

# WORLD

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# STAIRS WOODS STAIRS

## Philly Educational Institute Pulls An April Fool 'End of World' Hoax

Philadelphia, April 2. The calm voice of a radio announcer reading from a telegram, predicting that the end of the world was coming on April 3rd, frightened thousands of people in the Philly area late Monday night (31). It was only a publicity gag, but like the "Drum Weller" "Mafian Invasion" broadcast of last year it backfired. Hoax had an authentic ring to it because it came on an announcement at the end of a 15-minute news broadcast by Bill Lane, KFWB gabber which read: "Your world fears that the world will end and are confirmed by astronomers of the Franklin Institute. Scientists predict the world will end at 3 p. m. Eastern Standard Time April 3. This is No April Fool statement. Confusion of the Pots Planetary, this city."

Lang thought everybody would catch on to the fact that the announcement was merely a gag for a show called "How will the World End" which opened at the Planetarium yesterday. A few minutes later telephone calls began swamping newspaper offices, station KFWB, (Continued on page 15)

## U.S.A. GOES PLENTY LATIN

Chicago, April 2. Band bookers have found that the concentration of U.S. tourist travel in South America and Mexico since the outbreak of the war is responsible for a decided spurt in dancer interest in the conga, and they are urging their hands to be prepared for this renewed rage by carrying more conga numbers in their books. One office, the General Amusement Corp., has gone so far as to suggest to its bands that they have at least 18 conga tunes on hand or held in safe engagements in U.S.

While the conga has been a featured item on the regular night spots for (Continued on page 35)

## First U.S. Rodeo Sails On So. American Tour

First Yank rodeo to invade South America sailed Friday (29) for Caracas, Venezuela, with 25 horse bands and 10 cowboys aboard. They will mount 60 nights, semi under separate cover, to do battle with South American steers.

Show will be held at the Nuevo Circo, the city's principal bullfight arena. Jank is under direction of Charles B. Puet, Jr., rodeo promoter. Party cheerleader by name A. G. Goodson, Venezuelan agent.

## Lana AWOL, Off M-G

Hollywood, April 2. Lana Turner is off the Metro payroll as result of her belated honeymoon trip to New York with Artie Shaw. Miss Turner has expressed herself as being indifferent and may give up her film career for marriage.

Studio had instructed the actress to appear in a fourth picture, the start of which is being delayed until her return.

## POP SONG TITLE CYCLE REACHES FILMDOM

Epidemic of pop song titles on program releases is on the way, on the theory that the tag, through radio and mass bulletin, has added box-office values. Universal has no less than two such in work, including the forthcoming Bing Crosby starrer, "If I Had My Way," plus "I Can't Give You Anything But Love Baby," Max Fleck's "Makin' Eyes At Me" and "Oh Johnny" have already been released as song titles by Universal. Latter paid \$2,500 for the "Johnny" title.

Republic found that "South of the Border" enhanced the b.o. on a r.e. (Continued on page 33)

## Filmical Choristers As Well As Male Leads, 'H'wood's Prime Needs

Hollywood, April 2. Two major shortages, male and female, in the film industry are the result of various causes, foreign and domestic. First is the tight of chorines, grabbed by agents for the San Francisco and New York Pairs, plus the market upset in Broadway stage musical production. Second is the scarcity of leading men, due to the sudden growth of indie production.

Embarrassed from Frisco snatched a showoff of dancers who had appeared in "Lillian Russell" and are not going to be kept on the job at 20th-Fox. Meanwhile Paramount is putting on "A Night at Earl Carroll's" and Metro is going to bet with "Strike Up the Band" both of which demand plenty of line girls. Three major studios are well equipped with handsome juve led (Continued on page 33)

## EXPECT BIGGEST SEASON THIS YR.

More Film Names in Small-Cost Revivals Due on Cow-Parade Summer Circuit—Intimate New Revivals, but Fewer New Plays

## 64 EQUITY CO'S. SET

According to present indications, the coming season will see greater activity among the dramatists (more than any previous summer. Preliminary survey reveals that all the leading spots will be operating, several under new managements.

Inspired by the outstanding box-office click last season of Edward Everett Horton in "Springtime for Henry," there will be an attempt to cast, in touring shows, with Hollywood stars in single-act, small-act comedies. Guest-star policy with film names, a growing trend in recent seasons, is certain to be extended this season. Bigger crop of picture players are reported available, but no actual contracts are known to have been signed. Horton will again tour, however, drawing the (Continued on page 35)

## Cantor-Jessel's N. Y. Personals at Capitol With 'Little Mothers'

Eddie Cantor and George Jessel have been booked as co-headliners for Lew's Capitol, New York, to hype Cantor's first Metro film, "Oh Little Mothers," opening April 18. Additional acts are being set for Cantor and the William Morris office, but some of the personalities who toured in vaudeo with Cantor last season, such as Bert Gordon ("The Mad Russian) and Dolly, will be included. Deal at the Capitol calls for one week, with options for a second and third if business holds up. Cantor (Continued on page 3)

## MICHAEL'S SINGING COPS PLUG SAFETY SONGS

Singing Cop is going to break out all over Michigan. They'll be singing safety songs set to children's music. Secretary of State Harry P. Kelly called Flint's school safety program, conducted by the city's "Singing Cop," Patrolman Wilbur Legree, "the greatest safety project I ever heard of." A goodly share of the city's high rating in its population (Continued on page 33)

## Cossack Chorus Innocent Victims Of Memphis Anti-Russian Feeling

## Paul Whiteman's RKO Pic

Paul Whiteman and his orchestra have signed for Boris Morosov's "Second Chorus" musical to be produced for RKO. Whiteman's deal is for four weeks starting June 13 at a total salary of \$50,000. Jack Curtis set the deal in the cent through Leo Morrison's Coast agency. Metro recently was also discussing for Whiteman for a Mickey Rooney-Judy Garland film but this deal looks cold.

## N. Y. FAIR SETS TAB 'STREETS OF PARIS'

Mike Todd is reported to have purchased outright the Shubert-Olsen Johnson-Hartney Kaufman revue, "Streets of Paris," for presentation in condensed version at the Hall of Music at the New York World's Fair. Show is currently touring at \$2,500 top, while Todd will sell it for \$20,000 at the Fair. "If Paris goes into the Fair, Abbott and Costello, who left the cast when the show went on the road, will rejoin the revue as its stars. It is indicated, however, that neither Bobby Clark nor Carmen Miranda will be included in the Fair show. Todd probably inserting an (Continued on page 35)

## Songwriters Stage 1st Strike in History Of Music Publishing

Strike called by the Music Publishers' Union on Monday 1) against Red Star Songs, Inc., the first of its kind in the history of the business, had its repercussions yesterday (Tuesday) when an official of the union was summoned by the State Attorney General's office for questioning. The letter to Bob Millington, union secretary, was signed by Benjamin Hopper, attorney in charge of the Bureau for the Investigation of Monopolies and asking their co-operation Thursday (4) morning to discuss a complaint received concerning the union.

With the sanction of Local 902 of the American Federation of Musicians, the contractors' union has written orchestra leaders advising them of the action taken against Red Star and asking their co-operation where it comes to handling the (Continued on page 35)

Memphis, April 2.

Boothmen Club, local Civic Music Association outfit, is still gunged with astonishment from volume of complaints that poured in following announced booking of the Don Cosack Russian Chorus on next season's concert tour. Club was literally besieged with phone calls from squealers objecting to bringing in "those Red Russians, the fellows who whipped poor Finland, agents of Moscow." Explanation that Cosacks are White Russians and critics from the Soviet state avoided nothing. Anything with Russ label was no go.

Organization finally threw up its hands in despair and cancelled booking. Mrs. Susan Clark, president, was most dignified about whole affair, but said Boothmen couldn't stand the pressure and would have to get another attraction. Cosacks had sung here twice before and were well received.

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## 2 LEGITS GROSS \$1,000,000 AT B.O.

Two of last season's Broadway country successes, last week topped the \$1,000,000 total gross mark. Both have femme stars, first-named Katharine in the leading part, but only one hit the \$1,000,000 figure in its New York run alone. Shows were "The Philadelphia Story" (Katharine Hepburn) and "No Time for Comedy" (Katharine Cornell). "Comedy" completed a year's run inclusive of Broadway and the road, Saturday night (30) at the Hartman, Columbus, O. Show played 24 weeks in New York and has since toured to the Coast and back. Bookings have been extending a couple of times and the R. N. Behrman piece (Continued on page 40)

## Clemenceau Sought as Pic Subject; See Magnot Tie

Paris, April 2. George Clemenceau as a film subject is being sought, and if the deal goes through he may be part of the film 20th-Fox is planning to make on Andre Magnot. Fox recently purchased the memoirs of Magnot from his estate.



# THEATRE

## Joe Pasternak Feels So Benign He Suffers When Trade Critics Pan Pix

By CECILIA AGER  
 There was a story that made the rounds not long ago which portrayed a couple of efficiency experts at the Universal studios in Hollywood, one of whom, after a series of sample picture sessions, for Mr. Pasternak's...  
 But after encountering Mr. Pasternak at the offices of Universal Pictures in New York, it may be safely stated that the story is just another example of people's notions, for Mr. Pasternak is not formidable at all, but instead an amiable fellow-butchered over with Mexican charm, who loves his fellow man so genuinely that his only complaint is against the trade paper reviewers who do not always report upon his fellow producers' pictures as sympathetically as he would like.

Mr. Pasternak has seen these producers after their preview, already exhausted from their struggles in the film thing, now shaking with fear as they try to control their trembling fingers and turn the page to his next review. The trade people tear Mr. Pasternak's heart. It's cruel and it's pitiful, and all he has to do is nothing. They could have turned out could possibly rate such punishment. There is nothing they can do to get the critics to understand that he is such a pup.  
 And the trade press, of all things, is torturing them on. The trade press. (Continued on page 60)

## McGURR TALKS DEAL WITH UA FOR OWN PIX

William Anthony McGuire, currently writing at MGM, is negotiating with United Artists for the release of a group of pictures which will be written and produced himself.  
 If the deal goes through, McGuire will start off with "The First Wives Matter," his own years of three orphan sisters, with Claudette Colbert contemplated as one of the stars.

## Pommer-Laughton's Unit To Make 'Em Also in Eng.

Mayflower Productions, British headed by Ethel Bairo, former Charles Laughton and RKO, will resume film-making in England within a few weeks. Pommers' return to England (1). He came in to New York from the Coast, where J. K. Schaefer, president of the company, on the foreign plant, Pommer said that it is his intention to work making low-budgeters for RKO release next season in order to keep it close to the money films it will be able to turn out, he explained would depend on war conditions.  
 Pommer also flew in from the Coast to see "Two on an Island," Broadway tragedy, which RKO will film and which has been assigned to him to produce. Pommer returns to the Coast tomorrow (Thursday).

## Coast Nitely Clean; Nix on Bawdy Ditties

Los Angeles, April 2.  
 Police order has gone out to nitely clean up cinema houses which show songs on penalty of having their entertainment permits cancelled. Also under official scrutiny are the so-called "private clubs," which are permitted to sell liquor to members only. A clause in the ordinance...  
 Police claim some of the clubs take in new members' during a 2 a. m. to 4 a. m. session. In some of these clubs were denied entertainment permits last week.

## So That's It

Hollywood, April 2.  
 Betty Bartholme, Republic's ace screenplay writer, who has written 60 screenplays located in Marlin, finally crosses the border to find out what the country looks like. A sort of business's holiday.

## LEGIT COMEDIES HAVE TOP B.O. ON BWAY

Legit production this season is conspicuous by the paucity of hit dramas. The percentage of clucks is clearly in favor of comedies, which reflects the mood of the average playgoer. More than a score of serious plays or melodramas have already been recorded as flops, although most were presented by established producers.

Throughout the autumn period the hits registered were all laugh-producers, that taking in the last week. There has been a flood of recent entries of the latter type and a trend was noted, but yesterday the Miller, N. Y., at last week. Latter play is also running in New York. (Continued on page 49)

## ARCH OBOLER VEERS FROM RADIO TO FILMS

Arch Oboler, who plumed back to the Coast last week to complete a scripting commitment for Metro, will probably next do a writing assignment for Warner Bros. Oboler's he's also being sought by RKO on a writing-directing-producer deal similar to that which the studio has with Orson Welles. Oboler's first writing commitment, he's "Two on an Island," which RKO recently announced.

During his recent jump east, he attended a performance of the play at the Hudson, N. Y., at the studio's request.  
 Author completed a Saturday night 30-minute dramatic series two weeks ago for NBC. Present Metro deal is his first scripting assignment for pictures.

## Stein Fetched Up on Charges From Shubert

Charges against Stein Fitch for conduct unbecoming an Equity member have been brought by John Shubert. Negro comedian has been given five weeks' suspension. Exact nature of the charges were not revealed by the Equity council, which voted Stein's censure yesterday (Tuesday). Indicted, however, that the case involves Fitch's appearance in a revue at Shubert's theater "Three After Three," which folded after a tryout run.

## PAW GRACE McDONALD

Hollywood, April 2.  
 Grace McDonald, dancer and ingenue in "Very Warm for May" on Broadway, has been picked by Paramount for a featured spot in "Dancing on a Dime," which Joseph Santopietro is producing.

Miss McDonald debated on Broadway in "Bebe in Arms."

## MAJORS FAVOR LOWE SETUPS

Practically Every Studio for 1940-41 Will Have More 'Outside' Producers—Has Many Advantages for Majors—Relieves Them of Heavy Financing Responsibility

## LINEUP

Increasing willingness of major film companies to distribute the product of independent producers is exhibiting a change in the entire industry scene. In place of major studios, the independent which at one time virtually every film that it made is now one of its numerous headquarters of film producers, scattered hither and yon, turning out film for major release.  
 Drift toward outside production, which has recently been noted as a significant trend in Hollywood, may be expected to reach the highest point in industry history with the announcement in a few months of 1940-41 release schedules. At least seven and probably all of the eight major distributors will have on their cards anywhere from one to 20 independent hits, and even Monogram has added an indie to provide part of its western output.  
 Back of the willingness by all to encourage indie production is the lack of war economy. When a producer comes in with good reputation, a good story and money to back him up it becomes difficult to disregard a worthy white looking for ways to reduce costs and risks on the lot.

The European situation, all film execs agree, makes it mandatory to produce bigger pictures rather than smaller to get additional grosses out of the domestic market. But every additional cent spent on a film not only increases its h. s. potential, but likewise the risk involved should it flop.  
 (Continued on page 4)

## PAUL DRESSER DAY IN IND. ON APRIL 22

Movement to honor the memory of the composer of "On the Banks of the Washaw" and "My Gal Sal" has gained some impetus in the congressional arena by Gov. Townsend of Indiana setting aside April 22, the author's birthday, as "Paul Dresser Day." "Wabash" was adopted by the Indiana assembly as its state song in 1912.

