made available to WFTZ, Charlotte, on exclusive day-and-night basis. Edwin C. Crowell, director of WMBI and Wendell P. Lovestice, head of the radio department of Moody Bible Institution, which owns the non-commercial time, moaned about its "exclusive" line now available for their religious educational work. Don't like to be forced to group on Sunday School teaching at 3 a.m. and are unable to reach maximum audience in the daytime.

Little over a year ago with only 700 letters. Stressed necessity to prevent distortion of inferior programs and "great problem" of serving out-of-town listeners, obviously pleasing Commissioners who have been plugging their ears about such particular points throughout the hearings.

Persistent cross quizzing failed to shake Payne conviction that distribution is most desirable way of providing more service and that Commission should impose strict requirements on clear-channelers than on other types of transmitters. Considerable interest shown in his recommendation for category of 2 1/2 plants. Engineer pointed out that this might be cases possible for consideration would prevent Class 2 station erecting directional antenna required. While there are spots where 2 1/2 kw outlets with non-directional radiating systems would prove beneficial. On question of duplication, assistant counsel Porter wanted to know if Page felt all towns lacking stations and where engineering it is possible to put locals using same frequency as distant clear-channelers could support stations. Page declined to testify on economic angles after pointing out his list included only positions. In population of 5,000 or more an remarking that now several towns to make have sufficient business to justify broadcasting plant. Ability of management must be considered, engineer observed when Porter suggested history shows lots of small matters in town of this size have failed.

Lack of business, lack of talent, prospective reduction in service, and inevitable loss of listener attention were the chief reasons given for the protest for viewing with alarm the advent of stronger signals from the clear-channel plants. It was felt that it would be better to allow more regional outlets with higher night wattage. Networks would be injured as well as the smaller fellows, in event the Commission lifts the 50 kw lid, he felt.

Present structure of broadcasting fairly satisfactory but his own fairer.

**ARTISTS MANAGEMENT**

**PAUL WHITEMAN**

MANAGEMENT

**PAUL WHITEMAN**

MANAGEMENT

**Chesterfield**

CBS Network  
Friday, 8:30-9 P.M. EAST

**JOAN EDWARDS**  
4 MODERATORS

All Paul Whiteman Engagements Booked

**EXCLUSIVELY**  
by Artists Management

17 E. 45th St.  
N.Y.C.  
M.W. 2-1180

**THE OPERETTA**

By JANE WEST

Presented by Ivory Soap 50¢ Pure

**LISTEN TWICE DAILY**

NBC Radio Net. 12:15 to 12:30 P.M. DST  
CBS - WABC - 2:15 to 2:30 P.M. DST  
IN... COAST TO COAST  
WOL, COULTON ADVERTISING AGENCY  
IGT, ED DOLFEY-RKO, NEW YORK CITY

crowd should be given a better crack at advertisers' bankroll by allowing them more juice which would reach a bigger audience, Shepard argued. Upping regional outlets to 10 kw and local to 250 watts would restore the balance destroyed when 50 kw cap was authorized at the start.

**Impossible Suggestion**

Insisting upon fair treatment, the industry has had the regional should be permitted to go to 100 kw and locals to 10 kw if the clear-channelers to 250 watts would restore the balance destroyed when 50 kw cap was authorized at the start.

Higher power for 25 transmitters would give a tiny fragment of the industry a most unfair percentage of the facilities available, to say nothing of a strangle-hold on the industry revenues, Shepard declared. As things stand, 29 plants with kw or more pocket nearly half of the total net revenue of the entire business.

Doubt whether there is sufficient economic support for super-power plants without reducing business of the networks and smaller outlets was expressed. Declaring there is a positive ceiling on the amount that sponsors will spend—although unwilling to state where the ceiling is—he nightmarized about a chain of juice giants which would take all.

## CHARGES EQUIPMENT AT WMCA INFRINGES

Claiming that the Knickerbocker Broadcasting Co., which operates station WMCA, N. Y., has been infringing on one of its sound-decending devices for the past six years without its permission, C. F. Burgess Laboratories, Inc., filed suit in Federal Court Friday (24) for an injunction, accounting of profits and damages.

Plaintiff claims that the electrical firm of Jacobson & Co., had sold the rights to Knickerbocker although Burgess insists it controlled the patent. Jacobson firm is also named defendant in the act.

## SHERIFF'S SHOW MAY GO NETWORK

New York, June 28. Myron Schindler, agency, has secured the national commercial rights to "First Offender," radio show riding sustaining on WICC, Bridgeport, and on WLLI, New Haven, Conn. Idea is being submitted today (28) to the Young & Rubicam agency for one of its clients.

"First Offender" program is an offshoot of a "better youth" movement of the same title, originated by Sheriff J. Edward Slavin to keep kids out of trouble with the law. The Sheriff started the movement in his precinct, New Haven, and it has grown into neighboring towns.

Bernie has signed the Sheriff to produce today (28) on the program on the New Haven station, and act as commentator for the true-life re-enactments of what happens to youth getting involved in crime.

## SOLO AND BACKGROUND LAUGHERS ON WKRC

Cincinnati, June 28. A laughing contest is latest novelty program for WKRC. Starts today (28) as a Wednesday 15-minute sustainer, originating on stage of RKO Paramount theatre.

Men and women fourpieces are to be pitted for the high honors on each stanza. Folks in the audience will be welcomed to chorus in on guffaws. Cash prizes and theatre admission tickets go to two persons giving off heaviest chuckles.

Entrants, invited by station announcements and trailer blurbs on Paramount screen, are auditions for spots. To go into their best laughs, contestants are privileged to do, or have done with, a one-minute act. Al Bland, WKRC comic announcer, is to m.c. the program.

## owns' Air Publicity

St. Louis, June 28. Belleville, Alton and Waterloo, Ill., towns in WTMV's primary area, will have community programs over the East St. Louis station's commercial basis. Waterloo plans sponsored by the Chamber of Commerce, from the public square; Belleville will continue a weekly amateur show direct from the stage of the town's largest theatre, the Lyceum.

Alton is doing what form its weekly program will take. Dought and approved proof of a check on the line and WTMV is co-operating in working out details.

Killogg's Safety Escal  
Fort Wayne, June 28. "Hey! Mr. Mondst!" was aired five days weekly over WGL for Kellogg. Two announcers stop car passing through city and quiz drivers on safety problems. Also has a spelling bee.

Retention of 880 kc in the group of stripes open to J-B and 2 stations was urged by witnesses for KFKQ and WPTF. Possible for these operators to ride the frequency in the San Francisco, which NBC thinks should have exclusive occupancy. The St. Paul, Minn., station is also in the group and the Raleigh station to 50 with proper engineering precautions.

**Ed A. Gorman** about his old clear-channel theory was presented by the National Independent Broadcasters' group. Local plants headed by Ed Allen, WLVA, Lynchburg, Va. Generally praising the proposed changes, Gorman said, E. C. Page, engineering expert for the group, contended that the nation was being served best and bested by allowing more stations to use the available watts rather than by lifting the frequency limit and increasing the number of plants with exclusive occupancy of the clear-channel channels. Progress has not ceased, and advances in the art during the past decade make it possible to pack more good out of the spectrum than is being obtained at present.

Some of the objectionable features of the rules and standards under consideration, according to Page, are the uncertainty which might be placed on regional channels, failure to consider including some 2 1/2 kw limit in the structure of the industry, too rigid use of figures governing protection which must be provided between reference, inequalities in the requirements about antenna efficiency, and lack of preciseness about the opportunity afforded local to jump to 250 watts at night.

The suggested code fails to consider the varying conditions which ought to be included in figuring the amount of protection required. Page maintains that the code is the first, since some situations require more or less protection. Frequencies and conductivity of terrain while the standards do not recognize the size, area, or distance to which the various outlets are extended.

**Hogan on Stand**

Eloquent plea for J-B grading for WQXR, New York, advanced by V. L. Hogan, station exec who argued against Class 2 designation for his transmitter. Present 150 kw ribbon is especially useful for sky-line broadcast. Hogan declared and by assignment as Class 2 station would upset operational work better, but conducted by WQXR and the National Bureau of Standards higher end of band. Requested decrease 150 kw from Rule 31.5 and assignment to Class 2.

Hogan pointed out superior program service now being given station and proved proof of a check on a list of 7,000 subscribers to a station leaflet which station started a


**WENDELL WALL**

Signator

ONE MAN SHOW  
TWO OF THEM WITH GENE  
THREE OF THEM WITH GENE  
MAIN LINE OF HEADLINES  
WENDELL WALL  
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# Songwriters' Assn. Sees Renewal Pact Okay If Merely

Irving Caesar, president of the Songwriters' Protective Association, declared last week that his organization will not oppose any pact that pop publishers may enter in regard to nighting renewals so long as anything was done to limit the opportunities of harem pop writers. Caesar's comment was directed at the efforts now being made through the Music Publishers' Protective Association to get its members to pledge themselves to refrain from sniping at one another's copyrights as the terms for renewal come due.

SPA prez said that if the proposed agreement remained an anti-harem arrangement it would be okay with his organization, but if out of this pact there developed a situation whereby writers would not openly sell their renewals, the publishers would sue to restrain or prevent such a move. As the pact was now intended, starting on July 1, it would give publishers a situation where they would sue to restrain or prevent such a move.

Through this high-pressure method, Caesar pointed out, writers will be in need of cash, have succumbed to bids that were far out of the line with what they are worth, and will be in sympathy with Publishers generally are in sympathy with the anti-sniping pact, but some of them are wondering how they will be able to protect their interests from publishers who do not sign the agreement or from newcomers who come into the field with a substantial bankroll and a will to make investments in available copyrights.

**Fisher Won't Sign**  
Fred Fisher, writer and operator of his own publishing firm, has signed the Music Publishers Protective Association that he has no intention of signing the agreement. Fisher scored the movement and an attempt to keep the writers from shopping around and getting "some real money" for their renewals. Fisher charged that copyright original publishers have shown no interest in stimulating sheet copy sales in the old days, and he is concerned only with boosting their availability and performance ratings in the American Society of Composers, Authors & Publishers.

Copies of the pact were sent to all publishers over the week-end, and a request for their signature. Agreement provides that if a publisher acquires the renewals rights without giving the prior explanation of the work 20 days notice, the matter is to be referred to a committee of three arbitrators. Any party to a contract of a personal director or indirectly engaged in the music publishing business of the copyright owner's choice, a similar individual, or a member of the party claiming the renewal and another person selected by the other two arbitrators.