Tribute to the composer largely grew out of the efforts of Bill Wabash, a native of Terre Haute, and the songwriter's brother, and Ben Edwards of Paul-Pommer Music Company. In collaboration with his brother in writing the words of "Wabash."

Watters, who requested the proclamation, originally stated that April 22 be named for the day. He based his request upon information supplied by Dreiser which later turned out to be incorrect. Dreiser's book, "The Songs of Paul Dresser," published in 1927, stated his brother was born on April 2, 1857. Records of St. Joseph's Church of Terre Haute reveal the date to be April 22.  
 Watters has also offered the story of his brother's life to pictures but as yet there have been no takers. He plans to do the picture. It would be titled "My Gal Sal."

## HOPEKIS AT COL.

Hollywood, April 2.  
 Miriam Hopkins drew the femme lead opposite Melvyn Douglas in Columbia's "Singapore."

## Top Lookers NSG as H'wood Prospects; Photogenically OK, Historically Blah

## Aycoch, Ayaaah

Since the columnists are now doing their New York nibery rounds on the hoof, instead of in the former kibitzer's corners at tables, the other non-tipping newshawks are following suit.  
 Danton Walker, the N. Y. News' tough kid, now has serious competition from Walter Winchell, who really has a head start on the situation, being a reformed vaudeville leader. Winchell learned two things on his current writer's sojourn in Florida—how to swim and away the Sidney way.

Models don't make film actresses. They're too sophisticated. And that's what Hollywood has plenty of and doesn't want.

Such is the contention of New York's best and most influential picture companies. They've looked in the past five years, at thousands of models, out of that number they estimate they've sent 50 to the Coast for either leads or minor roles. Of the 50, most are either still playing bits or are back in New York parading pretty games before out-of-town buyers or posing photographic phantasies for an advertising photo's lens.

No talent digger could think of one model who'd made an outstanding success in pictures, although he says. Other Lads, who earned her living that way for quite a period and other Hollywood names who at one time or another were about out a pittance at the calling to sell them over a tough time. All of the models brought to the Coast aren't femmes, as generally supposed. About 15 of the chosen ones were said to have gone over as picture possibilities of the boys and gals, the ever-hopeful photo-graphers.  
 (Continued on page 10)

## KUHL'S UPPING ENDS BERGEN PROBLEM

J. Walter Thompson has solved the delicate situation which was recently climaxed by Edgar Bergen airing his thoughts about Cal Kuhl, the Bergen show's Coast producer, to the home-office. Kuhl has been given a newly created post, supervisor of all Thompson programs emanating from the west coast. He will work in conjunction with Danny Danahy, v. p. in charge of Thompson's Hollywood office.

Kuhl will remain as producer of Bergen's show and will continue to work on the Coast. (Continued on page 25)

## LUPE VELEZ'S \$4,000 PER AT BROADWAY PAR

Lupe Velez is set for the Paramount Broadway tour starting April 10 at \$4,000 per. She comes in with "Dr. Cyphus."

Lupe Velez, who's also for the same show, was dropped when the comedian demanded the same money. Mitchell Ayres will be the band.

## 'Girls' Intact From 'B' way to RKO Screen?

Whether the entire Broadway cast of "Too Many Girls" is transported to the Coast this morning for finalization of the George Abbott musical by RKO will be determined today (Wednesday) or tomorrow. Abbott will produce and direct the film version, is anxious to take the virtually the whole cast with him, to New York. In the production clinic, declared Monday (1) on his arrival in New York.  
 But he will parley with RKO on the advisability of the move and make his decision before being tomorrow. Dresser's night. One of his reasons for coming in was to see the show.  
 "Too Many Girls" has already played early last fall it will probably play right through the summer if the cast is not taken to the Coast.

## Binyon's Quick Pickup

Hollywood, April 2.  
 Columbia picked up an aerial of options on Claude Binyon's scripting contract, covering a period of two years and four months. Binyon's original ticket called for three years with raises at the end of each year, terminating in July 1942. Studio grabbed it all up at the end of eight months.

## F.A.M. Reopening Stage Shows in St. Louis, Ted Lewis Opening

St. Louis, April 2.  
 Ted Lewis and his orchestra are opening for one week starting Friday at the Fox Theatre, the first stage show at this midtown Pantry & Marco house in about four years. Formerly made was a weekly scene dished out here. Harry C. Arthur, Jr., v. p. and general manager of the Fox Theatre, announced that Lewis is heading with Kay Kyser for either the St. Louis or the Fox starting next week.  
 There have been no stage shows at the Fox since last Dec. 1, when, after half a dozen more weeks were presented on the apron and in the pit, the policy was abandoned.

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# WORLD OF PICTURES

## B'way First-Runs First 3 Months Of 1940 20% Ahead of Jan.-March, '39

Total take of first-run Broadway registered a 20% increase for the first three months of 1940, ending Sunday (31), over the same period a year ago. Aggregate gross for the first three months of 1940 was \$4,967,000, as compared with \$4,145,000 in 1939. Increase for the first three months of first-run, generally showing second-run with stage show.

Increase for the 31 days of March was 17% over the same month last year. It is accounted for partially by the fact that there were 13 houses opened, as against 11 last year, the additional one being the Center, with "Frodoch".

Departure of "Gone With the Wind" from the Capitol, after playing only 51 days into March, accounted for a considerable slowdown in the increase of March's take over 1939. For the first month of the year the bill was 23% over January-February of 1939.

"Frodoch," incidentally, is still counting on Broadway at the Astor, where it has grossed about \$275,000 this year and a total of about \$325,000 since it opened. This means it has taken about \$1,125,000 on Broadway since it commenced on the stage, of which approximately \$600,000 came from the Cap.

"Frodoch" also figured in an increase in the total gross, counting for approximately \$560,000 in the seven days overall week ending March 29, from Feb. 8 until it closed Sunday (31) night.

**Radio City \$1,000,000 R.O.**  
Radio City Music Hall during the last couple days of March passed the \$1,000,000 mark in take for the year. And for the three years it has led, with only one that came close. There has been nothing outstanding in the way of grosses for the last three months accounting for anything particularly notable in the way of grosses and taking the current picture "Frodoch," which will be first of the year to exceed \$1,000,000 week mark.

"Grapes of Wrath," which is another important addition to the Broadway season during the first quarter. It played seven weeks and two days, ending March 31, during the time counting for about \$270,000. Houses counted in the total gross tabulation and their take until the end of March are the Astor, \$275,000; Capitol, \$252,000; Center, \$251,000; Criterion, \$145,000; Globe, \$85,000; Hollywood, \$65,000; Lincoln, \$65,000; Paramount, \$60,000; Music Hall, \$45,000; Radio City, \$45,000; State, \$35,000; and Strand, \$45,000.

## METRO'S RECORDING OF PLAY, PRIOR TO FILM

Just before The Philadelphia Story ended at the Shubert, N. Y., last week to go on to the Met, which owns the screen rights, Metro set up in readiness for the performance for the next night's performance. Actual recording was made at the Shubert night's performance and the show closed Saturday night (28).

actresses Hephzibah is slated to report her leading role in the picture. So one side from the legit east is set on the other side. Metro's plan for Joy is understood a likely prospect to repeat the part of the father. Bob-White is reported to be taking the male lead, being played in the legit play by Joseph Cotton.

## Schless Due in N.Y.

Robert Schless, managing director in Great Britain of the British company Warner Bros., is due to arrive in New York the latter part of this month for his home office.

Trip will be timed so that he will be able to catch the domestic mail service, date his correspondence, but not been set, and he will look over new product for the coming season.

## Stall Bill Fox's N.Y. Case Another Two Years

Federal Judge Murray Hulbert in N. Y. has extended the Capital Co. vs. William Fox proceedings for two years from April 1, 1938, at the request of attorneys for Capital. Plaintiff is a judgment creditor of William Fox for \$207,412, and \$200,000 of the judgment is still unpaid.

Former Jim Lyon is in contempt of court for having failed to answer a subpoena. The proceedings have been dragging for years in Federal court, but until the bankruptcy proceedings in New Jersey are cleared up, it will be impossible to determine how much Fox will have to pay. It is believed by the attorneys for the Capital Co. that it will take the creditor, George Frankenthaler, another two years to decide.

## N. Y.-Pa. Floods No Menace To Any Theatres

Unless heavy rains in Pennsylvania and upstate New York, plus erosion streams caused by melting snow, ever come down on these theatre operators do not fear serious trouble as result of floods in the North East. Adding to the fact as can be learned from the field the weather men are stating is greatly exaggerated. No recurrence of the bad floods of 1936 are anticipated.

Direct marketing in Pennsylvania, which is only a minor manner with only one house which is operating in Kingston, Pa., will be forced to close down. The downtown Wilkes-Barre and Scranton theatres are operating normally with business also declared to be apparently unharmed, while in two instances some houses have reported no business, though not interfering with operation.

Warner Bros., operating in the Philadelphia region and the extreme western part of the state, has been threatened by the flood conditions prevailing to date. Pittsburgh is a danger spot for WB in the event heavy rains pile up badly there, as in '36.

While there is some apprehension that the war in New York may get into trouble, particularly if heavy rain should fall, to date no difficulties are reported, including by the owners, which is in Birmingham. Other portions of upstate N. Y. are free and clear of any problem, as is the case in the Paramount circuit and independents.

## STOLZ IN FROM EUROPE, BOUND FOR UNIVERSAL

Robert Stolz, former German composer, entered this week console in the Coast for Universal, which is remodeling "Easter Parade" from an old Viennese film. Gus Kahn is lyricist.

Stolz composed Two Hearts in Three Times, a two-reel picture which was released by the other German firm.

Another Viennese, upright, Ernst Mach, German, arrived in New York last week on film and stage deals. He's a refugee. Six not although both have resided in Paris the past two years.

## Prepping for Big Push

Hollywood, April 2  
RKO is laying out \$30,000 on new electrical equipment to carry on its heavy film production schedule. The Studio is also bringing in their apparatus up to date.

## LOOKS LIKE METROS MAY GO EAST

For Earliest, April 12-14—Metro May Stall to June—Regional Favored by Several Distributors

**LINEUP**  
By ROY CHARTER  
Advance indications are that producer distributor sales conventions will be more closely bunched this year than ever before and that the 10 companies will be jumping into the thick of selling at about the same time. As result of plans that are set, those that are tentative and dates that are probable. May will see a number of such meetings sweeping down on the exhibitors.

There will be some selling earlier, those of the kind that will see 20th-Fox planning its convention for April 12-14, but they may be only one company that will stall its convention into June, with the sales pavements piling up to a new high for Metro.

While the earliest convention this year will be Fox, to be held in Chicago on a national basis, next year this company held it earlier in April, while two others, Metro and Warner Bros., established new records by holding their meets in March. WB had its national sales held the first week in March. Metro following a couple weeks later.

There will be no single company as numerous as WB and Metro were last year to get the afternoon going in March. The move will be on the ground, at the same time this year all conventions will be over and gone earlier. In 1939 RKO held its national sales steampunk in New York in July, while Paramount's was in June. United Artists also had its convention in June.

Metro may be the lone company stalling before the May 31 deadline to hold its sales conclusive in June. There is nothing definite in this direction and this distributor may still fall within May calendar calendar. UA is another that may not stick to May as its favorite month and choose June instead, although the former move there is also leaning to regional. Universal, Columbia and Republic may determine on the same instead of national conventions.

This is the way the various companies stack up at the present.

**Columbia**  
Expectation is that in a week or 10 days the Coburn and the Montage will settle on whether there will be a national convention this year or not. (Continued on page 2)

## Lincoln B.O. Fliv Cooling RKO On Gordon-Goetz's 'American Way'

The American Way, lighter which Metro-Goldwyn and Harry Keenan were slated to finance for RKO released this season, faces strong possibility of a change of hands. Keenan and George J. Schaefer, RKO exec, indicated this week. With a preliminary report of \$1,150,000 to make, the picture will be out in recent weeks should it will cost better than \$1,000,000 to make, the production cost is the price it might not earn enough to pay off. An essentially American story, RKO will have the foreign market also built as particularly questionable.

Goetz said casting will play an important part in the picture, on whether to go ahead. Frederic March and Florence Eldridge, who starred in the last version, are already been set and Goetz is now seeking Spencer Tracy on a deal with the script. He said there is also possibility of making the picture in New York. Screen rights to the

## Trying to Work Out Pension Plan For Nat'l Theatres' 7,000 Employees; First Such Setup. If It Happens

### Edington, New RKO, To Deliver 2 More 'a' U

Harry Edington declared in New York Monday (1) that he plans to deliver the two films which his Paramount Productions, Inc., was under contract to make for Universal when he assumed the post of RKO production chief about 10 weeks ago. Edington had delivered only "Green Hell," the first of three which he guaranteed U.

RKO exec producer asserted he will probably make one of the remaining two this season and one next. First will probably be "Le Chien," with Cary Grant, he said.

## Loew's State May Be an Additional 1st Run on B'way

Success of the experiment of placing an initial run on Loew's State in N. Y. during the past two weeks is said to open the possibility of the house becoming an additional permanent first-run on Broadway. That would be welcome to the other theatre-owning districts, Universal, Columbia and United Artists, which, with the many huddles recently, have been jockeyed into taking up favorable dates and terms for Broadway playing time by their theatre-controlling competition.

Picture which closes its two weeks first-run at the State today (Wednesday) is a UA release, "Home Across the Bay." Originally slated into the RKO State ("Fox operated"), it was delivered into the State by one of the two weeks' guarantee, better percentage deal than at the State and a much bigger proportion of the advertising budget to be shared by the house than the RKO would have assumed.

As result, UA, it is understood, will come out of the deal with more of a profit. UA's share will be about \$30,000 minus about \$2,500 for advertising.

## DISNEY CAPITALIZATION UPPED TO \$6,875,000

San Francisco, April 2  
Walt Disney Productions filed amended articles of incorporation increasing the authorized capital from \$3,000,000 to \$6,875,000. New papers call for 155,000 45¢ shares at \$25 a share and 800,000 10¢ shares at \$5.

Articles were filed by Roy Disney, president, and George W. Moran, secretary.

## Leslie Howard's 'Ma' Starts Francis-Angle Fix

Paris, March 31  
First of a series of French-British plays designed to bring back the French-British ties in The Man Who Knew How to Succeed, the play by Howard. Howard is the original of the idea.

A second film to be made will have Danielle Darrieux as a lead.

## SUTHERLAND'S 'BOYS'

Edward Sutherland, April 2  
Edward Sutherland's "The Boys from Brno," with Rita Roy, leading the cast. Producer is Jules Levy.