The complaint must file a request for a hearing in the arbitration committee of three chosen from the NPPA directorate, and it will be the duty of the arbitrators to arbitrate while going. In the event the arbitration committee rules in the favor of the publisher, the publisher has the new assnce refuses to abide by the decision, the committee is empowered to order the publisher to pay the N. Y. supreme court and enter a contempt against the new assnce.

**Lewis Raymond** has placed "Lion Takes in Harlem" with Exclusive and the new "Humba with Southern" for the latter Song. It is now with the press.

## Katscher in America

Robert M. Katscher, Viennese composer, arrived in New York, Saturday (28), on a regular Austrian quota with intention of becoming an American citizen. Author of "When Day Is Done," "Wonder-Bar," etc., also collaborated on the Cole Porter-Shubert musical, "You'll Never Know," and is already slated to do another Shubert show.

Although not Jewish, Katscher comes under the 'Aryan' restrictions which prompted him to emigrate to the U. S. He was on the Coast for Metro in 1935 and has been making trips to America off and on.

## M.C.A. COMMAND HOLD COUNCIL IN N.Y.C.

Annual executive powwow of M.C.A. of America was held at the New York office last week, with virtually the whole agency packed in the hotel last several days. Immediately afterward prez Jules C. Stein hopped off to Hollywood.

A principal theme at the session was the agency's new policy of building its local band business. Effort will be made to increase employment of local outlets through-out the country, the scheme to be handled in co-op with musicians' union locals in the various regions. They try to obtain radio outlets for the bands wherever possible to give them more exposure.

Report was also made at the meeting of the recent Tampa, Fla., convention of the American Federation of Musicians. Stein was in Tampa during the week with the idea of warding off restrictions on traveling bands.

Instead of buying into an already established agency as an entry into the film talent representative field, MCA has decided to go it alone in Hollywood. Stein is personally handling that phase of the business. A deal to buy into the Feldman-Burns agency has gone off.

William H. Stein, formerly slated to go to Rio, de Janeiro after his stay in London, switched plans and is now due back in New York about July 10. Stein is touring Europe with Herman Stein, a younger brother who's learning the biz.

## Harry Bloom Dies

Harry Bloom, 46, recently Chicago manager of the top-sected, Independent (23rd) (28) of heart disease. N. Y. Bloom, who had been in the office of the firm before with a view to devoting the summer to his health, died in New York Sunday (28). A sister, at whom home died, survived.

Bloom was for years a road salesman and professional contact for Irving Berlin, Inc., Orlan Music Corp. and Shapiro, Bernstein & Co. He was in business for himself for a while about 1928.

Funeral services were conducted by the Professional Union Men, Inc., of which he was a member.

## JOE BURNS' BANKRUPTCY

JOE BURNS, unemployed music number of 20 East 11th street, N. Y., filed a voluntary petition in bankruptcy Thursday (23) in Federal Court. His assets are \$1615;

# UNION SEEKS TO CURB IMPORTATIONS

**Newest Tactic of A.F.M. Would Away the Radio Entinements of MCA and Consolidated**

## PITTSBURGH ANGLE

Executive board of the American Federation of Musicians was still inling Tuesday (Tuesday) with the problem of evening up the opportunities for local bands when it comes to network broadcast from cafes, hotels and similar remote spots. Before making a final decision on outlets for traveling name bands, the board is gathering the viewpoints and suggestions of the local musicians.

Question of giving local units a chance of making themselves known to radio listeners was brought up at this month's AFM convention in Tampa. A resolution, introduced by the Pittsburgh local, sought to prevent booking agents from furnishing network facilities to spots which were reserved for traveling bands. The measure decided the arrangement worked to the disadvantage of the local band, since the latter could not hope to compete against the boxoffice value of traveling units with big guaranteed bookups.

If the requested restrictions are adopted, it will undoubtedly be hit hardest by the Music Corp. of America and the Consolidated Radio Unit. When Consolidated went into business it took over the servicing of NBC's band management, and since then MCA is allied with CBS through an agreement which guarantees the network an income of \$50,000 a year from the commissions of a group of 10 MCA bands. Columbia in return, makes available a stipulated number of broadcast periods for MCA-located orchestras.

Indications are that the pressure from AFM locals will be met with a proposal that the gross amount of time obtained by network stations to band pickups be divided between traveling and local units. The experimental percentage may be 50% local aggregations.

**Pittsburgh Situation**  
Pittsburgh Ju Local musicians' union has advised local cafe operators in the Pittsburgh jurisdiction that it will drop its proposal to charge a fee for remote radio broadcasts if the employment of traveling orchestras is limited six months out of every year. Though the union has set July 1 as the date for the implementation of this compromise, an extension will likely be granted. What may stymie the union's proposal is whether the implementation is to be on a trial basis.

## NBC FOLLOWS CBS SYSTEM ON PLUGGERS

NBC has set aside a definite period each week for music publishers' contact to get together with the network's staff of musical directors and program producers. Mondays, between 2:30 and 4 p. m. is the schedule, and among the NBC staffmen are: Music Director, Stephen Saltschick; Music Supervisor, Alvin Karpis; and Music Director, Alvin Karpis.

Plan goes into effect July 1.

Web assures that the arrangement will only make it easier for the publishers' men to get an audience for their new releases, but it'll increase the inconvenience caused by frequent and untimely calls. Columbia has maintained a similar call-in system for several weeks, and it'll be Tuesday, from 4 to 5.

# Buck Mills, Leslie in Tacoma To Fight Anti-ASCAP Legislation

## Basie at Famous Door

Count Basie will open at the Famous Door, 327 7, his first appearance in a New York night club. Basie will have a musical aggregation of his own.

Benny Goodman 'discovered' is colored swing band.

## NAZIS UPSSET PERFORMANCE FEES

American Society of Composers, Authors and Publishers (C.A.P.) gave up Germany as a 'lost' market but with the Anschluss of Austria, and the fact that the Viennese authors were even more important, it's becoming a grave problem on the interchange of revenue. Nazi performance rights societies, GAMA in Germany and AKM in Austria, collect from ASCAP, regardless of the fact that 'Aryan' sources, but abroad this rule discriminates certain writers.

ASCAP, registered with the State Department has been made, but at the moment the Hitler problem remains. It may be in the hands of American nationals abroad, so that, for the moment, performing rights become a secondary matter.

Complications of staggering proportions loom with the 1940 Brussels Convention, though it may be in a mood to do so, but will insist upon its nationals being respected abroad ASCAP, regardless of any racial restrictions.

## NEITHER WAY, LAWYERS WIN

Legal Involvements in New' Sprouted from OH Catalog

Bregman-Vocco-Conn takeover of Donaldson, Douglas & Cumber's catalog has prompted J. T. Abele, U. S. attorney for Francis, Day & Hunter of England, and Albert S. of Australia to serve notice on both firms that their FDPI and Albert's expect the American music firms to live up to their contracts. Otherwise, litigation is threatened.

Both the English and Australian have deals with the Donaldson company that run two and a half years more respectively. The Bregman-Vocco-Conn acquisition; recently, latter served notice of alleged contract violation, and the company has dealt with the Donaldson company for a vacation and also to personally look into the Francis, Day & Hunter deal on behalf of B-V-C.

There are other complications such as the new firm plugging a Performance Counter on the Rue de la Paix which is a Donaldson-Douglas-Cumber firm, and the company's intention of permitting the performance to accrue to the credit of the Bregman corporation.

## Lee Sims' Tone Poem

Lee Sims' American vande and radio composer-pianist, is to have his tone poem, "Blythehood," presented to the London Symphony orchestra. Ferde Grofe is now engaged in orchestrating it. Sims will be in London on the occasion of his kind since Gen. Gerswitsch's "Rhapsody in Blue" was given in the first place. Sims' new work, "Blythehood," is by Lee Sims.

American Society of Comp. vers. Authors and Publishers is slated to ask the Federal court tomorrow (Wednesday) in Tacoma hearing of its restraint against the State of Washington. Previous three-judge decision held that the special statutory court not take jurisdiction in the case because the amount involved was less than \$3,000. ASCAP wants the Washington State statute outlawing the performance rights combine declared unconstitutional.

On hand to testify in behalf of ASCAP are Gene Buck, prez; Edna Leslie, writer and board member, and E. C. Mills, chief p.a.

Chicago, June 28 (AP)—A lawyer for ASCAP in Washington, D. C., obtained a restraining order against KVLV, now KEEN, Walla Walla. He had asked for \$2,500, but he got \$145, which the Superior court in Walla Walla held was all that was due under the station's contract with ASCAP. KEEN proved that it had not violated the contract. ASCAP may alter its old contract expired Jan. 1, 1939. It is understood that a deal had offered before trial to settle the suit for \$75,000.

## Joey Stool to Hollywood For Bregman, Vocco, Conn; Garfield Succeeds in Chi

Chicago, June 28 (AP)—Joey Stool, one of the key men in music and professional work, Chicago yesterday (Monday) for the Coast where he will head the Hollywood office for the new Bregma Vocco and Conn music organization. Besides handling professional matters on the Coast for B-V-C, Stool will serve as dir. contact for the firm with the writing team of Gordon and Revel with whom he has been personally friendly for many years.

Stool had been chief here for the arms office. In leaving the Harns organization his desk here will be taken over by Harry Garfield, who moves over from heading activities locally for the Mario music firm.

## BERNSTEIN, MORRIS ABROAD ON BUSINESS

Louis Bernstein, head of Shapiro, Bernstein & Co., is expected to leave (Wednesday) for Europe. He figures on returning Aug. 15.

Morris, head of the week before cancelled this trip, but he is scheduled Monday (27) to take the train immediately.

R. H. (Buddy) Morris, gen. mgr. of Warner Bros. music publishing interests, said for Europe July 11. He is going over to negotiate for the contract renewal of the European rights to the Remick, Harms and Alton catalogs, and to obtain from writers regarding the copyright renewal rights to works contained in these various catalogs.

## Protest WPA Wage Cuts

Philadelphia, June 28 (AP)—Musical Union proposed a band for a nation-wide protest in Washington yesterday against 20 percent wage cut skeddied by WPA for all projects under the project. The protest was to be held at the Lincoln Union. The protest was to be held at the Lincoln Union. The protest was to be held at the Lincoln Union.

Disc Reviews

By Abel Green

When the year's tin pan alley calendar is written two dominant cycles will have asserted themselves...

Speaking of Scott, his Quintet has been busy with new tunes on Br. 814 (Master production) which titled "Happy Farmer" and "Egyptian Barn Dance"...

Brusnick (another Master waxing, which is Irving Mills' group) has been busy in the groove with this ultra-modern music of late...

Victor 2588 Benny Berigan's "Round the Old Deserted Farm" and "Never Better Belter" could be better...

Louis Armstrong's "Excuse My Love" and "So Little Time" (Decca 1822) are two formats of "So Little Time"...

Tummy Dorsey sweet-likes two of the new Irving Berlin ditties out of his "Alexander's Ragtime Band"...

Tommy Dorsey sweet-likes two of the new Irving Berlin ditties out of his "Alexander's Ragtime Band"...

These standard vocalists. Jane Rhodes includes 784 "Trusting My Luck" and "Souvenir of Love"...

Big Crosby's Decca 1818 of "Let Me Whisper" and "Swing Low Sweet Chorus" is a hybrid concoct. One is a saucy-foxy adaptation by Dick Jaffe...

Back to swing, Will Hudson is now billed as conducting the Hudson-DeLuca orchestra on Br. 8147, with "China Clopper" (Hudson-Towne-King)...

Following is a totalization of the combined plugs of current tunes on WEA, WJZ, WABC and WOR computed for the week from Monday through Sunday (June 21-28)...

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

Following is a totalization of the combined plugs of current tunes on WEA, WJZ, WABC and WOR computed for the week from Monday through Sunday (June 21-28)...

Table with columns: Title, Publisher, Source, Grand Total. Lists various songs and their network airings.

skeleton on Br. 8145 with 'Savin' Myself for You' and 'Dandin' Me' by the usual Mildred Bailey-the Mrs. and Mrs. of Swing-does the rock-catch vocalizing. Very supple. Gene Krupa cuts up on Br. 8139 with 'Prelude to a Stump' (Chappie Willet) in a muddly, involved manner...

Air Chilled, Stays Open

Lincoln, June 28. Tired air goes into the Turnpike Casino this week and the spot will run all summer, according to the manager R. H. Pauley. Spot is only picked up Saturdays, but may also pick up Sundays...

15 Best Sheet Music Sellers

Table listing 15 best-selling sheet music titles and their publishers. Includes 'My Heart', 'You Leave Me Breathless', 'I Let a Song Go Out of My Heart', etc.

Lee Felt will publish two song numbers from Sol Lesser's 'Break- ing the Ice'...

DEUTSCH-ROCKWELL TIFF ENDS IN SPLIT

Emery Deutch has obtained a release of his management contract from Rockwell-O'Keefe, Inc. on the basis of a cash payment to the booking organization...

Aberbach Goes Back

Jochim Aberbach, U. S. representative for Francis Salabert, Paris publisher, sails today (Wednesday) for a two-months' survey of musical affairs in Europe.

Post-Theatre Spot

Mike Piccolini in Times Square opened its Adrian's Rock last night with a cash payment to the booking organization...

Colored Names in Atlanta

Louis Armstrong aid totters scheduled for dance engagement for colored at Atlanta Aude. Terping will start Sunday midnight and continue to dawn of July 4.

AT YOUR BECK AND CALL

(RAM and DeLange)

HADN'T ANY ONE TILL YOU

(RAY NOBLE)

ABC Music Corporation

799 Seventh Ave., N. Y. C. FRANK HENNINGS, Prop. Mgr.

SPREADING LIKE SAIRIE FIRE

SKET A TASKET

THORNTON and PA. FELDMAN. Deutscher Arrangement by LARRY CLINE





## N. Y. Attorney Suggests Unlicensed Agent Plan to Be Operated Legally

Entry of Harold M. Goldblatt, N. Y. attorney, into the picture this week changed the status of the new agent agency licensing situation in New York. Offering still other plans for organizing the centers, he joins Lou Randall, secretary work and attorney agency, representing the Equity-licensed agents.

Goldblatt claims the co-operation of several agents not already aligned with either the Artists Representatives & Agents Assn. or the Equity group. Boys are lining up recruits for Goldblatt, who promises to reveal details of his proposal in about a week.

In general, his idea is to afford the agents protection impossible under a licensing setup such as previously proposed. At the present, agencies taking out licenses must operate under statute, be tagged as victors of full court losses in cases involving client fees. Goldblatt says he has a device whereby agencies could operate lawfully without being licensed and at the same time still not be limited to comply with the statute, if they can obtain licenses if they care without hurting the effectiveness of the law.

Question of licensing is minimized by Goldblatt as a matter of consequence, since the Equity groups, his plan will attempt to keep out the others and offset any loss, although even if the scheme would include all those opening legitimately.

Goldblatt would not license any agents wishing to take up offices. He regards such action as tending to keep peace in the tribe and as a harmless gesture toward respectability. Also, since the possibility that a license might even create a certain amount of impression as justification for a license.

Fact that some lawyers' court on decision of the N. Y. Supreme Court is still unconstituted in New Jersey as applying to New York is hardly is unfounded, according to recent decision of the appellate term of N. Y. Supreme Court. Federal court held that the New Jersey law was unconstitutional in the case of Ribnick vs. McBride a couple of years ago. It was cited as evidence in the case of Abbye Employment Agency vs. Robinson early this year. N. Y. court has since decision of U. S. that could not apply in N. Y. because of certain distinctions, despite fact that they are similarly phrased. Therefore, the N. Y. law would have to go to the U. S. court for final word on the matter.

Goldblatt was special counsel for the Charlie Allen agency in the vicarious test case with the comic couple of years ago. He has situation several times in reference to present plans, will re-enter picture on a large scale via legal route. He is also rep for the Loew agents on the same matters.

## Taps Asking 10G From Slight & Tyrell in Suit Over Miss McCoy's Pact

Damages to the tune of \$10,000 are asked from Slight & Tyrell, Chicago agency, in a suit filed in the U. S. Supreme Court, Chicago, by Taps of New York. Suit alleges the Chicago outfit induced the Chicago singer, to breach an exclusive manager, to sign contract between her and Taps. Contract was signed and was drawn up Nov. 5, 1936.

It, which is being handled by attorneys Sullivan, Gorman of New York and Henry A. Kalcheim of Chicago, Taps alleges Slight & Tyrell were aware of the Chicago agreement between the singer and Taps but disregarded it entirely in their dealings with the singer.

Another suit for breach of contract and commissions due Taps from Miss McCoy is pending in New York.

Leads were being booked for a stage performance at the Carolina Theatre, Charlotte, N. C.

## Nat Kalcheim Sails To Book Acts for U. S.

In line with the William Morris agency's foreign bookings, Nat Kalcheim sails on Saturday (29) for London to book U. S. acts abroad and also to scout novelties for American acts. The U. S. niteries are in need of different type floor show specialties. Nat Kalcheim importing talent from an eye to this and the winter season.

Dick Henry, foreign booking exec with Morris, sails with Frank Neel of the Tivoli circuit, to Australia, Aug. 3. Neel is due on the Coast from Australia in July and will be east from July 15 on until going to London. He's booking considerable talent for the summer. Sam Kramer represents Neil on the Coast and the Morris office works with Kramer in the east.

## 'HOTEL' BOOKED FOR AUSSIE TOUR

Ernyne, June 28.—The Harry Howard vaudeville unit, 'Hotel' hotel, over which Howard is currently engaged in a suit against the Warner Bros. in America, has been booked for an Australasian tour, opening in Auckland, New Zealand, Sept. 1 for a swing over the Fuller circuit. Willie and Eugene Howard will be starred in the Harry Howard unit. There's a possibility also of Helen Morgan coming here with this show.

The 'Hotel' hotel unit has been guaranteed \$4,000 weekly against a 50% gross. It will be routed on a two-hour legal show, expanded from the regular unit.

Alex Hanlon booked the Howard unit from New York. The William Morris agency handles the Howard Bros. and also Helen Morgan. She's currently at the Chez Paree, Chicago, holding over for seven weeks although she was anxious to go to Aussie, proving her terms are met.

## Laos Angeles, June 28

Vaude troupe of five acts sailed last week for Sydney to tour the Tivoli circuit in Australia.

Booked by Sam Kramer, they included Peck and Deauville, Clifford and Marion, Jerry Lawton, Sil, Clair and O'Day and Elmer Eve & Co.

## Licence Revocation Vs. 10-40, Detroit Nitery

Action on permanent revocation of the 10-40 nitery's liquor licence will be taken at next meeting of the state rum board, following a decision of Max Silk, prop. of the closed spot, last week on gambling charges. Silk paid the \$100 fine in Recorder's court, after pleading guilty.

Others arrested in the police raid on the nitery March 29, escaped fines. Rex Richards, who admitted charge of aiding in the theft, received a suspended sentence, while similar charges against Sam Newman, another employee, were dismissed.

## Will Morrissey's Casa

Hollywood, June 28.—Will Morrissey closed lease for the Cotton Club, Church City, and will remove to the Casa Manana, N. Y. First show will be Morrissey's Cavalcade of Dress Rehearsals.

Associated with Morrissey are Mel Walters, Al Levonian, Rudy Brown and Sam Newman, who is to be known as Morrissey's Casa Manana.

## Epicuræan Progress

From marks to gastro-nomics marks the career of the Epicuræan, in the new Rainbow Room and Rainbow Grill. A graduate M.D. from the Sorbonne, he will be started in the hotel and restaurant business while working his way through the French medical college.

Specialized in gastro-nomics, he is gradually, the graduated more directly into the hotel field, now heading up the Epicuræan niteries under the aging director John Roy.

## Hardy Asks 25G. Injunction in Gay '90's Name Theft'

Bill Hardy, suit in N. Y. Monday for an injunction against Ezra E. Bingham, Larchmont, N. Y., roadway, for infringement of the Gay '90's. He also wants \$25,000 damages.

Hardy claims that he caused the title to be incorporated in 1935 and that since that time his name and the name has become internationally known and that he has spent thousands of dollars promoting the name. Last April, he complains, Bingham opened a roadhouse in Larchmont, N. Y., under the name '90's. This constitutes deceit on the part, Hardy claims, and also unfair competition. Hardy claims that because of the success of his place, Hardy plans to open branches under the same title throughout the U. S. His attorneys will ask Justice Aaron Steuer next Wednesday (6) for temporary injunction pending trial for a permanent suit.