## GORDON-GOETZ'S 'AMERICAN WAY'

Adding to the uncertainty all around is disappointment in the lack of critical success of the film in Illinois, which Gordon-Goetz made and RKO recently put in distribution. It cost \$1,150,000 to make. Goetz said, and possibility of getting out is doubtful. Although proud of the picture, he said, he might have achieved, he declared, like other Lincoln pictures this seems to lack snap in the foreign market. He said he is 800 plus a percentage when grossed get over a certain figure, which it is not anticipated, will never be reached.

Gordon-Goetz are being counted on by RKO for two or three other films on the 1940-41 deal and Loew has Jack Hebler, their story editor, to write the script. He said there will depend on how many satisfactory stories they can obtain.



# AFTERLIFE

## Nat Ross' \$375,000 Budget on N.Y. Film With Bennett; Setup Details

Nat Ross, who will film "Accidental Father," starring Constance Bennett, at Biograph in New York, on Columbia release, will leave with C. Lilly for Hollywood on Saturday (8) to get together with Grover Jones and Tom Power. They are expected to have the story ready for shooting by July 15.

But don't credit out with Col. von Joan Cohn and treasurer Abe Schneider, is for only one picture without options, but may be expanded to three if great Harry Cohn approves two more story propositions Ross has in mind. It is understood that these are owned by Miss Bennett and she figures in the distribution of the deal. There would be no requirement that the additional pictures be made in New York. Has shown that city for his first one because the story is located there and because of financial assistance from Empire Trust Co. However, as the next two subjects are such as could be filmed in New York, it is likely the Biograph coin and lot will deal again.

**New Financing Figures**

Ross has set a 36-day shooting schedule and a \$375,000 budget. Biograph estimates 15% of that cost and additional credit. It is in second position in taking out its own film process. Precedence is in the Irving Trust Co., putting up the first money, understood to be better than 8%. Third preference is the Biograph.

(Continued on page 18)

## HIGH NO. COURT SETS BACK NICK, WESTON

St. Louis, April 7. A heavy judicial blow was suffered today by John P. Nick and Clyde A. Weston. United States Circuit Court No. 143, when the Missouri supreme court denied an application for writs of certiorari in the decision of the St. Louis Court of Appeals, which upheld their removal from control of the local television business.

Review was sought on grounds that decision of the St. Louis appellate court conflicted with controlling decisions of the supreme court. The case was once before the high tribunal, but was remanded to the court of appeals because no question fitting the top court jurisdiction was presented.

The court of appeals decision on Feb. 9 upheld circuit judge Brown F. Oakley. He counts the decision an appointed co-owners to manage the local.

## SWG to Protest NLRB Findings on Complaint

Hollywood, April 7. Exception to the intermediate report by the National Labor Relations Board acceptable to the Screen Actors Guild complaint against major producers, charging unfair labor practices, will be filed by the Guild, in an effort to force studios to negotiate a basic agreement acceptable to SWG members. At a meeting Monday (1) night, board pointed out the latest move is purely legal matter, but board accepts the findings. Negotiations would have to be resumed.

Due to changed conditions since previous attempt, board had suggested to check membership on its views as to what kind of contract would be acceptable to the Guild. It is on third point in Examiner J. J. Fitzgerald's report which recommends dismissal of that part of complaint charging producers refusal to bargain to good faith with Guild. This finding is being set aside by ruling of Examiner that producer contract with Screen Playwrights illegal, board accepts the ruling on the intermediate report.

SWG may dispatch Leonard Judd to board to sound, but will not attempt to argue the case early before the full board.

## Local 306 in N.Y. Drive On Non-Union Theaters

Spring campaign to organize non-union theaters to the Greater New York territory is being started in a week or two by Local 306. Moving Picture House Operators of N.Y. The executive board has voted on the matter and ordered that any member to good health must be prepared to picket, if called.

The operators' union seeks to bring in money that do not employ its members, starting with a group that were in the Independent Theatre Owners Assn. but have gone non-union. Others are old diehards, as well as around 70 theaters managed by the indie Empire Operators of N.Y. State.

Benjamin S. New York will be supported by Herb Popkin, N.Y. business mgr. and in Brooklyn by Jack Tomlinson, president of the union.

Last week 300 won a 1½% wage tilt covering three years.

## U.S.-INDICTED IBEW UNIONS STANDING

The International Brotherhood of Electrical Workers, which has been indicted by the Government on charges of conspiracy to restrict of trade, has long been involved to show business, but of recent years has greatly reduced. Union is also the St. Louis, April 7.

Since the inception of the International Alliance of Theatrical Stage Employees, the IBEW has been making jurisdiction of all electrical work in theatres. It still maintains men in the studios and in the theatre, of one city, including such as including changes on marriage.

About four years ago the IATSE based out operators in Chicago, Minneapolis and other midwesterns gave a struggle with studios which sought and succeeded in lowering the status of the IBEW.

While members of the stagehands' union, taking in elections, are over all electrical work and wiring in the theatre, the IBEW has jurisdiction of all electrical work in the studios. Although efforts have been made to obtain jurisdiction of other applications, including the equipment after a theatre is opened, including rewiring, etc., the IATSE has managed to hold on to work.

IBEW and Local 306, Motion Picture Machine Operators of N.Y. T. J. F. Fair last summer, and the matter isn't yet settled, although indications are that the operators, including the IATSE, will man all picture machines this year. Towards the end of the 1940s ago, the IBEW workers were in control of about two-thirds of the booths, 308 the others.

## Martin May Serenade Glorin Jean For U

White in New York. Joe Pasternak had planned to give a "Serenade" Letter is featured in "Singer's Court" and "Singer's Court" of "Way", and is being built up along Deanna Durbin lines.

## Cocking the Khybers

Hollywood, April 7. Talbot Mundy's novel "The Khyber Rifles," after two years on the shelf, will be staged off at the Grand Picture has a background similar to that of "The Hains Game."

## ABIDE BY WISHES OF COAST ACTORS

AGVA Refusal to Deal with Variety Local Brings Suspension of Charter—Challenge Eligibility for Employee Membership

## 10% PARLEYS AGAIN

Hollywood, April 7. Coast variety agents have capitulated to demands of the actors and have abandoned plans to function as a labor union. Officials of the Amusement Agencies Employees Union have wired William Green, executive of the American Federation of Labor, that group chartered by the AFL is suspending operations until the agents are recognized by his office. The agents insist the move is only temporary until they obtain a labor union recognized by the AFL, but general belief here is that agents union is a dead issue.

The suspension was ordered after the American Guild of Variety Artists announced it would not deal with the agents as a union, and demanded that Green withdraw the AFL affiliation. Officials of the Amusement Agencies Employees Union have wired William Green, executive of the American Federation of Labor, that group chartered by the AFL is suspending operations until the agents are recognized by his office. The agents insist the move is only temporary until they obtain a labor union recognized by the AFL, but general belief here is that agents union is a dead issue.

The position of AGVA that agents are independent contractors and agents are not eligible for membership for union membership was supported by the Screen Actors Guild and other affiliates of the Associated Actors and Artists of America, as well as Joseph M. Weber, proxy of the American Federation of Musicians, who is visiting on the Coast. Weber called Green by telephone to add his support to the demands of the actors for withdrawal of the agents charter. The agents insist, however, that it was not pressure from the AAAA group that caused them to suspend, but a request by the actors for a reasonable settlement of the differences.

J. W. Russell, secretary-treasurer of the Central Labor Council and associate of Willie Biard in present studio negotiations, has remained silent during the actor-agent controversy. Russell tried to obtain application before it was passed on by the AFL. Aubrey Blair, former executive secretary of the Screen Actors Guild, who admitted assisting the agents to prepare their agency application, also has remained silent in the background.

**Dig at Actors Blinded**

The general understanding here is that Biard intended to give the charter was either sponsored or encouraged by Russell and Biard to give the agents a better picture with whom they were feeding last year. Since that time, however, the attitude of the actors' union on the Coast has affiliated with Russell's Council, and AGVA has been a close working group with the Musicians, Stagehands, Bartenders, Waiters, etc. Because this attitude of the Musicians, the formation of a Hollywood Labor Council, Biard is said to have cooperated in the union project. Biard was busy in Chicago trying to escape serving a six-month jail sentence for failure to give an affidavit.

Without the active support of these leaders and with Joe Weber turning thumbs-down on the agents union, the AFL, which has not yet decided to revive the organization. If a new move is made, it was understood the AFL would proceed to officially suspend or withdraw the charter.

The AGVA proposal would divide the agents into five classifications and require them to state in which

(Continued on page 23)

## 'Cargo' and 'Primrose' Censorial Jams a Bit of a Trade Shock

## Joe Vogel Designates 2 New Low Dow Managers

Following his return from Cuba a few days ago, Joe Vogel, Low operator, has appointed Charlie Kurtzman to the so-called New England division, succeeding H. M. Addison, who resigned prior to Vogel's vacation about four weeks ago. The territory takes in Boston, Providence, Syracuse, Rochester, Toronto and London. Out. Kurtzman has been a house manager for Low's in Pittsburgh.

Another appointment made by Vogel is that of Charles Raymond, who will take over the Cleveland district, succeeding Harry Long, with letters being sent to three days of absence due to illness. Last managing the Empire, London, for Low's, Raymond has for many years been handling Low foreign bureaus, including those in South Africa.

## ORDER REORG OF CENTRAL CASTING

Hollywood, April 7. Reorganization of Central Casting was ordered by the Producers Amateurs Guild, but authority is vested in a committee being appointed. Action was taken Monday (7) after a meeting at Longwood of a report by Screen Actors Guild charging job-buying by extras and in Central.

Committee to be named by J. Frank Freeman, producer assn. head, will have full power to install a new manager or to make any change in personnel or operations considered advisable. SAG Board took cognizance of recent newspaper stories that undesirable were mixing into extra ranks and will institute a cleanup.

Inquiry by police into charge that "western hoodlums" are mixing in on film extras was approved forward this week by hints that the death of Walter C. Miller on a Republic picture was approved forward from such rough-cut. Probe continued despite the fact that an autopsy report by the coroner revealed Miller died of a heart attack.

Miller, 47, was a vet actor who, in recent years, had been doing bits and heavies in westerns. He died suddenly while being moved around for a camera theater, in which it was said neither he nor his opponent was injured. Miller was 47 and had resulted from such rough-cut. Probe continued despite the fact that an autopsy report by the coroner revealed Miller died of a heart attack.

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## MORE LEGAL MOVES TO KEEP BOFF FREE

Chicago, April 7. More legal maneuvering by its attorney this week continued to keep Willie Biard from the claim. Former state senator Abe Marowitz, counsel for Biard, has filed a motion to prevent a writ of superaddes and bail bond pending review by the state supreme court of Biard's conviction.

In California, hearing on charges pending against Biard and his attorney against attorney William Noblett were postponed with a hint that Biard might be released. Noblett is soliciting legal employment from Louis B. Mayer, who has been involved in Biard's case. U. S. attorney, requested the postponement until April 29 because pending review of all court cases. Biard is said to have an income tax evasion indictment against Biard.

## See Browne Slate Surely Rejected

It is regarded in inner labor circles that George E. Browne and his entire slate of officers will be rejected in respect to election of the International Alliance of Theatrical Stage Employees, to be held in Los Angeles, California, June 3. This will occur, it is held, in spite of what action is taken meanwhile in respect to all court cases. Added also is that it is improbable anyone will go up against Browne Charles E. Rogers' next story for Columbia release.

Picture will be shot in color with music.

Total ban placed on Metro's "Strange Cargo" and RKO's "Primrose Path" by Detroit censor last week came as a distinct blow in film company eyes engaged in this phase of the industry within the United States, under strict intra-industry administration. It is a source of grief that "Primrose Path" has almost vanished in the past few years.

Paradoxically, not only the Detroit thunders, but a religious body's act on "Strange Cargo" followed by only one day will have annual spirit in which he cited as proof of the efficacy of the Production Code Administration the fact that during the past year not a single film produced under our process of regulation was classified as "unsuitable" to the social categories of even the strictest of exhibitors and organizations seeing pictures.

Both "Strange Cargo" and "Primrose Path," of course, were made under the industry process of self-regulation, which is handled for the Hays office, by Joe Brew. Both are imported and expensive productions on their respective company's schedule, the first starring Charles Rogers and the second Clark Gable and Joan Crawford. "Cargo," according to Vantage location reports, has done well in its first-run, although not quite up to expectations for the two powerful marriage relations. "Primrose Path" has not had enough runs due yet to judge.

A Forgotten Subject

Until the present incidents cropped up, considerably forgotten was the film industry, had been reduced to a minimum in the U. S. and extended into a grove as a minimum in Europe. It is one of the real troubles encountered has been in countries far west. For instance, two Warner pictures, including "Glad and Evening Twentys," both were ignored by the Canadian censor as uninteresting.

(Continued on page 20)

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Spring Comes to Chi. B.O.'s Spurt; Orrin Tucker and '17 Smash \$54,000, LaMarr-Tracy, 10G, Satisfy, Ho.'s OK

Business went into high gear over the weekend, with mobs being attracted to the homes of the stars... The mercury climbed into the 60s...

There are plenty of h.a. flickers around the town, and this is the only one keeping the show potential down in any way.

Estimated for This Week: Apollo (B&K) (1,900; 35-40-75-100)...

Chicago (B&K) (1,400; 35-50-75-100)...

Chicago (B&K) (1,400; 35-50-75-100)...

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Chicago (B&K) (1,400; 35-50-75-100)...

First Run on Broadway (Subject to Change)

Week of April 1: Aster—'Gone With the Wind' (M-G) (16th wk.)...

Cliff—'Adventure in Diamonds' (Par) (7).

Globe—'Outside Thirty Mile Limit' (C&G) (6).

Ho.—'The Bachelor' (M-G) (16th wk.)...

Par.—'Road to Singapore' (Par) (4th wk.)...

Rebecca—'It's a Date' (M-G) (4th wk.)...

Tracy—'All Came True' (WB) (6).

Aster—'Gone With the Wind' (M-G) (16th wk.)...

Cliff—'Kidder's Strange Case' (M-G) (16).

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Par.—'Road to Singapore' (Par) (4th wk.)...

Rebecca—'It's a Date' (M-G) (4th wk.)...

Tracy—'All Came True' (WB) (6).

'Rebecca' Double-Checka \$115,000 On B'way; 'Melody' Quite Chirpy with 32G, 'Primrose' R. O. Path to Roxy, 40G 2d

31-day run, even though no dish for the weekend... 'Rebecca' (1,150; 35-50-75-100)...

'Melody' (1,100; 35-50-75-100)...

'Primrose' (1,100; 35-50-75-100)...

'Rebecca' (1,150; 35-50-75-100)...

'Melody' (1,100; 35-50-75-100)...

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Ho.—'The Bachelor' (M-G) (16th wk.)...

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Rebecca—'It's a Date' (M-G) (4th wk.)...