## Albany Clamps Down On Niteries, Dance Halls, Carriew, Conduct Rules

Albany, June 28.—Night clubs may not employ hostesses, 'companions' or dancing partners, present female impersonators, or permit 'mixing' by employees, under sweeping regulations issued by the Police Commissioner James A. ... in exercising authority conferred upon his department by a Common Council ordinance. Both cabarets and public dance halls are required to obtain licenses, costing \$25 a year. They are issued by the commissioner after he has conducted an inspection which satisfies him the establishment will be run in compliance with rules of the police and health departments. Estimated there are 125 spots in town.

Night spots and dance halls must be closed between 1 and 8 a.m., unless the police commissioner 'in his discretion' permit any premises licensed pursuant to this local law to be opened to the public between 1 and 8 a.m. on special occasions. The new law and police rules will probably have a bearing upon spots on special occasions, which has mushroomed in every-section of the city since the repeal of prohibition.

Proprietors of night clubs and dance halls are prohibited from using taxi drivers for bringing in customers. They must report any unlawful or disorderly act committed in the place, must keep wash-room spots and dance halls must keep a copy of the regulations posted. Persons with criminal records, including racketeers, prostitutes or degenerates will not be permitted to 'retroactive or remain in the premises.

Fines will be clearly and completely posted, including cover, minimum or special charge. Dance halls are prohibited from having 'upwards of 200 rooms' and to membership organizations, clubs, etc., 'actual existence prior to Jan. 1, 1932.'

## Pa. Rep Sought in Philly Agent Quiz; Booker Groups Hits Disappearance

### Stanley, Pitt, Returns To Name Orch Policy

Parade of name orchestras will continue at Stanley, Warner Bros. deluxer, next month, says Harry Kaye, zone manager just back from New York, where he lined up a flock of new bands. Gene Krupa comes in Friday (1) to start July procession and he'll be followed by Sammie Kaye, then Ozgie Nelson, with Harriet Hilliard, Benny Goodman, in his third engagement at this spot in a many years, to follow.

Biz at Stanley has dropped almost 25% in last few months but combo policy with top orchestras previously had been successful, but management is taking no chances of retrenching, in hope that it will improve naturally.

### Philadelphia Local bookers organization has been making seri

against Vic Girard, late officer assigned to enforce the laws govern agents here, claimed that 'it can't even find him.'

Enter inment Managers Assn., maintains that Girard not only isn't making an attempt to get to the ruling, but every 105-er must have a license, is enforced, but has no intention of enforcing it. They cheer politics is the reason.

Now Florence Bernard, prez of E.M.A., says she can't find Girard, following a meeting several weeks ago, at which Girard apparently before the E.M.A. and the whole matter of enforcement was thrashed out, Miss Bernard declares, he 'disappeared' and she has no office and home bring no response, she says.

### ASK WAGE BOND FOR U. S. UNIT IN S. A.

A couple of acts from Anton Scillip's 'Redd' nights' unit, plus several Spanish turns, including 55 people in all, will be sent to Bogota, Colombia, by the William Morris agency as soon as the South American republic posts four weeks' 1-ary in escrow, plus first week. A story in last week's VARIETY concerning a previous experience in Colombia, is being revisited this situation by the agency and its acts.

A line of 20 girls, Fanny, the Hollywood act yet to be sent to S. A., as soon as the financial conditions are met. These are expected to come through momentum but meantime the unit isn't starting rehearsing pending the official closing of details. Dick Henry, for the Morris office, is booking.

### No Coin Tilt Cause Of Rapp's AFA Scram

Tiff which caused William J. Rapp, formerly attorney for American Federation of Actors, to withdraw as later's counsel, was brought on by insistence of ion that he double in brass. AFA wanted him to handle anything that came into the office that had a legal angle, minus increased pay.

Rapp wanted a heavier retainer when Ralph Whitehead, AFA prez, insisted on the same terms and otherwise his long held members, be taken on by Rapp as attorney for the AFA legal department. When this was refused, Rapp walked.

### New Rainbow Room Show

With John Hoysradt sailing July 7 for three weeks at the Dorchester, a new show goes into the Rainbow Room, New York, July 6, headed by Dorothy Fox (return engagement) and Bob Bromley's Marjorie and her six slays for six weeks, when Hoysradt and Jack Cole's Balinese Dancers come back Aug. 16. The show is the Chez Paree, Chicago, in the interl.

Al Danahue and ie LeBaron orchestra holdover.

### Jesse Crawford in Florida

Atlanta, June 28.—With Organist Jesse Crawford as main lure Atlanta National Horse Show, sponsored by Atlanta Journal and its radio station, WSB, pulled 'em in last week. The performers included the four girls from Honolulu. Tour covers two weeks, opening in Pensacola and ending in Tallahassee, Florida and Del Monte.

Compedor of 'Grass Shack' and 'The Atlanta' WSB is director of entertainment for aviation Hotels, Ltd.

### Complaint concerning Girard's attitude was made to his boss, Ralph Beshore, secretary of the Department of Labor and Industries. Beshore professed interest and said he would have the matter investigated. Investigation was started in the office of the enforcement division, which turned the matter over to Girard, who said he started it, Miss Bernard complains.

Letter is now being framed for Governor Earl Warren demanding enforcement of the law on or return of the \$1 license fee. Charles the money was taken by the State's 'false promises' to his office for some agents.

E.M.A. committee will confer today with William Morris agency and the musicians' union, on matter of orchestra leaders booking acts. Tomei requests that the committee be kept in the question until he talks with the committee.

### Youngman Must Pay \$500 Plus Interest on Loan; \$25,000 Suit Also Aids

Henry Youngman was ordered last week by N. Y. Supreme Court Justice Ernest L. Hammer to pay a debt of \$500 plus interest to July 1, 1938, and to pay \$25,000 to Julius Schnuer. Letter filed in New York.

Youngman six years ago when the comedian was comparatively unwell. The \$500 was awarded Schnuer as a partial summary judgment in connection with his suit for \$25,000 which he claims as damages for Youngman having run out on an agreement made in 1932. The suit for the larger amount is pending.

Schnuer claims Youngman came to him in 1932 for a loan of \$500 to back a vaudeville act which then unknown comedian was about to put on. An agreement was reached by which the comedian would loan which in return for the loan, Youngman signed an agreement under which he would pay back the loan but to receive 10% of the comedian's earnings during the following five years. Also permitted that Schnuer was to receive 25% of any money the comedian might make in the work. Plaintiff claims Youngman never did live up to the agreement and didn't pay back the loan.

Motion of Youngman's counsel to dismiss the suit on the grounds that Youngman's earnings amounted to usury and that the complaint was insufficient was denied by the court.

### JOHNNY NOBLE TOURS 20 HULAS ON COAST

Los Angeles, June 28.—Johnny Noble, whose success largely responsible for the current epidemic of Hawaiian music, is touring 'em in last week. The performers included the four girls from Honolulu. Tour covers two weeks, opening in Pensacola and ending in Tallahassee, Florida and Del Monte.

Compedor of 'Grass Shack' and 'The Atlanta' WSB is director of entertainment for aviation Hotels, Ltd.

# AFA's Circus Woe Modifies Plans Elsewhere; Drops Borscht Circuit Idea

American Federation of Actors, concentrating on the circus situation, has considerably modified its organization plans in various cities. The idea of lining up the borscht circuit, as well as solving the problem of mixing and dealing with the "water" question, has been set aside for the present.

Performer union is going ahead with its campaign of signing contracts with New York hotels, however, unfratified with any covering virtually the whole list of showboats in the New York area. In regard to dance directors and producers, one meeting was held, but nothing further has been done.

Contracts were signed last week with the New Yorker and Belmont Plaza hotels, N. Y., and pacts had previously been made with the Hotel Baltimore and Essex House. For the present, at least, that will complete the organization in New York. Figured now that the other establishments use enough talent to warrant negotiating a deal, the unionists view the situation as settled.

Showboats with which contracts have been set include the one operated by Kay Parsons, as well as the Americana and the Westchester. Deal has also been reached with the management of the Yankee, which is skedged to begin operation soon with a burley show abroad. While burley is nominally under the jurisdiction of the Burlesque Artists' Association, another Associated Actors & Artists affiliate, the AFA charter gives it representation over all boats and barges, so the Yankee performer situation is up to AFA. However, there is still some question of whether or not burley will be permitted aboard the Yankee, as N. Y. License Commissioner Paul Moss is seeking to void the idea.

### roped

Plan to organize the borscht circuit was formerly on the AFA docket, but has been dropped because the outfit figures the number of new members and the amount of dues to be obtained from that source wouldn't warrant the cost and work necessary to cover the extended territory involved. It would require an organizer with a car to devote his entire time over a period of a couple of months, or else to group organizers traveling by train or bus, to handle the assignment.

Although the AFA would like to clean up the situation caused by the requirement of former nite performers to mix with patrons, it has been unable to dope out a way to handle the problem satisfactorily. Feared that an out-of-door "no-mixing" rule would result in either

wholesale infractions and consequent disputes, or the operators of many saloons would have to get caterers and substitute singing waiters at a considerable lower net.

AFA is likewise stymied on the singing water problem. Difficulty is that the warbler-servers are in a unique class. The work comes to both the waiters' union and the AFA, yet the membership of each organization is unfratified with either of their own group. The Entertaining Waiters Assn., unfratified with any other outfit, they have applied for entrance to both the waiters' union and AFA, but have been nixed by each.

## FISCHER'S NEW CAFE ON B'WAY

Clifford C. Fischer got back from a European vacation Monday to consummate plans for re-entering the Broadway nite scene. The former impresario of the French Casino will spend a month in New York closing details attendant to the new spot. It will be a cabaret-theatre, a la the original French Casino, N. Y., and among the deals being discussed is one with the Majestic theatre. Albert M. Greenfield, Philadelphia and New York realtor, is representing the theatre.

Fischer, who has shown currently at the London Casino and at Les Ambassadeurs, Paris, will rotate the revues from there into the N. Y. spot. The deal for the Center is cold, but the racketeers aren't anxious to convert the theatre into a cabaret. Fischer also has other theatre spots in the Times square zone offered him in case the Maj deal doesn't jell. He's been huddling with the Shuberts regarding setting up on Monday, since they are the present lessees at the Majestic.

### Austin on Tap

Gene Austy is being offered for eastern vaude personnel in an act with Candy and Coca.

Tenor wound up on the Coconut (13) for personal appearances on Sunday (28), when the program faded off CBS for good.

### Wheeler Abroad

Ben Wheeler, in next month (13) for personal appearances in England, Ireland and Scotland. Booked for two weeks at the London Palladium.

Closes a six weeks' engagement at the Casa annex, N. Y., Saturday.

## 15 YEARS AGO

(From VARIETY and Clipper)

Dorothy Russell was trying it again, this time in a sketch. Had her leg and it was written to permit her to remain seated at the piano most of the ti. Didn't get

Singer Edgels and Monroe and Miss G. Gentry, at the N. Y. Place. Edna Leedom was along in a sketch and holding them nicely.

William Mandell, of the Mandell Brothers, out of the Brooklyn Orpheum one afternoon. A group of brothers substituted. William was in the semi-finals of the NVA golf tourney, and did not want to default.

Ted Healey at the Broadway, N. Y., with his sister, Betty, and Cliff Nazaro on the same bill with a band. Band was absent baggage.

Fay Marbe at the State, N. Y. Long on looks and a good dancer, but her voice was another matter.

Al Johnson had a verbal contract with D. G. Gentry to do a motion picture, but after a screen test, he shipped a boat for Europe for Jack Stubbins. Griffith figured it was a slim bank about \$10,000 for salaries and other commitments.

Harold Lloyd reported to be getting ready to split from Hal Roach. Reputed to have signed a contract with D. Will, but that was not correct.

William Fox leased the Times Sq. and Central theatres for film showings in the fall. Had seen a picture to show, but they ran out before the leases did.

Hottel June in 20 years hit both legit and pix houses on B'way a brutal beat. Legit grosses were lowest in history.

John Finn told Mayor Hylan he knew nothing about the covering of signs for a city celebration with posters for "The Covered Wagon." Mayor told him to sign contract, \$50 stands, but it was Saturday afternoon and Finn could not find his bill poster.

Fatty Arbuckle, in a vaude comeback, took \$6,900 at his share for a week at a Chicago cabaret.

Madden Circuit, Indian producers, dickered with Tex. Guman to do a film with elephants' n' everything.

Ben Brenne fired three of the lads for playing the 'Sheburne hotel, Long Island, while he was at the Brighton music hall, just across the way.

Ringling-Barnum show did a 445-mile run from Birmingham, N. Y., to Detroit, Mich. Big jump for eastern time.

Plans in the making for a 100 bed hospital for actors in the Times Sq. sector. Didn't get over. Too costly.

### Hirst Circuit Parley

Meeting of operators and managers of theatres in the Gray Hirst burlesque circuit has been called by Hirst for July 13 in Philadelphia. Plans for next season will be discussed.

At the close of last season Hirst had approximately six houses left on the wheel, following the secession of houses in several key cities in favor of stock shows.

### Coast La Conga Skids

Los Angeles, June 28. Creditors of La Conga, Hollywood, Calif., have filed a petition for reorganization in Federal Court under 77-B.

Creditors are listed at \$32,013 and assets at \$28,333. Creditors asked that Edward Halperin be appointed co-trustee with Leonard Goldstein, president of the club, a continue operation.

### LABRIOLA'S P. A.

Tony Labriola (Oswald) has been booked into the Orpheum, Los Angeles, week of July 6. New turn Lucia Fritze Statton, who formerly teamed with his brother Vay, straightened for Labriola.

Labriola broke into vaude years ago as a stooge for Jack McCallan, later teaming up with Ken Murray on stage and radi.

## Kid Musician Stunt For Dorsey Booking Nixed by N. Y. Par

Promotion stunt planned by Ed Dukoff for Jimmy Dorsey's appearance at the Paramount, N. Y., starting July 13, in which the audience would participate, is off. Was nixed by theatre's managing director, Bob Weinstan, who wanted to limit the traffic to the stage, because a member of the audience was slightly injured during the Kay Kyser engagement same house.

Plan was to have daily competition by school groups backed by industry ferret instrument. Plan further was to windup with a jam session on the last day by the schoolboy winners.

## DURANTE HEADS NEW CASA SHOW

Jimmy Durante will head the new Casa Manana, N. Y., show opening Sunday (3) night. It will be his Broadway engagement in two years.

Others booked for the fourth House of Varieties, including Benny Venuta, Nick Long, Jr., June and Cherry Prepper, Paul Gerrits, the Bialystock-Heyman team, Bea and Wynnie Vincent, Louis and Louis Prima's musical crews are held over.

### Saranac Lake

By Happy Benway

Mrs. William (Mother) Morris speaking is unannounced at the Will Rogers and 'nitting' the patients.

The Leonard (Flushing, L. I.) Groves invited all show folks to visit their summer camp and weekend while they are vacationing here. Unfringed offers of Dr. George Willinger and Rudolph Plank in trying to make life worth while for soiling artists.

The extra good done by the Will Morris Fund for the extra needy, with no waving of flag.

The timely crack by Eddie Vopy, Tedral, and Dick van Schuyler. The election of Johnnie De Giovanni and Rose Clark to act as "buffers" between patients and doctors at the Will Rogers; already things are better.

Carl Kern, who hails from Fairmont, Md. Ya., a recent acquaintance with Warner Bros. theatre, there is a newcomer at the Will Rogers.

Mrs. William Gaffney, Mrs. Mary Rook, Anna May Rook, Billy Rook bedded, Isabelle Rook at the Will Rogers; girl doing well.

Irving Wilbur was taken for a ride and lost his nerve, he took the 'screw' up like a veteran, and it was successful; a Will Rogersite.

Capl. Gagar, visited by his frau, Gage. Nites made of Loew's Lexington theatre, N. Y.

File the slick who run in Saranac and elsewhere.

## AA's Postpones BAA-AFA Quiz On Burley Wrangle

Settlement of the American Federation of Actors' charges against the Burlesque Artists Assn. has been postponed until Sept. 1. Decision setting back a hearing of the case was reached Monday (27) by the board of the Associated Actors and Artists of America, parent union of the performer field. Tom Phillips, BAA's prez, requested the delay to prepare an answer to the AFA charges.

AFA complaint against BAA is twofold. It claims the Phillips outfit has failed to organize the field, and alleges that BAA owes it certain money for dues of members transferred from one organization to the other. Philli denies both points.

In bringing its complaint against BAA, the AFA also did not indicate it seeks jurisdiction over burlesque. However, the vaude-nite performer union has in the past made several efforts to take over representation of the burlesque field. Therefore, it assumes that if the charges against BAA were to be upheld by the Four A's, AFA would have jurisdiction.

Although the burlesque field is of negligible proportions at present, Phillips and other BAA officials figure it would regain its former size if New York City officials again permit use of the word 'burlesque' in billing shows. Doubtful under present conditions if there are enough performers working in the field to support their own uni.

However, the general attitude of the Four A's has on former occasions been to favor the BAA, partly because of its priority in the field and partly through a belief that the Phillips group would be able to organize burlesque if it were to come back. The Four A's is also naturally inclined to discourage jurisdiction disputes within its ranks.

### Pierce—Is at St. Regis

Westey Pierce and Hazel Harsh open at the St. Regis Roof, N. Y., next Tuesday (3).

Another engagement at the N. Y. Regis Roof last summer was canceled the opening week, when Pierce broke his arm.

### GANJOU BROS.

Directed by SIDNEY FISHER  
75/77, Shaftesbury Avenue  
PICCADILLY, LONDON, ENG.

### MOUNT ROYAL-LONDON

MARBLE ARCH, W.I.  
ATTENTIONS: MARY TREASURES  
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One person... 12¢ per night  
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## GERALDINE and JOE INTERNATIONAL

Thanks to Mr. Sidney Piermont  
BACK AT LOEW'S STATE, NEW YORK  
Week of June 30th  
Personal Representative: MAX ROTH, Charles H. Allen Agency

### CURRENTLY HEADLINING STATE-LAKE, CHICAGO

Just Closed MOORE Opening  
at Ben Marden's AND Roosevelt Hotel  
Riviera AND New Orleans,  
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MUSIC HALL, N. Y.

Music Hall symphony orchestra, Bruno Zupan, conductor. Edna Buchanan, Diana Bernhard, Mildred Meyer, Hilma, vocalists. ...

Stage event is labelled 'Here to You' and the various numbers are dedicated to you. ...

With each seated at a white electronic Minipiano, the three pianists ...

Effective example of what can be done with four single acts and line of girls ...

Opens with Scotch overture racket. ...

STANLEY, PITTS

Pittsburgh, June 24. Jimmy Dorsey orch. Bob Eberle, John Richmond, ...

Above average entertainment for the Deluxer, with Jimmy Dorsey ...

His still that, but showed plenty his public until today he ...

Following Eberle's sock Drexler in Me, Dorsey shows his trombone ...

Miss Richmond follows then on Strutters' Ball, ...

She's a strong addition for Dorsey, but she's not an enthralling ...

Next-to-closing, Art Frank doing his best to get a pastiche ...

Broudy's pit-verture is a melody of 'Student Prince' tunes ...

EARLE WASH.

Washington, June 28. Harry Stockwell, Sam Hearn, ...

Opens with Scotch overture racket. ...

For a show-closer, she returns to her old-fashioned ...

Chicago, June 24. Chick Webb's band, Derby Wilson, ...

Epitome of swing sessions at the club continues unabated, with Chick Webb's boys in the groove ...

Job four more glaze on for quar 1 m.c. ...

LYRIC INDPLS.

Indianapolis, June 24. Toby unit, Charles Kemper & Ken Nichols, ...

Running time of six acts has been pruned down to 62 minutes by the house ...

George Curran does a nonimprovised act which is unusual. ...

STATE, N. Y.

Jackie Coogan, Bob Hope, Dolores Costello, Fred Astaire, ...

Consult the credits above—it's the formula for a bang-up vaudeville ...

Hope is the show-stopping comedy opener. ...

Show ran smoothly and entertainingly throughout. ...

For a show-closer, she returns to her old-fashioned ...

Chicago, June 24. Chick Webb's band, Derby Wilson, ...

FOX DETROIT

Detroit, June 24. Chick Webb's band, Derby Wilson, ...