Tracy—'All Came True' (WB) (6).

'MELODY' FAIR \$12,000 IN PITT

Pittsburgh, April 2: Only three new films in town this week...

'Melody' (1,100; 35-50-75-100)...

'Primrose' (1,100; 35-50-75-100)...

'Rebecca' (1,150; 35-50-75-100)...

'Melody' (1,100; 35-50-75-100)...

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'Primrose' (1,100; 35-50-75-100)...

'Rebecca' (1,150; 35-50-75-100)...

'Melody' (1,100; 35-50-75-100)...

'REBECCA LUSTY' \$16,100 IN BALTO

Baltimore, April 2: With most of town holding over last week's top bracket holiday bookings...

'Rebecca Lusty' (1,610; 35-50-75-100)...

'Primrose' (1,100; 35-50-75-100)...

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'Melody' (1,100; 35-50-75-100)...

'Primrose' (1,100; 35-50-75-100)...

'Pincocchio' Strong 9G In Seattle; 5 Holdovers

This burg's greatest advertising barrage in months is concentrating on 'Pincocchio'...

'Pincocchio' (1,900; 35-50-75-100)...

'Rebecca' (1,150; 35-50-75-100)...

'Northwest' 'Alibi' Top 'Elwyn' With \$22,000

Seattle, April 2: 'Northwest' Pincocchio and 'Double Alibi'...

'Northwest' (1,900; 35-50-75-100)...

'Double Alibi' (1,900; 35-50-75-100)...

'Northwest' (1,900; 35-50-75-100)...

'Double Alibi' (1,900; 35-50-75-100)...



Philly Gives 'Rebecca' Raves Plus Smash \$28,000; 'Va. C.' 2d, Big 15G

Philadelphia, April 3. 'Rebecca' is roaring in burlesque at the Boyd this week, chucking up the great smash of 'Anthony Adverse'...

Key City Grosses
Estimated Total Gross
This Week.....\$148,850
(Last week.....\$141,000)

Estimates for This Week
'Alone' (WB) (1:30; 25-45-67-85)
'More' (WB) (1:30; 25-45-67-85)

INDIPS BETTER; 'REBECCA' FINE \$11,000
The weatherman is friendly to estimates of houses in the downtown sector this week...

Boyd (WB) (1:30; 25-45-67-85)
'Alone' (WB) (1:30; 25-45-67-85)
'More' (WB) (1:30; 25-45-67-85)

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'Alone' (WB) (1:30; 25-45-67-85)
'More' (WB) (1:30; 25-45-67-85)

Washington, April 2. First lutey weekend arrived here, but outdoor sport opened, but at the h.a.'s was morning light...

Boyd (WB) (1:30; 25-45-67-85)
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Washington, April 2. First lutey weekend arrived here, but outdoor sport opened, but at the h.a.'s was morning light...

'Singapore' '17 Good \$6,500 In Montreal

Montreal, April 3. 'Rebecca' at the Orpheum checks all records at the theatre since it was led to UA and is also top on the charts...

Estimated Total Gross
This Week.....\$6,500
(Last week.....\$4,000)

Estimates for This Week
'Alone' (WB) (1:30; 25-45-67-85)
'More' (WB) (1:30; 25-45-67-85)

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'Rebecca' \$8,500, Smashing L.A. House Record; 'Va. C.' 2d Big \$18,000, 'Gone's' 4th \$21,000

Los Angeles, April 2. Record-breaking hit is mounting up the local first-run this week with 'Rebecca' established as 'Virginia City'...

Estimated Total Gross
This Week.....\$8,500
(Last week.....\$7,000)

Estimates for This Week
'Alone' (WB) (1:30; 25-45-67-85)
'More' (WB) (1:30; 25-45-67-85)

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Los Angeles, April 2. Record-breaking hit is mounting up the local first-run this week with 'Rebecca' established as 'Virginia City'...

Estimated Total Gross
This Week.....\$18,000
(Last week.....\$15,000)

Estimates for This Week
'Alone' (WB) (1:30; 25-45-67-85)
'More' (WB) (1:30; 25-45-67-85)

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'Singapore' Vande, Hefly \$21,500. Out Front in Capital

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'SINGAPORE' HOT \$16,000 IN CINCINNATI

Cincinnati, April 2. 'Road to Singapore' at the Palace is topping big coin, yet general box office is not doing so well...

Estimated Total Gross
This Week.....\$16,000
(Last week.....\$14,000)

Estimates for This Week
'Alone' (WB) (1:30; 25-45-67-85)
'More' (WB) (1:30; 25-45-67-85)

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FALSE ALARM

Yeareo Junior Missions For Burger

Missaukee, April 3. Because of recent false crackings in nabe theatres, policemen have been alerted in various houses on weekends when receipts are heavy...

SHUN 'ABE LINCOLN' IN BUFFALO, \$7,000

Buffalo, April 2. There is noticeable increased activity in all downtown markets this week...

Estimated Total Gross
This Week.....\$7,000
(Last week.....\$6,000)

Estimates for This Week
'Alone' (WB) (1:30; 25-45-67-85)
'More' (WB) (1:30; 25-45-67-85)

Washington, April 2. First lutey weekend arrived here, but outdoor sport opened, but at the h.a.'s was morning light...

N.Y. EXHIBS IN MOVE TO LIFT SMOKING BAN

A movement to lift the New York State ban on smoking in movie theatres is being led by the Independent Theatre Owners of America...



"Listen to the folks applaud, Eleanor!"



"Listen to the critics rave, Fred!"



WENT WITH THE WIND

NORTHWEST PASSAGE

# THE NEW CAPITOL HIT!

## BROADWAY MELODY OF 1940

"Broadway Melody of 1940", another M-G-M lavish musical splash... Eleanor Powell and Fred Astaire dance brilliantly... Cole Porter's music is worthy of his genius, and the settings and costumes are as striking and effective as any we've seen."  
—Harold Williams

"M-G-M's 'Broadway Melody of 1940', melodious, sensation; funny gags throughout. The kind of merry musical movie which can not miss."  
—Fox

"Astaire and Powell new dancing team in a happy musical. One of the pleasantest in a long, long time... replete with good music by Cole Porter."  
—Mirror

"It's good to welcome Fred Astaire, Eleanor Powell and George Murphy back to the screen. Big musical numbers, with laughs and expert dancing."  
—Sun

"Even M-G-M hasn't done a better musical unless it was 'Great Ziegfeld'."  
—Brooklyn Eagle

"Superior... Mr. Astaire's rhythmic arabesques even more fascinatingly intricate than ever before! Miss Powell blends in beautifully."  
—Times

"Gay, lively... A treat of major proportions."  
—Daily News

"Handsome, racy and tautful... the routines leave you gasping with their brilliance. Effervescent screen entertainment."  
—Journal-American

"Audience enthusiastic. Gay and sparkling entertainment."  
—World-Telegram

### HELD OVER! 2nd WEEK!

"Listen to the cash register jingle, Mr. Exhibitor!"

**FRED ASTAIRE • ELEANOR POWELL**  
in "BROADWAY MELODY OF 1940"  
GEORGE MURPHY • FRANK MORGAN • IAN HUNTER  
FLORENCE RICE • LYNNE CARVER • Screen Play by Leon Gordon and George Oppenheimer • Lyrics and music by Cole Porter  
Directed by NORMAN TAUROG • Produced by JACK CUMMINGS  
Capitol, B'way & 51st St. Major Edward Beers, Maj. Dir. Shows open 10 A. M.



Plenty of newspaper space brings results at the Capitol!

STAR DUST

(With Songs)

Hollywood, March 27. "20th Century Fox" presents... "Star in Barn"...

Picture with Hollywood and studio background have been seen... "Star in Barn"...

Serial is tightly knit, direction stores... "Star in Barn"...

Despite its exposition of Hollywood... "Star in Barn"...

In "Star Dust," Miss Darnell... "Star in Barn"...

Picture with Hollywood and studio background... "Star in Barn"...

FLORIAN

(With Songs)

Hollywood, March 27. "Metro-Goldwyn-Mayer" presents... "Florian"...

"Florian" is the biography... "Florian"...

For animal lovers, "Florian" is... "Florian"...

Opening picks up Florian as a... "Florian"...

Two for the road... "Florian"...

Picture with Hollywood and studio background... "Florian"...

Initial film from American Production... "Florian"...

Miniature Reviews

"Star Dust" (20th). Solid program... "Florian" (M-G). Poor story...

"The Courageous Dr. Christian" (RKO). Second of series... "Hidden Enemy" (MGM)...

"The Showdown" (The Showdown)... "The Showdown"...

"The Showdown" (The Showdown)... "The Showdown"...

"The Showdown" (The Showdown)... "The Showdown"...

"The Showdown" (The Showdown)... "The Showdown"...

"The Showdown" (The Showdown)... "The Showdown"...

having been inspired by a purloined... "The Showdown"...

As they do so, the volcano... "The Showdown"...

Several native deers are... "The Showdown"...

"The Showdown" (The Showdown)... "The Showdown"...

"The Showdown" (The Showdown)... "The Showdown"...

"The Showdown" (The Showdown)... "The Showdown"...

"The Showdown" (The Showdown)... "The Showdown"...

road and the battle encounter with... "The Showdown"...

Jack Jumper has done a slick... "The Showdown"...

"The Showdown" (The Showdown)... "The Showdown"...

"The Showdown" (The Showdown)... "The Showdown"...

"The Showdown" (The Showdown)... "The Showdown"...

"The Showdown" (The Showdown)... "The Showdown"...

"The Showdown" (The Showdown)... "The Showdown"...

BEYOND TOMORROW

(With Songs)

Hollywood, March 27. "20th Century Fox" presents... "Beyond Tomorrow"...

ZANZIBAR

"Zanzibar" (Warner Brothers)... "Zanzibar"...

HIDDEN ENEMY


"Hidden Enemy" (Warner Brothers)... "Hidden Enemy"...

THE SHOWDOWN

"The Showdown" (The Showdown)... "The Showdown"...

"The Showdown" (The Showdown)... "The Showdown"...

# THIRD WEEK ROXY, N.Y.



**..and double average  
business on holdover  
at Liberty Theatre,  
Portland....**

**THAT'S the news on the  
first two openings!**

**GINGER ROGERS  
JOEL McCREA**

in  
**PRIMROSE PATH**

with  
**MARJORIE RAMBEAU HENRY TRAVERS  
MILES MANDER QUEENIE VASSAR  
JOAN CARROLL**

Produced and  
Directed by **GREGORY LAJAVA**

Screen Play by Allan Scott  
and Gregory La Cava



HIDDEN ENEMY

Continued from page 16]
Hidden Enemy is a Russian spy also. It's the 'villain' and 'victor' on the names card.

And One Was Beautiful

Hollywood, March 29. Metro-Goldwyn-Mayer presents...
Robert Cummings...
Lillian Hellman...

KILLERS OF THE WILD

Two-episode of Dick Yonkers production...
Children of the Wild, being toured...
Grand National circuit.

LAMBETH WALK

British-made...
Lillian Hellman...
Lillian Hellman...
Lillian Hellman...

GANG WAR

All-Negro picture...
Gang War...
Gang War...

Ghost Valley Raiders

British-made...
Ghost Valley Raiders...
Ghost Valley Raiders...

but there isn't anything in this film that's not accepting Republic's version...
Robert Goddard...
Robert Goddard...

KILLERS OF THE WILD

Two-episode of Dick Yonkers production...
Children of the Wild, being toured...
Grand National circuit.

LAMBETH WALK

British-made...
Lillian Hellman...
Lillian Hellman...
Lillian Hellman...

GANG WAR

All-Negro picture...
Gang War...
Gang War...

Ghost Valley Raiders

British-made...
Ghost Valley Raiders...
Ghost Valley Raiders...

as burlesque and enjoy the film notwithstanding...
Robert Goddard...
Robert Goddard...

CLAUDINE

French-made...
Claudine...
Claudine...

CLAUDINE

French-made...
Claudine...
Claudine...

SERENADE

French-made...
Serenade...
Serenade...

SERENADE

French-made...
Serenade...
Serenade...

MUSICIENS DU CIEL

French-made...
Musiciens du Ciel...
Musiciens du Ciel...

MUSICIENS DU CIEL

French-made...
Musiciens du Ciel...
Musiciens du Ciel...

Robert certainly did not possess...
Lillian Hellman...
Lillian Hellman...

TWO FOR DANGER

British-made...
Two for Danger...
Two for Danger...

TWO FOR DANGER

British-made...
Two for Danger...
Two for Danger...

Lights Out in Europe

British-made...
Lights Out in Europe...
Lights Out in Europe...

Lights Out in Europe

British-made...
Lights Out in Europe...
Lights Out in Europe...

MUSICIENS DU CIEL

French-made...
Musiciens du Ciel...
Musiciens du Ciel...

MUSICIENS DU CIEL

French-made...
Musiciens du Ciel...
Musiciens du Ciel...

Levee plays blindman to earn cozy...
Lillian Hellman...
Lillian Hellman...

Lights Out in Europe

British-made...
Lights Out in Europe...
Lights Out in Europe...

Lights Out in Europe

British-made...
Lights Out in Europe...
Lights Out in Europe...

MUSICIENS DU CIEL

French-made...
Musiciens du Ciel...
Musiciens du Ciel...

MUSICIENS DU CIEL

French-made...
Musiciens du Ciel...
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MUSICIENS DU CIEL

French-made...
Musiciens du Ciel...
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Musiciens du Ciel...
Musiciens du Ciel...

MUSICIENS DU CIEL

French-made...
Musiciens du Ciel...
Musiciens du Ciel...

MUSICIENS DU CIEL

French-made...
Musiciens du Ciel...
Musiciens du Ciel...

MUSICIENS DU CIEL

French-made...
Musiciens du Ciel...
Musiciens du Ciel...

MUSICIENS DU CIEL

French-made...
Musiciens du Ciel...
Musiciens du Ciel...

Chloe Valley Raiders' credit...
Chloe Valley Raiders' credit...

Col's 68¢ Divvy...
Col's 68¢ Divvy...

FORDE DOCKS AT FIER 13...
FORDE DOCKS AT FIER 13...



MAN! WE COULD



HEAR IT IN  
NEW  
YORK!