Epitome of swing sessions at the club continues unabated, with Chick Webb's boys in the groove ...

Nothing especially sensational about the show, but it is diversified and holds up well ...

Embassy Newsreel, N. Y.

Nothing especially sensational about the show, but it is diversified and holds up well ...

Among the personalities are Dan Rogers, being honored by Boy Scouts on his birthday, the Townsend ...

Par losses in British princess en route to Paris and Nebraska's governor discussing low rates in ...

Only important foreign events covered are France's inauguration of its new cabinet ...

Two standard Lew Lehr items are seemingly eye-filling by the audience. ...

DENHAM, DENVER

Denver, June 28. Sally Rand, Frederick & Youngie, ...

Sally Rand's crew may not do a good job of making the audience ...

Line does breezy butterfly routine. ...

Frederick sings to open the second line routine. ...

The Three Nonchalants, clowning all on their backs, one on top ...

Line does breezy butterfly routine. ...

PALACE, CHI

Chicago, June 28. Stella Dallas & Jack Lemmy, Carl ...

Nothing word-of-mouth for this ex. ...

Show's a standard five-act vaudeville. ...

Carl Emmy has been around a long time. ...

In the next-to-closing, the Three Stars are sloppy and disappointed. ...

Wintergarten, Berlin

Berlin, June 19. Despite apparent budget pinning ...

Mo's Hawaiian trio hits the next niche with a poupoiret of her ...

The Shyrettes, blonde looper-two men in tux, ...

The two Juvelys keep the paves on edge with slick balancing. ...

Prod number of the second bracket ...

Line does breezy butterfly routine. ...

Frederick sings to open the second line routine. ...

The Three Nonchalants, clowning all on their backs, one on top ...

ROXY, N. Y.

New York, June 28. Stella Dallas & Jack Lemmy, Carl ...

While it is a fresh idea to have a show on the stage where he can be handled ...

While it is a fresh idea to have a show on the stage where he can be handled ...

While it is a fresh idea to have a show on the stage where he can be handled ...





# THEATRE

## TMAT Constitution Changes to Exit Chance to Perpetuate Officers' Jobs

Special meeting of the Theatrical Managers, Agents and Treasurers Division will be called next week in New York to adopt changes to the constitution. Under the new regulations, employers will not be materially affected, the primary objective of the revision concerning internal matters, is chiefly the qualifications of officers.

As originally framed, the constitutional provisions per littered officers to virtually perpetuate their jobs. No member could be elected who did not belong to the union from the time of its inception. Revisions will permit any member, who has been in TMAT for two years, to qualify for office.

At a recent election, the meeting will be held under the new rules with tightly contested balloting expected. TMAT's rapid development has attracted the attention of the American Federation of Labor with which it is affiliated, indications being that it will have a membership of 10,000 by the end of the year.

Lodewick Vroom, who succeeded the late Teddy Mitchell as president, is probably head of the ticket. Vroom is a charter member and is popular among the show crowd, which is credited with the drive that culminated with TMAT securing a basic agreement with the union. He is also an active member of the membership drive still in progress. There are other candidates, but which would doubtless include some of the newer members. Jack McCarron, who has been in TMAT since the beginning, is expected to be renominated. He has a strong following and his value to TMAT was indicated when the board recently gave him six-week vacation without pay. The rest was earned through attendance in the offices for more than a year.

Last week, TMAT faced a contest over jurisdiction started by the International Federation of Theatre Artists, the vaude union. Latter contained it filed included all employees of the Broadway Bros., Barnum & Bailey. Contest is principally over the ticket sellers, but with AFA forcing its way into the union, the jurisdictional situation was eased. The press agents of the Broadway outfit in the union and TMAT and they're also claimed by AFA to be under their control.

TMAT is also contesting the claims of the International Alliance of Theatrical Stage Employees which is reaching into the box office, in addition to claiming the whole motion picture field.

### Barbara Bennett Offered Role but Maternity Wins

Barbara Bennett, wife of Morton Downey, has been offered the part with the idea of taking a part in the Margaret Anglin production, "Bodacoe," which is coming to the theatre. Information obtained yesterday had it that she was forced to refuse opening, conflicting with the work of the fifth Downey child, expected next month. Mrs. Downey's last stage appearance was in "The Sign." She was offered a part in a Herminie production following last, but turned that down also.

### Barrymores on B'way

John and Lina Barrymore due to appear together on Broadway in "The Children" this fall. Brock Pemberton is producer.

### WEST FOR 'KNIGHTS'

Los Angeles, June 28. Overcut Wins, who has been recognized by Lawrence Sanders as "Knights of Sock," slated to open on Broadway in September. He has been working at the Hotel Hugo.

### Tracy in London 'Idiot'

Lee Tracy is set to make his London stage debut in "Idiot's Delight" at Majesty's theatre Aug. 25.

American actor will replace Raymond Mather, who has a Broadway commitment next fall.

## JOHN MAUREL LEAVES WPA, PHILLY, FOR GAL JAM AT NEW THEATRE

New Theatre, liberal group here, moved its stage to Ciral Court last Thursday (28) to all its director, John Kelsey, 25, who was charged with attacking several members of the WPA here. He was acquitted in two of the cases when other actors testified he was being outfootlight in their playhouse when the attacks occurred. Judge Harry McDevitt sent him back to jail, however, in default of \$2,500 bond to await trial today (Tuesday) on the five other alleged attacks. He pleaded an "irresistible impulse" to the charges and not guilty to the three. The court reserved decision until Friday (1).

Star of the Group play, "Marching Song," Kelsey was charged with attacking and then striking Mrs. Mildred Voigt, pretty blonde, last May 14. Mrs. Voigt said the man who attacked her a few doors from the home of Mayor S. Davis Wilson "resembled" Kelsey in stature and walk. She did not see his face.

Eleven nights later a man answering the name description attacked her in a car. Kelsey was not there. She also failed to positively identify Kelsey. In Kelsey's defense, New Theatre performers testified he was rehearsing for arching Song at the hour Mrs. Voigt was attacked and was giving his part before an audience when Miss Hetherington was molested.

As for a blackjack which police found in a car, Kelsey may be indicted as a prop for another show. Fellow-players supported this contention.

Kelsey, who is in charge of the dramatic section of the recreational division of the WPA, was the stage name John Maurel. He still faces the charges of a woman physician that attempted to drag her from her home on a park bench and of an attempted attack on a Girl Scout leader, as well as with indecent exposure preferred by three young girls.

Psychiatrists testified as to his "irresistible impulses."

### Planes Zooming High Not To Bother St. Loo Many Op

St. Louis, June 28. That patrons of the municipal pool here need not be bothered by the droning of airplanes flying over the ocean-air theatre district and other southern parts of the district (the name of the Chicago & Southern Air Lines) has ordered the pilots to double the usual 2,000 feet.

The plan, announced for Lambert-St. Louis airport from New Orleans, will be in effect for the many theatre at 9:08 p.m., usually during the first act, and the droning of the engines of the aircraft lights disturb the audiences in

## BAD WEATHER FOR OTHER STUMBLING BLOCKS INCLUDE YOUNGTERS UNWILLING TO SHOOTING PRODUCERS—PRECEDIMENT OF A MASS HAYLOFT

Other stumbling blocks include youngsters unwilling to shooting producers—precident of a mass hayloft.

### SKUNK WALKS IN

Bad weather breaks have harried the important summer stock projects so far this season, while shooting directors have caused some actors to get trouping experience they never counted on. Latter people are mostly ambitious youngsters, who went into the sticks without learning if the management had posted the required protective bond with Equity, in two instances Equity knew nothing of the short bankrollers.

An unknown is reputed to have trekked a bunch of youngsters to New London and when no coin showed the players straggled back to New York. For three days they subsisted on milk and chocolate bars, according to the story, but from some mysterious source their hotel bills were lifted.

That the youngsters are getting a load of how some strawhat impresario operates is indicated by a letter from another rural troupe, in Marchfield Hills, Mass. Jackie Susan and Beatrice Cole, who were in "The Women" at the time, wrote during the past season joining the summer stock trip. Here is what they say has gone wrong since the troupe started rehearsing:

Director walked out. Leading man quit and backers also quit. Stage manager promised to director. Juvenile promised to leading man. No money in sight. Rich girl embryo has temperament. Company is no more. Company reorganizes. Still no money. Apprentice arrives (having paid \$1 for drama course). Rehearsals. Skunk killed inside house. Comedian dies on hornet. Juvenile deserts. New boy ground Company suffering from sunburn. Still no money, but the show is supposed to open tonight (29) in "Penny Wise."

Despite the incidents, the girls seem to be enjoying the fun. Understand the company at Marchfield is a cooperative group, with Equity indicating no bond has been filed to cover salaries and transportation. A checker for Equity is soon due to make a tour of the country and where.

(Continued on page 49)

## Jed Harris Pencils Early Start And Production Season of Five Plays

Jed Harris' production plans for the coming season are the most ambitious he's ever had. Producer has indicated no bond has been filed to cover salaries and transportation. A checker for Equity is soon due to make a tour of the country and where.

Define only is a new play by Thornton Wilder, whose "The Unforgotten" is to present a 22-week run at the Moscow, N. Y., under the Harris banner. There is no figure it will be the third play of the season. Harris has decided on the others. Principal matter unsettled is order of the production.

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### Four For Town

Four for Town, recently cancelled in next season, that depends on how Jan. 5 show can stand. Broadway House has definitely decided not to send out a second company and all of the original cast will go along for the tour. Although Martha Smith has withdrawn from all companies, she has agreed to accept a contract and has consented to make any tests.

## 'Porgy Cast Settles Wage Claims For \$4,000 After Coast Stranding

### 'Who' Aussie Deal Off

Deal for an Australian tour by the cast of 'Who's Who' the Leonard Sillman - Elsa Maxwell musical, which had a short roadway stay last winter, is off.

Propose, it was to have been negotiated by representatives of the Fuller interests here.

### MOSS WILL ASK DEAD BILLING OUSTER

Commissioner is on friendly terms with the legit managers, some of whom have seen chief officer. Understood he will call the operators of all legit theatres, writing their attention to the presence of billing on fronts of houses which have gone dark. They will be reminded that such advertising is misrepresentation and therefore should be minimized.