The ear-splitting salvo at the unadvertised Hollywood Preview started the applause that will be heard 'round the world for *Warner Bros.*

AND

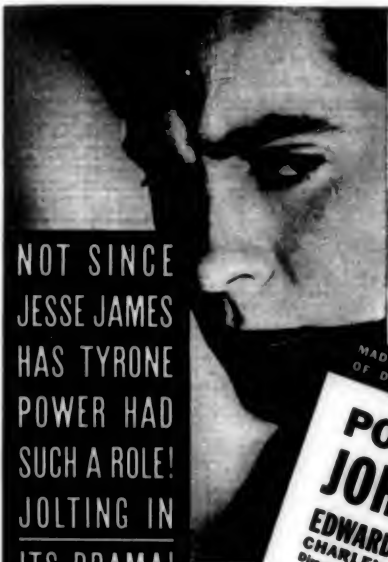
MERI GEORGI  
**OBERON BRENT**  
 'TIL WE MEET  
 AGAIN  
 PAT O'BRIEN  
 GERALDINE FITZGERALD  
 BINNIE BARNES • FRANK McHUGH  
 JOHN STURGES



...WHILE THEY'RE STILL APPLAUDING WITH

E-X-T-E-N-D-E-D TIME  
everywhere for  
'VIRGINIA CITY'





NOT SINCE  
JESSE JAMES  
HAS TYRONE  
POWER HAD  
SUCH A ROLE!  
JOLTING IN  
ITS DRAMA!



DOROTHY LAMOUR as "Lucky"...sultry  
dance-diva songstress, mobster's  
sweetie... and occasional!

MADE WITH THE DARING AND LIFE TRUE IMPACT  
OF DARRYL F. ZANUCK'S GREATEST HITS

TYRONE POWER • DOROTHY LAMOUR  
JOHNNY APOLLO  
EDWARD ARNOLD • LLOYD NOLAN  
CHARLEY GRAPEWIN • LIONEL ATWILL

Directed by Henry Hathaway • Associate Producer Harry Joe Brown  
Screen play by Philip Dunne and Donald Crisp • Original story by Edward G. Angel  
and Hal Lewis • Dorothy Lamour songs "This is the Beginning of the End" by Max  
Gardner "Dance for Me and Mine" by Lionel Hummel and Frank Loesser  
Darryl F. Zanuck in Charge of Production

IT'S  
THE  
KIND OF  
BOXOFFICE  
DYNAMITE  
YOU LIKE  
TO  
HANDLE!



EMOTIONAL DYNAMITE...set off when  
Edward Arnold as the convicted banker brings  
bitter disillusion to the son who idolized him!



IN STOP-THE-SHOW  
COSTUME...Lamour of the  
voice that thrills, personifies seductive  
feminine appeal!



THE TERRIFIC JAIL-BREAK CLIMAX  
...unapproached on the screen for nerve-lashing  
wallow!

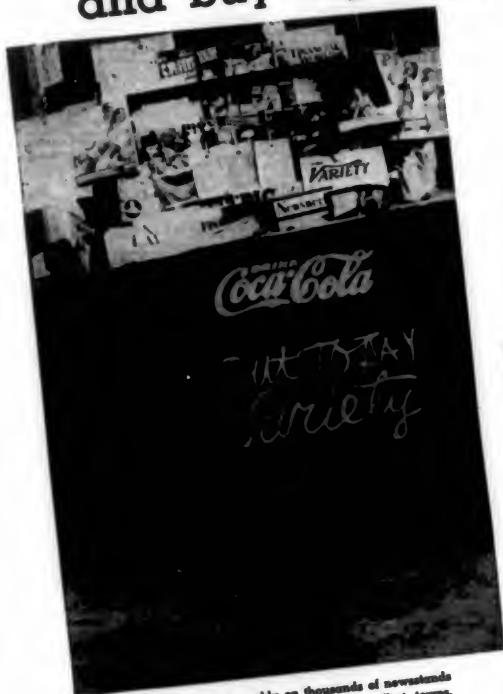
"20TH HAS A TERRIFIC BET IN 'JOHNNY APOLLO'—WATCH!!" says Hollywood Reporter

Air-sold to the millions by a whole series of Kate  
Smith broadcasts! Be at your radio when her  
Friday night hour climaxes the most spectac-  
ular broadcasting build-up ever given a motion  
picture! (April 5th, 8 to 9 P.M. EST over CBS)





# 'Guess I'll Walk to the Drug Store and buy my copy of *VARIETY*'



'Variety' is sold weekly on thousands of newsstands situated in the largest cities and smallest towns.

**S**OUNDS like a gag-line from an old-time vaudeville skit. The remark you might expect from Rube Dickinson or Charlie Withers

One is inclined to associate 'Variety' more with the type of bigger showmen-executives, the top film men, radio advertising experts, station men and legit producers, than as indispensable to smaller operations.

Show business, which is the art of presenting entertainment for cash, spans the vast territory from Radio City Music Hall, with its 6,000 seats in the midst of 8,000,000 people, to the Cramerton theatre, capacity 300.

And where show business goes, there goes 'Variety'. Regular advertisers know this to be true.

Cramerton, N. C.

Editor,  
Variety:

I am again receiving 'Variety' through the Cramerton Drug Co. now every week, thanks to you. The issue I missed was the first in 10 years.

How about the advance production chart? When will it appear again? You see, my cousin operates the motion picture theatre and he reads my copy every week. He depends on the chart to keep up his bookings.

Enclosed find a self-addressed envelope for answer. Thanks very much.

Claud R. Scoggins  
Box 1075











# No Responsibility Over Affiliates, CBS Lawyers Argue on Plea Phone Company 'Carries' Shows

Washington, April 2. Legal relation between a network and its affiliate is up for determination by the U. S. Supreme Court in a case that involves CBS liability for allegedly damaging statements carried on a chain program. The State of Washington is asking the final umpire to rule whether independently-owned plants are "carriers" of the web.

Question arises from a suit by the Waldo Hospital Association, Inc., demanding \$20,000 from CBS and KIRO, Seattle. The remarks in a taped broadcast a year ago. The summons was served on H. C. Quigley, general manager, Seattle City Broadcasting Co., corporate licensee of KIRO, who has been quoted by the Washington State representative of the chain.

Under Washington statute, suits against a "foreign" corporation or non-resident—when done in this situation—can be served upon any agent, cashier or managing agent. When the papers were handed the KIRO official, the web promptly rejected that it never designated him as its legal agent.

The network's attempt to wiggle out was nullified by the courts of the Western state. Hence to squish the summons and set it aside was urged by the Superior Court for King County.

Court later refused to issue an injunction prohibiting CBS. The argument by the U. S. tribunal is that the web is that in the entire process of relating a broadcast—liberal or not—to Seattle, the only acts performed by CBS were performed outside the state and the chain could be held in control over KIRO and that the telephone company did the actual carrying of electrical impulses furnished by the Seattle outlet. Defense claim is bolstered by statement that it has no bank accounts or offices in the state and its only relation to KIRO is that of "independent contractor."

These arguments were not convincing to majority of the Washington Supreme Court. Justice John S. Burdick said since KIRO "issues time to time" the station is a legal representative of the network in this view "without 'any process' clause of the Federal Constitution in the peg on which the appeal hangs."

## EYERSHARP SPONSORS BOB HAWK APRIL 21

Eyesharp Pens and Pencil makes its debut on CBS Sunday April 21, with a half-hour (10-10:30 p.m.) novelty quiz emceed by Bob Hawk. The title is "Take It or Leave It."

Hookup starts off with a split-run of 30 seconds. Other outlets may be added later. Here is the agency.

Announcement of this Sunday evening spot caused a lull in the network's summer schedule of sustaining programs. It had been figured to "fill the gaps" in the program line-up during this period, spot a sport quiz on the Sunday 8-8:30 slot and launch Harry Sawyer in an idea contest program on the Sunday 8-8:30 p.m. niche.

## Bergen-Kuhl

Continued from page 1

when he will be relieved of that assignment by Maury Hollander from the New York office. In the meantime Kuhl is expected to familiarize himself with the other JWP projects on the Coast, such as Kraft's "The Law," and "The White House Family," and "I Love a Krazy Fellow."

It's the first time that the Thompson agency has made use of the title, "Herald and (W.E.A.F.) is filling the 11:30 a.m. Saturday vacancy with one or two others."

## 'Green Hornet' Clicks

The "Green Hornet," 30-minute dramatic series over NBC blue (WFL), Monday and Wednesday nights, has the highest C.A.B. rating of any half-hour station on NBC.

It is also figured as regarded as particularly good since it is up against the *Last show Monday* and the *Fred Allen and Texaco* programs Wednesday.

## Public Forum Spurns Radio As Unsuitable

Louisville, April 1. Odd quirk in the local radio setup arose here last week, when E. A. Clater requested permission to air the Public Forum meetings conducted at the University of Louisville. Meetings are open to the public, for free, and topics discussed are of current interest. However, Clater usually brings forth a controversial matter, and he has, therefore, declined to permit WGCR to air the meetings, deeming the subject matter to be a controversial nature, and in his view, unsuitable for radio.

For some weeks, WGCR has been airing local sessions of the Board of Aldermen from the City Hall. Confab usually bring forth a lot of choice of words and ideas, all of which might be construed as a controversial nature, but things have been practically free from criticism and by means of the broadcast the liberalism and actions of its local legislators.

## FOR ONCE THEY AGREE

Radio and Press Praise Russell Young's Appointment

Washington, April 1. Six-minute tussle between radio and press reporters, was accomplished Friday when J. Russell Young, dean of the White House Correspondents' Association, was appointed by President Roosevelt to the post of District of Columbia Commissioner.

Young, who is equally popular with newspapermen, radio reporters, etc., was greeted by "no more ferocity." Earl Godwin, White House correspondent for the local *Times-Herald* and who also carries his piece via the air-wave, called Russ "a friend of our wave" for Washington. John J. Daly, who worked with Young on the Washington Star, praised the appointment, while *Walter* *Knickerbocker*, NBC commentator, complimented the dignified "Senator" of the press gathering on an individual "no more pomp and ceremony of office than a St. Bernard" by a yapping pup."

## 'Hilda Hope' Folded

Whispered has dropped its weekly 30-minute dramatic series, "Hilda Hope," M.D., with lat Saturday's (10) edition. It was an employment, the lead for the immediate future, which Young fust scribbled the show, which consisted of unscripted scenes, and Selma Boyce played the lead. Competition agency handled it.

NBC and (W.E.A.F.) is filling the 11:30 a.m. Saturday vacancy with a musical number.

## PRINTING UNIONS GIVE THREAT TO ISSUE

Conditions Bad in Newspaper and Magazine Trades as Radio Booms—Unionists Think Publishers, Musicians, Others Should Combine

## SECRET Huddle

Washington, April 2. Radio's adverse effect upon the prosperity of the printing trades, because of the high mortality on newspaper media, and what to do about it, were the subjects of a meeting for the past several years the leadership of the involved unions has from time to time given thought to its depressed state in relation to the booming prosperity of radio advertising. Unions have not been very clear in its own mind. This month seems to have crystallized in the past week. The strategy of attack against the powerful radio boom, can, in the printing trade opinion, only succeed, if many elements are united. The printing trade unions see the publishers and other interests in the industry.

## 'Beyond Reasonable Doubt' Dropped on 11 By Vicks But Continues Elsewhere

"Beyond Reasonable Doubt," award dramatic series produced by Waxed, has been dropped on 11 by Vicks this week from its regular time slot. The series was dropped by Vicks this week from its regular time slot. The series was dropped by Vicks this week from its regular time slot.

## Clyde Randall Dies

Former radio personality, Clyde Randall, died here last week. He had been suffering from a long illness.

## 'Grand Central Station's' Big Jump

C.A.B. Rating Tripled—Uses Non-Serial Drama By Free Lance Authors

"Grand Central Station," 30-minute dramatic series Friday nights over CBS for Listerine, has more than tripled its C.A.B. rating in the last six months. It has jumped from 1.8 last July, and had mounted to 5.4 in the last figures. "First Nighter," 30-minute dramatic series, which debuted in 1947, it went from rating of 1.9 in 1947 to 2.2 in the same month last year. "State of the Union," the most spectacular of any show on C.A.B. Grand Central has been thriving since October, 1947, and has been in its present spot since September, 1948.

## LaGuardia Berates Columbia For 'Opposing The City of New York'; Takes FCC Examiner's Breath

## An Actor's Vacation

Chicago, April 2. Stage actor Blaine Coltrane came here three weeks ago to visit his wife, Muriel Kirkland playing here in "Abe Lincoln in Illinois."

It proved an actor's vacation. Coltrane has appeared on 17 different radio programs while in town.

## Dry's Pushing City-Owned WRR on Suds

Dallas, April 2. WRR, municipal, here plans to reject give up of all beer broadcasts. In most of their stand, officials claim city fathers recently prohibited WRR from airing whisky and liquor shows but okayed beer programs.

Dry's are lining up city ministers and anti-liquor interests to carry on the fight.

## 'ARMSTRONG' KID SAGA WILL GO THROUGH HEAT

Chicago, April 2. To hold its time and to obtain a rate differential General Mills will keep the 15-minute NBC-Rad spot at 5:30 p.m. Monday-through-Friday through the summer and will continue the current "Jack Armstrong" show on for Whelan's. This is the first time that the "Armstrong" show will ride through the hot spell.

Network, however, will be allied to 11 stations in the eastern daylight saving time area. The set-up goes into effect on April 25.

## Clyde Randall Dies

Former radio personality, Clyde Randall, died here last week. He had been suffering from a long illness.

## Junior Bar Association Program on Texas Web To Explain Litigation

Austin, Tex., April 2. The Junior Bar Association of Texas takes on the air Saturday (5 p.m.) in a series of nine weekly broadcasts on the procedures of the law. The program is sponsored by the Texas Bar Association and Randall, Attorney at Law.

The program is known here and is to be broadcast on the Texas Bar Association's program for a quarter hour's duration.

Through a mythical old Judge Reid, who has served the people of Mount View County for forty years, the program will explain the law, the courts, the services and problems of the average lawyer will be brought to the attention of the public.

Sponsored by the Junior Bar Conference of America in co-operation with the Texas Bar Association, the broadcasts will be part of a nationwide public information program.



# "A" OUT OF "B" BURDEN

## 1939 Picture of Radio

(All figures represent revenue AFTER frequency discounts.)

Total gross to stations.....	\$64,700,000
Total gross to networks.....	\$7,700,000
Network portion of sales.....	\$61,900,000
Station time sales to local and spot accounts.....	\$65,300,000
Plus payments by networks.....	\$2,700,000
Total.....	\$1,000,000
Station portion of sales.....	\$40,000,000

### 'IF' NEW RATES HAD APPLIED IN 1939

Network payments.....	None	\$4,250,000
Station payments.....	\$4,300,000	\$7,110,000
TOTAL (if network change were 8% instead of contemplated 7 1/2%).....		\$6,100,000
TOTAL (if network change were 5% instead of contemplated 7 1/2%).....		\$7,410,000

## Memo: To Statisticians

There have been many guesses as to how much more ASCAP will take in the coming statistic year as opposed to the current system. These guesses have varied by as much as \$2,000,000—a huge percentage of variation.