So far as known, there is no provision in the law that could affect the issuance of licenses for theatres with dead billing, but the commissioner is concerned with the situation. In addition to the present matter, he will also advise the League of New York Theatres, which has been expected to bring suit.

Winter Garden becoming a patchwork of billing. The large painted sign in the building now 418 street will be removed. N. Y. Ends of the canopy announced on sale at the Garden box office for Randall's mad opera revivals, but the front of the canopy and the entrances hold matter center was "doory for What", which has closed.

Although he attempted to disavow his guarantee to Equity of salaries of the colored "Porgy and Bess" cast, which strayed on the Coast last winter, would be paid, Charles L. Wagner changed his mind and settled the claims for approximately \$4,000. stipulation was made that if Equity recovered any coin from Marie Armiger, California showman, who made the presentation, Wagner was to be reimbursed.

Indicated that Wagner, who formerly was a legit manager, but whose main activity is in the concert field, was told he might have difficulty with the Assoc. of Actors and Artists of America. No formal communication was made either from the Guild or the A.A.A. but it is understood that some of his contract people hinted they might be forbidden to work for him if the "Porgy" money was not forthcoming.

Wagner acted for Armiger - listing the players in the "Porgy" cast being virtually the same as that which played the George Gershwin opera originally under the same Guild management in New York. After the 11-odd people started for the Coast, the Guild or the A.A.A. advised him he would not be responsible for their pay, figuring that such stipulation under the same Guild management in New York. After the 11-odd people started for the Coast, the Guild or the A.A.A. advised him he would not be responsible for their pay, figuring that such stipulation under the same Guild management in New York. After the 11-odd people started for the Coast, the Guild or the A.A.A. advised him he would not be responsible for their pay, figuring that such stipulation under the same Guild management in New York.

Claims were arbitrated through Equity's Hollywood office and one of them was made by the Actors. Matter of transportation was not an issue as the Guild had given return transportation to the legit actors and had a tough time making the trip back. Claim for a second week was dropped because Road conditions at the time made appearances almost impossible.

## THE COHAN, LEBLANG'S WILL BE RAZED JULY 15

The passing of two Broadway landmarks will take place July 15 when razing of the Fitzgerald building at 438 street will begin. Actors' Agency will move next door to the Longacre building, with a storefront in Broadway and quarters in the basement.

Letter spot will be used by the outside apartment. Report sometime ago that contractors might be dropped is reported incorrect. Report said to have circulated due to a misunderstanding. It is possible that new quarters will be provided in the building which may be used as a temporary office by the insurance Co. Letter has taken over the site through foreclosure.

The end was handled by Charles P. Noyes Co. and despite various reports, there are no plans for rebuilding. The building is to be razed rather than the order to trace the building has been decided on. Proposal to build a temporary office by the insurance Co. Letter has taken over the site through foreclosure.

The Cohan theatre was formerly at 438 street with the sign of Cohan & Eblanger, popular for its variety and musicals. For some years it has had a successful grind picture policy.

### Future Plays

'Love Is Landed' comedy by Anderson, will be brought to Broadway next fall by Morton Downey.

'Hired and Marianne' adaptation by Clarence Danc, of the German play, will be produced by the Broadway Theatre. Carl's first vehicle in the new season. Fritz Kortner produced a debut as Miss Coward.







Plays Abroad

LOT'S WIFE

Comedy in three acts by Peter Black... London, June 11...

Modern comedy had a troupe performed on a Sunday...

Analogy between the biblical character after which the piece is named is not altogether...

A pompous middle-aged man with two neglected daughters is married to a young wife...

COMEDIENNE

New comedy in two acts by J. W. Lee... London, June 17...

For a year and a half the wife is believed to have died...

LA NOUVELLE REVUE

Review in two acts (16 scenes) by Pierre Vaux... Paris, June 21...

This one is a step above the average reviews that Mr. Goldin has been prying during the last two years...

WHITE SECRETS

Drama in two acts, by J. H. ... London, June 11...

Not a second Journey's through an interesting and an Andrus... London, June 11...

E. C. ROLLS SCOUTING LEGIT-CONCERT FIELDS

Ernest C. Rolls, Australian theatre manager, now New York from Holland...

McNinch-Payne

(Continued from page 35)

Communications Act' 'Ninch pays out extra for these...

Remarks about the campaign of the Supreme Court...

Rumors Up Again

Rumors that McNinch himself would face the FCC battleground have been spreading...

Denial came from McNinch this week. Said there's no more truth in the reports...

What changes he has in mind, in either procedure or personnel, is not yet communicated to associates...

HIPP, BALTO

Baltimore, June 26. Toy & Wing, 3 Freshmen, Charles...

With the Schmeling-Louis fight already booked in addition to 'Penitent's'...

Jerusalem Sole Show Biz Oasis; Others Strictly from Arabistan

House Reviews

ROXY, N. Y.

(Continued from page 43) With the Roxy's 'Our Guys' open the audition...

APOLLO, N. Y.

Tiny Bradshaw orch, Big Time Crisp, Joan Lee, Jimmy Armstrong, Peters Sisters, Muzzy Baskett, Film...

This Harlem house is still packing plenty of entertainment into its one and a half hours of stage fare...

Initial straight act is six Time Crisp, one-legged dancer and local favorite...

Y ARTHUR SETTEL

A couple of days in each of the big burgs along the Arabian belt...

Baghdad, Beirut, Amman, Jerusalem, Haifa, and others...

YANKEE ACTS CLICK

AT 2 LONDON HOUSES

Despite a pucker-up in the opening, Josephine Baker was only mildly acclimated at the Palladium...

Boys Get Mixed London

Reception; Odets Hailed

London, June 26. 'Give Odets' drama, opened at the St. James last Tuesday (21)...

CHATTER

Knowles Entrick radio scripter, after Dyer Miller due back from New York July 1.

Maria Sermoloni, woman's editor of Life, has joined the Westport office at lunch for the summer.

Philip H. Hays has written a historical novel dealing with John W. Booth, Lincoln's assassin.

W. E. Farbrist, regular contributor to the Saturday Evening Post, has a new column, is a Pittsburgh oil marks.

George Harrington of the N. Y. Journal writing feature. Three of his stories sold last week in one day as many as five.

Federation of Actors Guild and America Federation of Actors re supporting the Newspaper Guild strike at the Holy City Citizen News.

"California Missions and Their Names" will be published by Coward-McCann in September. Author is the widow of the Chief Clerk.

Joseph Hergeshimer has finished his first full length novel in two months. It is "The Emerald and the Slory" has a Washington background.

Bennett Cerf, who left for Bermuda last winter, is writing "The Harold Ross, of the New Yorker" appearing in a fortnightly issue of the Connecticut Post.

Harvey Gaul, former drama agitator for the Pittsburgh Post-Gazette, is writing a book on "The Art of Composing for Organ and Choral Groups for years.

John H. W. Farnham, radio columnist who started four months ago, now has 60 papers. It is the first N. Y. feature on the regular service.

Farrar and Rinehart will publish a biography of Supreme Court Justice Black by John O'Donnell and Duria Ross, of the public domain, appear simultaneously with the Supreme Court's fall opening.

Robert H. Lynd, sociologist for the Pittsburgh Press, who has been writing on U. S. for last few months, has a new formula for the Pittsburgh Press. She's continuing her newspaper stint from the Coast.

Elmer Rice, Harvard University Sandburg, Paul Horgan, Bert L. Brown, Paul Engle, Douglas Bennett, and others will be at the Howard Davison lecturing at the ninth annual writers' conference, Boulder, Col., July 25 to Aug. 12.

Disney Bonus

(Continued from page 1)

color prints. Around 300 prints, each worth \$350 each, will be given which gives Technicolor its largest individual order in history with the amount of \$105,000.

With gross on world rights hitting around \$9,500,000 and RKO getting 25 per cent, the picture will reach around \$2,375,000. Added to this amount is picture cost of \$1,475,000. Estimated net to be divided up by three entities—\$800,000 and \$1,000,000.

Sharing will be graded on basis of sharing. The amount to be given each will reach \$200,000 to amount to 12-15 weeks salary.

Disney's employees will not see workweek with Disney as last year (except bonuses to all who worked 75 weeks) as last year's production employees. Disney corporation 75 master animators who do not work for Disney are being paid averaging around \$25,000 yearly. From current outlook RKO is sharing the amount of \$1,000,000 in 1935 and will be received over 12 months as the picture is in circulation. The picture figured \$100,000 from three to five years.

part is in principle for an additional term, in respect to new agreement. The picture will be in circulation: Disney's year (as yet) is being held by W. G. Van Schuyler, master animator, and the picture will be honored Disney at the press conference which was held in the studio at the

Office Pun

Time mag editorial writer has a large colored poster issued by the National Safety Public Safety Service hanging on the door of his office.

It reads: "If you read this, you're dead."

and press club.

Kathleen Eileen Barry, 70, writer, publisher of former newspaper, June 25 from heart ailment.

George W. Vetter, N. Y. publisher of New England Creek Messenger, a weekly publication, died at his Melrose, Mass. home (3). Survived by a widow, five sons, and two daughters.

Saunders alkett, Boston manager of the Jewish Daily Day, died following a brief illness, recently. Survived by widow, two sons, and a daughter.

James B. Hedge, Jr., 61,itor and publisher of the Salem Evening Enterprise for last 25 years, died suddenly last week of heart ailment. Burial was in Maryville.

McNinch Light Due

(Continued from page 1)

over to the full Commission in the form of a memo. Statement by the Chairman reads the act of communicating the lawyers' unders "in the trade."

McNinch, a Communist never has done anything in the past despite kicks from politicians and pleas for his resignation. He has done nothing which every broadcaster finds himself in campaign years was laid out in the law for the first time by WTAR. McNinch declared that all operators are "in constant jeopardy" through the uncertainties arising from section 315. McNinch was accused of being "temperamental" in the law for not previously writing the rules which the act says should be adopted to make the program.

Host of questions never answers. Elliot C. Lovett, attorney for the Norfolk and its declaration that concrete standards are vital at this time. Prospective bitterness of this year's political contest is working most of the industry, he suggested. Licensees want to know how the Commission reads the act.

Extent of a broadcaster's right to exercise judgment in handling radio speeches of political campaigners, in the private communications for which an answer is requested. Lovett pointed out that courts have held stations responsible for the broadcast of dangerous utterings of office-seekers. Since the law says licensees shall have right to blue-ribbon candidates, danger greater may be inflicted.