Insofar as possible, Vannoy has in the coming statistic year taken the whole question on a bookkeeping basis, and show as exactly as possible how much program will increase, and specifically where increases and decreases would occur. Total radio station revenue figures that these figures are Vannoy's guess, somebody else's. None of the radio stations or their representatives interested in the controversy. It was worked out solely by this writer as a service to the industry, and it hopes to be and has tried to be free of the most serious errors in this 16-year-old controversy.

The foregoing statistics represent, to some extent, a picture which slays the odds against the middle. In the first place, the FCC has not yet received 1939 radio revenue figures, and the second place, nobody knows to the penny what ASCAP received in 1939 radio fees, although the total of \$4,300,000 is accurate enough for all practical purposes. In justification, Vannoy's present figures, however, this much may be said: the line figures run to as many as 100,000 radio stations, and the figures thereof will vary only slightly.

Total radio station revenue (frequency discounts) was computed for this free-style audit to be \$129,000,000 (increasing to \$137,000,000 by 11%.) This 11% was deemed small enough to be on the safe side and it corresponds well with the increase in ASCAP radio revenue. In the past, increases or decreases in ASCAP radio revenue have always closely matched fluctuations in total radio revenue.

Mean time also after frequency discounts) were computed by projecting the 1939 performance to the 1938. In 1938 the network took in 71.1 million gross, which, after frequency discounts, resulted in \$43.8 million net. Network gross in 1939 was \$81.1 million. These factors lead themselves to the following arithmetical computation:

38.8 : 71.7 :: X : 81.1

This proportion solves to 64.7 million.

In the same manner, the division of network intake between networks and affiliates was based on a 1939 projection. In 1939 the networks paid 28.4 million out of 55.8 million to their affiliates. Hence, if the networks get 64.7 million in 1939, the proportion is:

28.4 : 55.8 :: X : 64.7

This solves to 23.7 million.

The agency control on the network intake was computed as 15% of the 700,000, which is roughly \$1,050,000.

All of the items in the station

## WHAT NETWORKS WOULD HAVE PAID

Using 1939 as Sample Year, 'Variety' Calculates ASCAP Would Have Collected \$7,100,000 (Instead of \$4,300,000) from Radio, if New System Had Applied

### WHO PAYS IN END?

If the new contract which the American Society of Composers, Authors and Publishers is offering the broadcasting industry had been in effect during 1939, ASCAP's collection from the radio would have been \$7,100,000, as compared to the \$4,300,000 that the society actually did collect. The total of \$7,100,000 is VARIETY's, and the basis from which it was developed is set forth in detail in the following mathematical study.

No attempt has been made to project the net so that it would be in 1940 since that year is practically in its first quarter month and there is no way of ever projecting what the broadcasting industry would be for that year. However, if the pace of business increase for the first quarter of 1940 is the same as that which is made to estimate that ASCAP's radio income for the final year (1939) is the same as that which stations will be between \$4,800,000 and \$5,000,000.

Using the basis of VARIETY's tabulation, it might be estimated that were ASCAP's proposed new plan adopted this year (1939) the amount of radio would be somewhat over \$5,000,000. This is all predicated on the assumption that ASCAP's proposed fee of 7 1/2% for network business. Presuming that the present rate of 5% for networks were to continue through 1941, ASCAP's new plan would, it might be further estimated, result in a gross of \$6,000,000 for that year.

ASCAP estimates that under its revised licensing plan it will, through reductions and rebates, receive only half or even less than half, of the present income from a "single" station. This assumption is used as one of the bases of the adjoining mathematical study.

**Saving for Small Stations**

Of paramount interest to the broadcasting industry are the answers to the questions as to how transmitter classes gain or lose something from the application of ASCAP's new plan. Were the new plan in effect during 1939 the small stations, for the most part, would have had to pay \$135,000 less to ASCAP. The intermediary station, which is a whole lot better than \$200,000, while the Clear A station would have their ASCAP liability diminished \$200,000, three estimated savings total \$1,300,000.

Under the present ASCAP contract the networks pay nothing direct to the society from their bookkeeping program receipts. If the 7 1/2% fee had been applied to network business, the networks' share of the total that source would have been \$4125,000. ASCAP estimates that its cut out of the network share as collected from the affiliated stations direct, would amount to \$1,900,000.

It is noted that the new ASCAP plan is asked to have the networks shoulder a major part of the load on the radio side. If the network side of the affiliated station would agree to rewrite their network contracts so that part of the network share of the new demanded from the networks direct by ASCAP could be deducted from the network share of the network. The stations have for years been assuming that this share hasn't been theirs, and it is entirely likely that ASCAP face an network business they would be faced with an increase

## How New ASCAP Terms Would Have Applied to Radio Stations in 1939

(It is assumed that under the proposed new ASCAP contract stations will fall into three revenue categories: those grossing \$50,000 or under; those in the \$50,000-\$250,000 class; and those over \$250,000.)

	1939		Total Savings Under New System
	Actual System Based on Payments To Stations	Proposed New System	
Stations grossing up to \$50,000, estimate based on \$4,300,000, less non-ASCAP members, less other deductions:			
Advertising fee.....	\$300,000	\$225,000	
Sustaining fee.....	50,000	4,000	\$134,500 +
Stations grossing \$50-\$250,000, estimate based on about \$20,000,000 after agency discounts, less non-ASCAP members, less other deductions, including failure to pay due to suspension:			
Advertising fee.....	\$1,914,000	\$853,000	
Sustaining fee.....	300,000	150,000 (75%)	\$253,000 +
Stations grossing over \$250,000, estimate based on around \$60,000,000 after agency deductions, less other deductions, including failure to pay due to suspension:			
Advertising fee.....	\$2,000,000	\$1,510,000	
Sustaining fee.....	500,000	375,000 (75%)	\$600,000 +
Total.....	\$4,300,000	\$2,991,000	\$1,309,000 +

### PEARCE SPOT FOUND

CBS for Canteen Starting May 3—10 Stations

After considerable juggling of the time schedule, NBC's *How to Succeed in Business Without Really Trying* found a spot for Al Pearce's new variety show. The show will start on May 2, hitting the spot at 7:30 p. m. and repeating for the Coast at 8 p. m. Pearce will approximate 60, with another 30 to be added in the Fall. Pearce has a preview of the 7:30 spot on the Coast later.

Pearce terminated his deal with Decca pianophile April 3. Vannoy remains intact for the new series, Prof. Quik (Tom), currently in a 7:30 spot, moves to Tues., 9:30-10 p. m.

### JACK LATHAM NOW AT BENTON & BOWLES

Jack Latham has become business manager of Benton & Bowles radio department. He resigned from Fagan who has returned to CBS as assistant sales manager. Latham was formerly with Kenyon & Eckhardt, American Cigar and Cigarette Co. and Young & Rubicam.

### Johnny Green's 'Jingo'

Johnny Green's *Breeding Along* program, sponsored by Philip Morris, was heard at a whole new level to CBS, taking the Sunday 6:30-8:30 p. m. slot. It became an audience favorite. Green's idea is for listeners to submit jingles that give the key to the title of a popular song which the title a blank slate. Studio audience is to do the singing. Prizes have been offered to the winners.

Greco will m.c. with Ray Buckner at hand, and Earl Hootch's chorus will be retained. Green contemplates the same add it to the agency handling the show.

or around 8% or more in general over the year. The total ASCAP network fee, \$41,800,000, figured on the basis of 7 1/2%, is tantamount to half of the networks' profits in 1939. It is also doubtful whether the networks would absorb this expense and let it go at that. Again applying the presumption of the 7 1/2% fee, the networks would have to pay for the ASCAP fee on the basis of 10% to 15%. In a 15% rate, it eventually goes to the advertiser.

## HARD-BOILED ABOUT RADIO PRIZES

Miami, April 2. In a move aimed at discouraging exaggerated premium offers, frequently resulting in a negative reaction to our contribution, the station WQAM Friday (30) advised each advertiser that hereafter it would accept only the most reasonable positive proof of the value of inducements must first be presented to the station.

In advertising the new policy further, station stated: "Any offer representing WQAM Friday (30) advised each advertiser that hereafter it would accept only the most reasonable positive proof of the value of inducements must first be presented to the station. In advertising the new policy further, station stated: "Any offer representing WQAM Friday (30) advised each advertiser that hereafter it would accept only the most reasonable positive proof of the value of inducements must first be presented to the station."

### PETE WASSER TO JOIN WJAS-EQV, PITTSBURGH

Pittsburgh, April 2. G. S. (Pete) Wasserman came to Pittsburgh for an executive post with the Brown-Thompson stations, WJAS-EQV. He's expected to concentrate on national sales and promotion. Due on the job in about two weeks. Since leaving the station Wasserman firm of Gene Ferguson & Co. two years ago Wasserman has been general manager of station WQAM, 1000 Water at St. Albans, Vt., which he streamlined and stimulated.

Reche Due in L.A. John Reche, of N. W. Ayer's New York office, will go to the Coast within the next week or two to handle with Bradford Brown on production plans for the Ford summer series. He will be joined by Melton, Francis White and Leith Stevens. He will not be able to leave until H. L. McClintock, agency vice-president and radio manager, returns from Illinois, however.



David O. Selznick's  
**Rebecca**  
GIVES RADIO CITY MUSIC HALL  
THE BIGGEST OPENING BUSINESS  
IN ITS HISTORY!

In the first 5 days, Radio City Music Hall played to more than 150,000 admissions and



**8:15** 8 a. m. a half hour before opening everybody's heading toward the rapidly growing Music Hall line!



**8:45** the doors are open while the crowds are jamming up as far east as Rockefeller Plaza!



**9:00** no more seats in the orchestra as patrons rush for last remaining places in balcony and mezzanine!



**9:30** the "sold out" sign goes up on the reserved seat window... largest advance sale on record!



**10:00** extra police called in to keep the lines in order. It's S. R. O. already and the crowds still piling up!



**11:00** extra ticket windows open and money comes in faster than the girls in the box-office can handle it!



**12:00** switchboard takes record number of phone inquiries in busiest day operators ever remember!



**1:30** P. M. lobbies jammed... first mezzanine filled to capacity... waiters lined up on second mezzanine stairs!



**4:00** the line extends to Fifth Avenue as every matinee record falls before the onslaught of eager patrons!



nd far to the light... as "Rebecca" soars "way past all previous Selznick hits... topping "Star Is Born" and "Prisoner of Zenda", both of which played 3 weeks!

*Selynick International* PRESENTS

# Rebecca

starring

**LAURENCE OLIVIER · JOAN FONTAINE**

hero of "Wuthering Heights"

in her sensational starring debut

with

**GEORGE SANDERS · JUDITH ANDERSON**

Directed by **ALFRED HITCHCOCK** • From the best-selling novel by **DAPHNE DU MAURIER**

Produced by **DAVID O. SELZNICK** who made "GONE WITH THE WIND"

RELEASED THRU UNITED ARTISTS

urned away close to 75,000 additional prospective ticket-buyers. Held over!



# MORE CASH COME-ON GRIEF

## Theatre-Radio Bingo Scared Off

### Philadelphia Variation Chilled By Hint From Washington

Philadelphia, April 2. A scheme to line up indie films within a "Bank Nite" locale via radio to outwit the State ban against gamblers in theatres died absorbing last week when the Federal Communications Commission cracked down upon other giveaways. The promoters of the stunt had tentatively lined up a score of theatres and were getting set to begin their program when the news came from Washington that this type of broadcast was verboten.

Among the five programs cited were two on local stations—"Song" on WIP, and "Especially for You" on WFIL. The former program, which was a variation of "Bingo" with song titles used instead of numbers, went off the air only last week when the 11-week contract with Nerva's Drug Co. the sponsor, expired.

Roger W. Clipp, general manager of WFIL, ordered his program suspended pending final judgment of the FCC, despite his contention that the broadcast did not violate the commission's anti-lottery law. WFIL's program consisted of a straight give-away of a radio set to listeners who receive telephone calls while tuned to the station. It was a copy of "Pot o' Gold" and was sponsored by the station as a promotion stunt.

WFD, Providence, new originating dance music half-hour titled "The It Party," for CBS Saturday afternoon, with Ed Pearson announcing.

## 'OSCAN' STUFF COPPED

### KMOX Uses Hollywood Award Stand For Showing Talent

St. Louis, April 2. KMOX was hit by the Academy of Award complex and honored four of its 30 hillbilly staff artists at a live audience session by doing out replicas of the "Oscar" dished out to Hollywood screen stars. All the mystery, etc. of the selections was observed and program director Chester "Tug" Henner was the m.c.

Those who copped gold statuettes were "Shasta" Austin, adult actress; Sally Foster, singer; Frankie Krajcik, square box artist, and "Shasta" Yaney, "vocaler and guitar player."

## BROOKS LUCK WRONG WAY

Los Angeles, April 2. Involutionary biography written against Laurence Sunbreck, rodeo and sports promoter, was filed by Warner Bros. Broadcasting Co., Allied Advertising Agency and R. L. Rust.

Petition claims Sunbreck owes them a total of \$7,516.

## WTIC Buys Behind Idea

Hartford, April 2. Marlen Blinnard, former dramatic program director of WISN, has sold a radio dramatization of her novel, "The Day That I Forgot" to WTIC for production by the Gay Heuland players.

Will consist of 13 weekly airings of one half hour each. Starts Friday (3).

## CAN'T PERFUME LOTTERY OOR

### Federal Communications Commission Again Asks Department of Justice for Legal Opinions—Radio Industry Dotted with Imitations of Pot O'Gold

## BARNS DOWN

Washington, April 2. Resounding tut-tut, which sometime ago sent the "Pot 'o Gold" ("Tama") program to the Department of Justice for an opinion as to whether it was violating U. S. lottery laws, were repeated this week when the FCC dispatched five additional radio broadcasts to the nation's G-men for a similar currying-combing.

Colperts were WGN, Chicago, WIP, Philadelphia, WFIL, Philadelphia, WISN, Asheville, N. C., and KRLL, Dallas, Tex.

While the D. J. has, so far, held its tongue regarding the seriousness of the Tama charge, the new programs are supposed to be even more vulnerable to anti-lottery attacks.

"Munie" (WGN) is described as follows: Sponsored by the National Tea Co., Chicago, cards are supplied by National Food Stores and other sources. Each card has five rows of squares in each row. Names of people are involved. To win a cash prize—one must be lucky enough to

(Continued on page 2)

## 'Pot O' Gold' Inspires Another

### This Time Sponsor Plays Adventure Serial While Phone Calls Are Made

## Cop Good Showman

Boston, April 2.

First news to the public: on an attempt on the life of Boston Police Commissioner Joseph Timilty recently, was given on WEE-WBEA by the commissioner himself. He opened a broadcast with:

"A crazed gunman eluded the guards and stuck a gun in my face 30 minutes ago. He shouted: 'I just committed a robbery in Wellesley. What are ya going to do about it? By that time my guards subdued the man and I'm able to continue on my way to the WEE studio for this broadcast.'