What Protection?

Asking "what protection has the station?" the WTAR attorney told the Commission his client is anxious to get the act amended so that stations to feel this can constantly expose to the FCC. Believes no statute can justify the station in not advertising can compel applicants to omit libelous or slanderous phraseology." In the meantime McNinch has not been added when this policy was followed.

Job of building well-rounded programs is made harder by the political clauses of the statute, Lovett reminded, particularly since the Commission has a "qualified candidate" not what are "equal opportunities." Does the Communications Commission mean a broadcaster who accepts any offer to buy time for political ballroom music up on the air? "If not, what is the maximum, what is it?"

Do not about who can I vote the Commission? He asked whether it applied to anyone who possesses the qualifications to be a candidate for individuals who have gone through the formality of getting name on the

Concerning the equal opportunities, the WTAR counsel wanted to know if he bewilderment manager must deal out the time to candidates on full facilities on the action project. He asked if the same as public works project. He asked if the same as public works project. He asked if the same as public works project. He asked if the same as public works project.

Pirates' Pepper-Upper

Every summer, right, June 28. Every summer, right and kind of Cap Monahan, Press drama editor, go to Deaver to visit his family. For the annual ball at Chatham Village home during the warm months. Last year he was a Pittsburgh Pirates catcher, leased it and the day after he moved in Todd came out to be his first sign that had plagued him all season. This season, Monahan leased it to Bill Wertz, Pittsburgh pitcher. The morning he moved in, he played against the Phillis and he was the first to win a game with a home-run, his first of the season.

Monahan says he's already besieged with offers from other Pirates for next summer.

building or machinery for newspaper purposes for a period of five years. Newhouse is going after the Star's general manager, who is now at a North Shore edition of the Press, which will cover the Star's territory.

For the purchase of the North Shore Journal at Flushing, which would be the daily edition of the daily paper in Queens county.

Mrs. Hanovan attributed the collapse of the Star to the excessive labor demands which forced pay increases beyond the capacity of the Star's management.

R. O. Smith was itor and George M. White managing editor of the Star.

Philly Bulletin Shuts

Charles E. Smith, of the Philly Evening Bulletin, last week asked sports pages under his wing. With only nine pages of sports, which he prophesied at the paper.

Robert Sennedeler continues to plan to take over the Bulletin, but it is understood he will gradually move into dramatics, which he has been particularly taking care of for several years.

Leo Murphy, assistant to city editor, is expected to take over the Bulletin to relieve Israel since he largest scope of his management.

Spain's Labor Books

For the past few years, the U. S. has looked on Spain as a potential competitor over a Socialist's biography. Houghton Mifflin has published a book by Jack London, which started right in the Saturday Evening Post last week. It was bought up from the proofs for a Gable picture.

Doublay Doran had a big London by John London. It was for the fall, but latter has unearthed new material and book has been postponed so that it may be included.

Canadian Newspaper Clogged

Despite efforts to lift newsprint production through partial closing of plants and forcing working days weekly, newsprint stocks here still increased from 110,626 tons to 294,948 tons from January, 1 to the end of May, while newsprint stocks held by American publishers were reduced from 768,718 tons to 478,569 tons during the same period.

Figures recently released by the Newsprint Association of Canada show that by the end of May newsprint stocks held by publishers in the United States were at 150% of normal.

Post's Spy Stories Accord

Accord between U. S. Attorney Lamar Rader, the N. Y. Post and the American newspaper. The settlement, after a long period of stipulation was filed with Federal court in New York. The settlement, which amicably settled disagreement.

The settlement had been a sign to stop publication of the former G-men's series on the Ger. A spy in London, the American newspaper, the American newspaper, the American newspaper, the American newspaper.

Knights Reject 300 Sets

Only contributors to the Connecticut Names who are not editors are the four editors of the Connecticut Daily News, Danieo Review, a local paper, has been installed in read copy by the national known editors and writers who contribute to the paper.

Recent weekly circulation was 200,000. The paper is owned by J. P. Jackson and Jack Packer making the rounds of the new station - not pushing the sheet.

Newspaper Guild signed two contracts with the United Press after 30 weeks of negotiation. Deals cover employees of the UP in the United States and those of the City News of Los Angeles, Inc. Contracts cover 420 employees in the U. S. and 100 in the U. K. The first Guild agreement to be reached with a major wire service. It is an 18 month contract.

Terms establish a five-day, 40-hour week, cutting down monthly schedule from a six-day, 48-hour week to a five-day, 40-hour week. Employees will receive 50% increase in weekly income of more than 500,000 and \$45 in smaller.

Salisbury Morning Post

launched Sept. 1, 1937, has folded, in a front page editorial carried by the last issue it was stated that prospect r increased advertising volume was the reason for the discontinuance. It was added that the plant would be held intact and that publication would be resumed when and where it was desired. At the various departments had no notice of the move until copy for the editors was turned over to the new company late at night, only on the paper heard of the fold first by reading the editorial, morning paper.

B. V. Hedrick, Publisher

contractor and gravel pit operator, said to have dropped \$100,000 in the last few years. He had tried a res service.

Help was paid up through the last issue. He worked with the stockholders in their enterprise were paid off as they turned in the papers. He had tried a res service.

Chain as Idea Rapped

A chain magazine subscription, similar to the chain letter, for a plan which swept the country for several years. It was rapped in Oklahoma by an opinion handed down by Fred Hansen, assistant attorney general.

Plan sponsored by the Transaction Tax League, had each new member of the original party, in return the person was collected a gift. The plan was rapped in Oklahoma by an opinion handed down by Fred Hansen, assistant attorney general.

Test Tube Baby Newslet

Dorothy Wagner, New York forthcoming novel titled "Broken Rhythms" will be published by Li inco's in the private communications for which an answer is requested. Lovett pointed out that courts have held stations responsible for the broadcast of dangerous utterings of office-seekers.

Profess' Letters Covering

Alfred A. Knopf is publishing a volume of "Profess' letters" that have appeared in the New Yorker over the last few years. Book will contain approximately 25 of the pieces and will be issued about November.

W. B. Courtney in Tokyo

W. B. Courtney, New York correspondent for Collier's, has arrived in Tokyo after traveling through North China. He has been in the news for a series of articles to be written for the magazine.

LITERATI OBITS THIS WEEK

Thomas A. O'Connell, 22, malar poet and former newspaperman, found murdered in Institute of the University of the Pacific, Ill. He died for ten years and had not worked for that length of time. He was the author of the Telegram and Evening Gazette.

Mathil O'Connor Vance, publisher of the New Britain (Conn.) Herald, died in the New Britain Representative Robert J. Vance, died in New Britain, June 25. He was founded the paper which she had been operating since two years after his death in 1902.

Charles Anderson, 67, vice-president of the United States, must deal out the time to candidates on full facilities on the action project. He asked if the same as public works project. He asked if the same as public works project. He asked if the same as public works project.

rygers Publishers Picture magazine which appeared recently titled "Will There Be a Jewish Crisis in America?" is published in New York. It is published in New York. It is published in New York. It is published in New York.

Pittsburgh Bells Closed Shop Nine-day suspension by Pittsburgh of the Sun-Telegraph from circulation of strike by office workers came to an end Sunday (26) when Scripps and Hearst announced that they resumed publication. Since June 17, Smoky City has had only one newspaper, Paul Block's morning Post-Gazette.

For a time last week, indications pointed to less they strike after other towns took up the battle and through Post-Gazette and radio hurried charges led forth at publishers, claiming they had deliberately precipitated walkout in order to make the situation worse. Paper labor battleground and weaker power of unions in publishing business. Publishers had to sue charges, insisting they had made every effort to avert strike which there it is.

Fading newspapers avowed determination to refuse at any cost demand for closed shop, office workers last Thursday night (23) yielded that point in return for slightly higher blanket increases, five-day workweek, and no more overtime pay. Lack of these concessions, however, were closed shop issue. Refusal to work for closed shop was based primarily on wage issue. Settlement with office workers last night didn't include a provision of publication for at that point American Newspaper Guild, together with nine other unions, demanded full-time pay for lay off part. This papers refused claiming it was not a union but pay but a suspension made necessary by printers' refusal originally to pass through pinning.

Following all-day meeting Friday (24), however, publishers and representatives of the U. S. announced that payment to employees for nine-day period would be settled and that to "hold" the strike without controversy and without prejudice in event of any future disputes. Leaders issued a joint statement saying they would meet publishers in a sincere effort to work out a formula for a permanent and continuous operation of newspaper plants.

Esquire's Labor Problem

Esquire is having labor troubles. Esquire is the staff started to form a union as a result of the National Office and Professional Workers of America. Five men are understood to have been fired during the past month.

Leadership of the organizing movement said to have included Harvey O'Connor, Lawrence artist and Meyer Levin. Levin reviewed a commercial picture called "Steel" which was held out by David Smart, publisher. Picture department will be run entirely by Meyer Levin in St. Louis. Levin has written it from the start and is now back at news editing and reading in St. Louis. Smart departed because advertising department was advised Levin didn't want to work in publication having such Reds as Jack Ivak and Levin.

Long Island's Star's Demise

Long Island Daily Star suspended publication on Saturday (25) after 60 years as a daily newspaper. The paper turned down a \$11-point program offered to them by Samuel J. Newhouse, who bought the paper. The deal included work and accounts receivable on May 20. Newhouse proposed to publish an opinion on the right to publish the Star. If the paper's workers would agree to defer collection of bargaining rights for the first three months of this year to be a trial period during which no changes in personnel would be made. Led by 40 Guil members, the staff rejected the proposition, concluding the loss of collective bargaining was illegal.

Elizabeth Johnson of Forest 60, largest stockholder, had previously received a state of collapse over the sale of the paper, which was founded by her father-in-law, Thom H. Dole.

Reported price of the sale was \$200,000. The deal included the Star's assets. The terms of the sale prohibit the use of the









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R. B. DAVIS COMPANY, sponsor  
and  
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agency

We extend our appreciation and thanks  
for the kindness, guidance and cooperation  
they so generously gave "my gang" and myself  
during the two years of the radio broadcast of  
the "COCOAMALT" program.

Sincerely,

A handwritten signature in cursive script that reads "Joe Penner". The signature is written in dark ink and is positioned below the word "Sincerely,". The signature is enclosed within a double-line rectangular border.

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