Commissioner then made an appeal for funds to establish a summer camp for Boston's Junior Police, composed of storm kids.

## Stokey of KMOX Spies On Farm Radio at Ohio

St. Louis, April 2.

Charley Stokey, farm reporter of weekly "Columbia Country Journal," originating at KMOX, will talk on "Human Interest in Farm Programs" at the 11th annual conference for Education by Radio at Ohio State U., Columbus, April 26.

Fick was made by John C. Baker, radio extension specialist of the U. S. Dept. of Agriculture in Washington.

## See Antonio, April 2

A new giveaway program debate on WOAI. It's People Pet's Money Box broadcast. Show is patterned after the "Pot O' Gold." Uses telephone books of area covered by the station. Broadcasts are transcribed but will use two local announcers to handle drawing.

Programs incorporate the "Book Rogers" recorded serial. While four names are drawn and called by phone station plays the adventure plot. Name or number of lucky contestant remains secret until end of program. Announcer calls home whose number is drawn and asks if there are any children between five and 17 years of age. If there are the child receives a check for \$2.50 and a merchandise prize. If there is more than one child in the house, the one nearest a pre-determined age receives the check for \$2.50, all others receive merchandise prizes. If there are no kids in the family the \$2.50 is carried over to the following week and the family receives a merchandise prize. The \$2.50 is carried over to the following week's prize of \$10 which is split four ways. Same procedure if phone isn't answered or if the line is busy.

Program will be heard each Saturday starting at 1:30 p.m. Program placed through the Show Co. by the Joe Love Corp. for People.

Bob Ingham, sports announcer at WFOL, Toledo, to New Braunfels, Tex., where the Toledo Mid West (Amateur Association) basketball team is in training.

**WJSV**  
WASHINGTON, D. C.  
50,000 WATTS  
**CBS**

Washington's most powerful station is Washington's most popular station.



For more information about WJSV, one of the sixteen CBS 50,000 watt stations, inquire of Radio Sales: New York, Chicago, Detroit, St. Louis, Charlotte, N. C., San Francisco, Los Angeles

COLUMBIA'S STATION FOR THE NATION'S CAPITAL

# New AFRA Election System Up; Aim to Offset New York Domination

Hollywood, April 2. For the second time in recent months, the American Federation of Radio Artists has moved to revise its method of electing members to the national board. General membership is being asked to vote on a proposed amendment to the constitution, which would bring several vital changes in the size and setup of the national governing body.

Under the previous procedure, board members were nominated by a national committee and elected by the national membership. That was changed by the recent amendment adopted by national referendum. According to the revised setup, delegates to the national board are now to be nominated by the local proportionately represented on the national board by one delegate for each 100 paid up members.

Present board is overwhelmingly controlled by the New York local, with Los Angeles, San Francisco, Chicago and the other chapters holding only minor representation. This situation caused a sharp struggle and considerable criticism at last year's convention in Chicago with several delegates from outside New York feeling that they were being "sidetracked."

Under the present setup of the board New York has 46 delegates on the national board, but as revised by the recent amendment, this number will be reduced to 34. Since some of the most influential leaders

of AFRA are included in the 11 delegates who must be dropped in the coming elections, there is expected to be intense agitation for a change in the rules governing the selection and makeup of the board.

Proposed new amendment would still call for proportionate representation of locals on the national board, but it would have the numerical size of each local's representation on a maximum total board membership of 48 to 80 delegates. But more important, it would call for election of all delegates by the national memberships. All nominations would still be by the locals. Thus, the local memberships could select their own members for the national board, but the actual election would be by the entire membership. Under the proportional representation provision, each local would have its proper number of delegates on the board. But the idea is that under the proposed new rules delegates would more likely be governed by the best interests of AFRA as a whole, rather than of the local they directly represent.

### Flitler Code Stimors

Despite months of work by the national board, the locals and the American Federation of Radio Artists has been unable to work out a transcription code satisfactory to the entire membership. Understand the

New York and Coast chapters are increasingly split on several vital points, the most important being the question of open-end recording.

Eastern factions has been arguing for continuation of the present transcription, but the Los Angeles chapter has taken the stand that while the proposed rules might be satisfactory in New York, they would not apply on the Coast. Arguments by Eastern delegates considered a number of proposals, later referring the matter back to the coordinating committee. Later again took the question for further work.

However, in returning the matter to the coordinating committee, the meeting resolved that the national board should immediately start negotiating with the transcription makers.

Hearings in the arbitration of the new transcription network were made earlier in Chicago were started yesterday (Tuesday) at the headquarters of the American Federation of Radio Artists. Sessions are expected to take three or four days.

# Guild Shop, \$250 Month for Coast NBC Producers

Hollywood, April 2.

The National Broadcasting Co. last week signed with Radio Production Guild of America for 1940, Guild shop and five-day week for the chain's producers. Minimum scale of \$250 monthly for senior producers and \$150 for juniors is guaranteed by the pact. All producers now on NBC staff are classified as seniors. Under provision of the contract, producers not affected by the wage scale shall receive an increase of approximately 10 percent.

Minimum scale for junior producers for the first six months is \$125; \$150 a month for the second six months; \$200 for third six months; \$240 for fourth six months; and senior scale of \$350 after that period.

Producers will receive two weeks vacation plus paid and other two weeks notice or severance pay for that period in event of their discharge. As usual NBC producers double as writers, jurisdiction over the group was turned over to Radio Writers Guild by American Association of Radio Artists. Producers, however, have been granted permission by EWG to act as their own organization. Robert Moon is president of the producer group.

### Flashes From Boston

Boston, April 2. Jay Wesley, WEEI sports editor, led the other five Flitler members to the practice pages of the Boston Bee and Red Sox.

Wesley's Dispatch (Maldrie Bananas and subsidiary of United Fruit Co.) has contracted for a series of one-minute Glee Club announcements featuring Caroline Cabot Shopping Service, the new Food Fair and the Mattie Fremont on WEEI. BDD&O placed the account.

John Rutley, local announcer, will direct WEEI's Mattie Fremont with Charles Hector's act, as a winner of the station's recent auditions.

Ben White, WEEI chief announcer, plays the role of the doctor in a film made by Blue Cross, medical and hospital insurance organization. Will be released throughout the nation from Boston.

Street music from the library of WEEI has been donated to the architects made up of inmates at Charlestown Prison.

WEEI's "Top of the Morning" was cut in length last week and its fans are not so hot about it that program had to be restored in full. Author Kenneth Roberts among those who criticized the cutting of this morning comedy airing.

Columbia Lecture Bureau, division of Columbia Artists, Inc., has opened a local office at the Copley-Plaza Hotel, under the management of Richard E. Richardson. Those booked for appearances in the east are Fred Garrigue and Jay Wesley of the WEEI staff.

# U.S. Supreme Court Decision Changes Things But Washington Not Sure How

Washington, April 3.

A prime theme of speculation here since last week's decision by the United States Supreme Court covering "economic injury" has been what happens next in the rocky history of broadcasting. It is expected that the decision will encourage the regulate-ills-it-hurts philosophy, which, Washington barriesters say, motivates Chief Counsel William J. Dempsey and his staff.

Among barriesters, this pair gets more credit than the commissioners for determining which way the cat jumps.

Frowning attorneys were unable to reconcile the opinion of Justice Roberts in the Sanders case with the views expressed two months earlier by Associate Justice Felix Frankfurter in the Potomac case. After distilling the legal verbiage, barriesters remarked that Roberts felt the real reason for federal supervision is to eradicate possible electrical chaos in the ether, but Frankfurter, with a New Dealish slant, considered Congress was most interested in preventing monopoly in the broadcasting business.

Since the regulation's primary objective is paramount, industry advisers agree, is of great importance since the regulations are hampered in by the courts. The way they solve allocation problems is to reach the goal they have in mind, most lawyers feel.

With Louis G. Caldwell, counsel for WREB, Dubuque, Ia., pondering the chances of requesting a rehearing, the rest of the legal fraternity would continue the Roberts opinion as a green light to encourage competition for competition's sake. Impossible to demonstrate beyond the traditional "reasonable doubt" that narrowers will cause such "economic injury" that the public is hurt, the Blackstones murmured. Only in isolated instances—such as small communities where existing plant or plants are having trouble making both ends meet—can evidence be presented to prove conclusively that another outlet will cause everybody to pinch pennies as hard that emergency initiative is killed, civic enterprise dried, and the non-paying cultural and educational activities are abandoned, they explained.

Only phrasing phase of the Sanders opinion was the broadening of the appellate nature of the act. Even on this point, the barriesters were not wholly satisfied. Some prominent voiced amazement at Roberts' "let 'em die" doctrine, as they termed his view, to ask judicial review, even though there is no possibility that

applicant can get any relief from final actions of the regulator.

The court's construction of Section 303 opens the door for dissatisfied licensees or applicants whose prospects of achieving their ambitions were dashed by the FCC. It may be agreeable about writing checks for this sort of public service is probably not to be expected. Which brings up the question of deciding whether to publish the radio radio radio into the hands of the District of Columbia Court of Appeals, which has been ducking the radio radio into the last guessers took their stand on the meaning of the statute.

Implication in the Roberts opinion is that, though people challenge the commission, the truth eventually may come out. There's no guarantee and it costs money to print legal papers. The lawyers do not work easily for the pleasure they get in this regard, the commission in the Sanders matter established a good many barriers to appeal. Those who were elated to see the Dempsey-Kaplowitz commission junked.

As for the radio bar beamed over the Supreme Court spokesman's reply, the news does not follow that because the license of a station cannot permit the grant of a license to another, on the ground that the resulting competition may work economic injury to him, he has no right to appeal. On reflection, they paid more attention to the subsequent comments, specially the Roberts comment that "while the injury to such person would not be the subject of redress, that person might, under the instrument of appeal, of redressing an injury to the public service which would otherwise remain without remedy. Cynical lawyers don't think the average citizen is that philosophic."

Cautious is that the commission was a bar's but last a war, but radio at the same time won a hollow victory. Through the Sanders matter may have the effect of easing the Congressional path for the pending Water administrative law bill. It hardly is cash in the pockets of the barriesters—or of their license-holding clients.

Broadcaster—via the profession—are left about where they were before the instrument of "economic injury." The commission cannot grant a request where the prospective financial harm is liable to curtail service but only in rare situations can the licensee have any hope of convincing the commission—so long as the present go-to-will-go-ill-be majority on the FCC. The saddle—though a victory will be generally beneficial, in a big city, the allocation plan and the prospect of a program probably will be the only means present operators can raise against invaders.

### The 1940-41

# VARIETY RADIO DIRECTORY

is now in

### Editorial

and

### Advertising Preparation

# VARIETY

154 W. 46th St.  
NEW YORK CITY

### Inter-Radio

### Communication

# IMPORTANT TIME CHANGE!

### The Personnel

**BEN BERNIE**  
And All The Lads  
And Good Ole  
**LEW LEHR**

### The Program

**HALF 'N' HALF**  
**SMOKING TOBACCO**

### The Station

**CBS-COAST-TO-COAST**

### The Time

**MOVED FROM 5:30 P.M.**  
**TO 8 P.M. EST**

### The Day

**CHANGED FROM SUNDAY**  
**TO WEDNESDAY NIGHTS**

**NOTE:—This change takes effect with the broadcast of Wednesday, April 10.**

Incidentally—Mr. Alfred Lewis, the manager of Hotel Taft, New York, tells me that we are breaking all kinds of records in his grill—deah! deah!



# FLY SPEAKS AT OHIO STATE APRIL 30

Columbus, April 2. Ohio State University will hold its annual (11th) radio meeting (Institute of Education Radio) April 29 to May 1. Among speakers set for the occasion are:

The Flp. chairman, Federal Communications Commission.

Lynn Bryson, chairman, CBS education board.

George V. Deane, president, Town Hall.

Kirk V. publicist, National Association of Broadcasters.

Chairman Fly will be introduced to the Flp. chairman, Federal Communications Commission.

The National Association of Educational Broadcasters (NAEB) and the National Association of Teachers of Speech will hold closed meetings Monday evening. Ed Kirby will preside at the joint session of the NAB and the educational directors of CBS and NBC stations.

Other special sessions will discuss Classroom Utilization of Broadcasts presided over by Elizabeth G. Taylor, director of radio for the County of Los Angeles schools, and Schoolroom utilization of radio presided by M. Burleigh, Cleveland assistant superintendent of schools, a chairman.

## 'BEE' ARNEY OF KOMO JOINS N. A. B. STAFF

Seattle, April 2. C. E. 'Bee' Arney, Jr., with KOMO-KJR for several years, left last week to join the staff of the National Association of Broadcasters in Washington, D. C. Radio now here goes to him a send-off Friday (30) at Washington. Altho Arney was with Tubby Quillman of KIRO, ring-master, has been a commentator for seven years. He has a Seattle Chamber of Commerce, Washington State Federation of Trappers background. Arney's appointment is to the western office. Long-remembered withdrawal of Ed Spence as secretary of the NAB occurs with the arrival from the northwest of the new aide to Neville Miller.

## Mrs. F.D.R.'s New Series

Mrs. Franklin D. Roosevelt will do a twice-weekly 15-minute comment spot for Manhattan Sweetheart Soap beginning April 10 over a split NBC network. It's slated for 1:15-1:30 p.m. Tuesdays and Thursdays.

Franklin Bruck is the agency.

## FLANN K THE SALESMAN

Hollywood, April 2. Donald Flann, pres of WJMC, New York, flying home from here today after negotiating with a series of film shorts to be based on 'Good Will Court'.

Flann also bought 101 episodes of 'Uncle Jimmy' for WJMC and signed with Alan James as Hollywood columnist via transcriptions. Deal was closed, too, with Vic Dalton for exclusive broadcast rights in New York for radio news.

## Dorothy Deere Sponsored

Chicago, April 2. Dorothy Deere, motion picture reviewer and columnist of the Hearst Radio-American series a five-week spot and review program on Bah! Bah! WJZD starts on April 4. Will run Monday-Saturday-Friday-Friday at 11:15 a. m. for the Rawlins & Lewis Landlords through the Robert Kahn agency.

ON THE NBC RED NETWORK

## Payroll Traffic

Omaha.—In a shuffling of staff of Omaha's radio broadcast stations (KOL, Omaha; KFBI and KFAB, Lincoln) (The Journal of KFBI has been reorganized a corp. position at KOL, that of commercial program director, Hal Hughes, program director, Leonard program production manager.

This motion Chuck Miller program director for KLB.

Amavilla, Texas.—George Patterson, formerly of KJRH, has joined KJRH, Elk City, Okla., has joined engineering staff of KPDA here. Jimmie Jones, formerly with KGPL, Brownsville, has been added to the sales staff and William C. Buckley is now an announcer and operator.

Bochester, N. Y.—Pester Brooks, formerly of WHAS, Louisville, joins WHAS announcer staff, succeeding Arthur Kelly, who will devote full time to station's publicity and promotion work. Brooks will handle Consolidated Drugs program, then look over the program of the new station, formerly of Beary Morgan, accountant. This will be continued along with general announcing duties.

Youngstown.—Ernest Evans, former of WYOH, Youngstown, for seven years, has been appointed sales promotion and advertising manager of the Golden Ginger Ale Co. here.

Seattle.—After 10 years, Lou Kaiser leaves WBNB Saturday (30) to become program director of new WJAL, Spokane.

Ed Wogman, WEBR splicer, will join WBNB April 1. Eliot Sharf and John DeWitt, both splicers, are coming to WBNB from WSAV, Rochester.

San Antonio.—John Ferguson has been added to the sales staff of WOAL, San Antonio.

Minneapolis, Minn.—Marshall Small has been added to the announcing staff of KGVO.

Columbus.—Connie Desmond joins WJOL, New York, April 2, as announcer, ending a decade with WSPD, Toledo, where Bob Evans worked.

Toledo.—Walter Peterson joins WSPD as announcer, leaving WJMG, Dayton. Last year he was program director for WWA, Wheeling, and once-director of the Wheeling Steelmakers, Mutual network program.

Schenectady.—Bob Warner has climbed from WGY comment position to a position in station news department.

Mrs. Betty Fay, assistant to Program Manager Asa O. Coppelshoff of WGY, resigned. Jeannette Swart succeeded her.

St. Louis.—James E. Goldsmith, former comment executive for WJLA Agency in charge of the Alpen Beer, has joined sales staff of KMOK.

Washington.—George Vandell, formerly a scripter for Boston, Boston, Wash. and Chicago, has joined WJLA. Thomas, has arrived from New York to replace Rodney Erickson at WJLA here.

Toledo, Ohio.—Alice Joy is back in Toledo as announcer, leaving WJMG, Dayton. Last year he was program director for WWA, Wheeling, and once-director of the Wheeling Steelmakers, Mutual network program.

Cleveland.—Robert Carter, formerly of WFMJ, Youngstown, has joined WHK as a staff announcer.

Albany, Ore.—Dale Robertson, general manager of WBAX, MBS since 1937, has been named director and controller of WBAX, Ute, starts this month as general manager of the station, formerly with WJMG, New Mexico, a 1,000-watt enterprise.

Montreal.—Jack Gettysby has been upped to post of technical supervisor at station CFMT, under Ken Paul, station's chief engineer.

New Orleans.—Muriel Miller has joined the staff of WDSU.

Cleveland.—Carl Mark has been named Director of Special Events at WHK.

San Antonio.—Jerry Fisher of station KABC goes to KCMC, Texas, as program director and announcer. His post at a BAC will be filled by Frank Holloway from KCIA, Cleveland, New Mexico.

## NAB DARRELL MARTIN

Ex-Radio Editor Arrived for Non-Support of Wds

Pittsburgh, April 2. Darrell V. Martin, until tonight age radio editor of Post-Gazette, was headed into court here last week by his wife on an alimony charge. She claimed he left her in June, 1933, just two months after their marriage and has not contributed to her support since.

Martin admitted he left the home of his bride's parents, where he and his wife were living, soon after the honeymoon but explained: 'I had to go to the home. My work compelled me to be out late. I came home one night and found the chain lock on. So I went by my home and my father wrote me for the key.'

Judge Benjamin Lecher deferred decision pending a conference of opposing attorneys over Martin's income.

## WHAS Ease-led Story

WHAS has distributed among the trade the latest of its promotion pieces, 'Power—where it counts.' The work is in easy format and shows smart conception, effective marshaling of facts and sales arguments and deft use of illustration.

It tells an interesting story about markets, sales results, merchandising side and community status and in a way that can't help but impress itself on the agency and the advertiser.

It tells an interesting story about markets, sales results, merchandising side and community status and in a way that can't help but impress itself on the agency and the advertiser.

# BUREAU OF MISSING BUSINESS

## Meatpackers

One of the mysteries of the radio business is the failure of the meat packing industry to utilize the medium in the manner or with the unanimity of other food companies, such as Standard Brands, General Foods, Great Mills, Campbell's, et al. It is one of the primary convictions of broadcasters that the radio is the one best-by-test-and-no-argument medium for the food industry. There might be a dispute about other kinds of business, but as far as radio is concerned there can be no doubt of the efficacy of radio in selling foodstuffs.

For this reason radio is miffed by the packers' failure to use radio. There have been occasional shows on the radio for the meat packers, but they have been sporadic and seldom wholehearted attempts.

Such big and outstanding meat drivers as Armour, Swift, Wilson, Cudahy are now spending the vast bulk of their advertising coin in newspapers and magazines. They have used the radio somewhat more diligently for some by-products, notably household cleaners, cosmetics and such, but as far as their primary output, meat, is concerned, it has been a bit on the scone.

In recent years this has been par-

ticularly mystifying to radio execs in view of the sensational job radio has done for two meat-packing outfits which have gone to town on the loudspeaker. There are the independent Broadcast and Hermal brands. The first named 'Broadcast Beef Brand' was so named because it was plugged almost exclusively on the radio through the George H. Horman agency. With a show consisting of Fanny and Eddie Cavanaugh the Broadcast firm practically took over the canned corned beef lunch business locally. Account later shifted to J. Sterling Getchell agency, which evidently couldn't make up its mind as to a radio show, and now the account is back on the air through the Neiser-Meyerhoff agency here.

Hermal has practically corralled the special meat bull business with its Broom product and a nationwide radio campaign. So much so that Armour, Cudahy, Swift are rushing to bottle with their own prepared meat products under members of Trout, Tang, etc., but still without real recourse to radio, though Armour today indicates that it may soon attempt some radio plug. It was looking for a radio man, but indicates that it wants to spend as little money as possible, a bad start in radio opinion.

FACTORY THAT MAKE WNAJ A TAP FOR AN IN LISTENERS PER DOLLAR

SERVICE to a Great Industry!

● Livestock provides the largest cash income—\$502,590,000 in 1938—in the WNAJ primary market. WNAJ has, for years, maintained a market service of great value to hundreds of thousands of Livestock feeders.

Sioux City (Iowa) not only is gateway to WNAJ's great five-state prairie empire, but also is the heart of this great livestock industry. To maintain this position—to continue and increase the movement of livestock in the Sioux City stock yards, the Sioux City Livestock News and Educational Foundation decided to sponsor a market information service.

Naturally, WNAJ, with 5,000 watts that do the work of 50,000, was selected to carry the daily broadcast, direct from the Sioux City stock yards. When this important program was inaugurated on Feb. 12, many prominent agricultural people attended the inaugural luncheon in Sioux City.

They, as well as all the 3,837,323 people in the WNAJ primary area, know the importance of WNAJ. Whether you're selling a market service, soap, or automobiles, you should use WNAJ to reach this great billion-dollar market.

Can't we tell you more about it?

Represented by THE KATZ AGENCY

RADIO STATION WNAJ 570 ON THE DIAL

Studios—WNAJ Building, Yankton—Orpheum Building, Sioux City

SCRIPT SUPERVISOR CHEERS

Or VARIETY Turns Postman

(Recently Orin Teyrov, the writer of 'Ma Perkins' for Procter & Gamble, expounded in VARIETY...

(OPEN LETTER) New York.

Dear Mr. Teyrov: If there are any apts in the bottom of your garden, I will find them in gratitude to take the entire course of spring extermination out of your hands. I will do this, and the labor is obviously a no d one, even though I don't see you and, you don't know me.

As much as your article pleases me, I have found that it has caused unwarranted personal discrimination. Dear Dave Vancov appeared in my home last Thursday. I have not needed an alarm clock. "Viciously" laughing, "they" slide down the rays of the delecting sun, and stand in line eager to be first when the doors of the mad open.

You know quite it would have been a good idea to put that word, with its simple structure and few letters, in every paragraph of your grating articles. That all of the words in our papers who are discouraged and think they have to have an alibi to release them

from their inhibitions would catch the spirit of your repetition and make the same mistake as you do in their lives. Because, as you know, there's no little faith. Most of the industry, in its usual maturity or to escape the suspicion of sincerity, blows ashes in its own mills so that it can swallow the mealy, the bitter dose of cynicism. And, as you may agree, there is no force within our industry which is as destructive. Cynicism judges that all women writers are morose.

Well you think, wouldn't you, that the numerous programs of quality or faithful imitation, which see now as successful would in turn bring progress to try for that success. But they don't seem it. The cynicism is too deep. Maybe people, people are not willing to try for that success. But they don't seem it. The cynicism is too deep. Maybe people, people are not willing to try for that success. But they don't seem it.

It's good that you don't have to be cynical, Mr. Teyrov. And I'm particularly glad that Mr. Warner and Bill have let many other jobs join your company. I only wish that the whole nation that kind of industry could be larger. I wish others could catch on to the case behind giving an audience a feeling that the characters they are listening to have within them that generous realism which makes such a moving thing of the problems of millions of confused little people.

It's so futilely incorrect to think that because the air did not start out so convincing fast it is always going to bubble like an inflated lawn, and trash. It's only good that the drama which people make within themselves, through the action which is freed through

the power of the honest creations of a believing author will be successful.

I often wonder what Bill Ramsey at the time of his contract with WABC did every one of the shows they handle had to live up to this arbitrary formula for plots you hear so much about. Since 'Vic and Saez' was successful with the tragic story...

You've got to write about what you know. You know you know. You've got to say as you did in the article, 'take those ideas, the little ones that make you think about our lives have tender grapes.'

And now, sir, to the sign, Mr. Taylor, Rutland & Ryan.

MANY NEW F-M PAPERS FILED

Washington, April 2. With relaxation of restrictions against commercial use of ultra high frequency waves...

Leading candidate was NBC, which sponsored ten for permits in five spots, while eight other owners of existing standard transmitters wanted to join the list...

WDR's Safety Efforts

Washington, April 2. Governor Raymond Baldwin will file the Connecticut Safety Council when it holds its annual meeting (Wednesday) that he has written the national network urging them to move to promote the safety of radio by way of special programs and chain-of-command announcements.

WDRB has already received a letter from the governor pressing its campaign, which consists of several reminders tagged on various of the stations. The governor thinks that the idea should be used on network stations and commercial or district chain-of-command. WDRB airs about 60 of these reminders a week.

Trust Co. Hires Greater Announcer Ben Granger took off a new twice-weekly commercial backed by Montgomery Trust last night (Tuesday). Consisting of 15 minutes of news, it runs 11-11:35 p. m. Tuesday and Thursday via WFLA, New York and NBC Red.

From the Production Centres

IN NEW YORK CITY . . .

George Bcher, once with Lenson & Mitchell, N. Y., has been around the world and will be in town shortly on a visit for the Mitchell Hamilton agency of Los Angeles which will handle the Pickard Family in a series of radio plays. . . . Fred Phillips, whose new series, 'The Pickard Family' in 16 years ago came out of CBS. . . . Larry Ray shifted to 7:15 p. m. for 'Francis and the Five Cents' on CBS. . . . Tom Hilkey paid off of Lambie Club with a \$10,000 in small donations for the cause. . . .

John Lagomastro, formerly magazine editor for CBS, will write the continuity for 'The A. G. C. arc' with Susan Dalton, from Washington, who started April 9. . . . Helene Damon doing a bit for 'Eye Accu'. . . . Capt. William F. Stanselmann replacing Capt. Taylor Brennan as director of 'The Life of General Grant' over NBC from Washington. . . .

Vienna Chamber orchestra, touring group, will air on WQXR's 'Symphony Hall March 13, with Thomas G. Sherman conducting. . . . WQXR's 'Musical House of Cards' with Irving Berlin, from New York 8 p. m. Saturdays to the same hour Thursdays. . . . Carson Robinson and His Duckroos, weekly 30-minute show over NBC blue (WJZ) for Mustangs, drops off Friday for a commercial spot over NBC from Washington. . . .

Stella Unger returned for another 15 by Burd's. . . . She does Hollywood chatter. . . . Harry Smith, upon his arrival in N. Y., to become Decca disc rep will be free ad-vis-avail for radio deals. . . . Jack Strom, also rep to Mel Allen, on Yankee play-by-play over WABC this summer.

IN HOLLYWOOD . . .

Charles Boyer will pitch his Woodbury Playhouse in Manhattan for two or three weeks later in the month. . . . Roy Winner here for sales job with the Red Hips, NBC's Coast commercial show. . . . Stanley Kastelner's publicity stunt, Orin Wolles gets a medal pinned on his chest this week for being the 'spirit of criticism in the land'. . . . Admired Scott, producer of 'The Life of General Grant' over NBC, has been offered a contract and had him written into the script. . . . Maurice Wheeler, KNX announcer, and Judith Russell will read April 11. . . . Marvin Rose looking around for a new rep out of the mountains. Betty Gray Wheeler does two weeks of guesting on 'Hornet's B. Happiness in Hollywood'. . . . Martha Moore drops off April 9 for a film at Illinois. . . . KMPC pitched by Associated Old broadcast the five major track meets here. . . . Ed Mend transferred back to N. Y. by Benton & Bowles. He's been editing the script on 'Strangest Act in Hay Season'. . . . Alan Harkin on 'Good News' returned for 13 weeks. . . . Program may stick it on NBC. . . . Frankenstein and presented Joe Donohue, retiring contract on the show for William Eddy, with a gold timepiece. . . . Matt Brooks and Eddie Davis writing the material for 'Joe Penner's Party' for the radio. . . . The 'The Sign' will be the NBC's first treasurer, spread considerable optimism around town before he took the water route back to the home base. . . . Alan former punks will be topped this fall he believes. . . . 'Penny Singleton got muscled in traffic and did her 'Steady' turn from the loop. . . . NBC's western division will be 13 years old April 8. . . . Dan Gilman and A. M. Stanton, chief engineer, were there at the takeoff. . . . One of the Misses Betty or Helia, will take over the helm from Harry Smith on Woodbury Playhouse.

IN SAN FRANCISCO . . .

Arthur J. Kamp, Pacific Coast manager of CBS, back in S. F. after a six week absence in the east will visit Hollywood. . . . Glynis Anderson will edit the radio news on the New Mexican Daily. . . . Tom Malone, on the 'Pilgrimage of Poetry' program, arrived in town. . . . Jerry Colonna, on the 'Red Hips' group, doing personal appearance at the Esportman Reception. . . . Anne Hodson in back on the KGO program, through a Woman's Eyes, after a brief hiatus with a cold. . . . Al Adams went to Hollywood singer, panning up a KGO-KFPO radio chatting party to avoid a spill, wound up with an injured back in a taxi just up in rural. . . . Four radio news events held for the 'Red Hips' and 'The Sign' discussing broadcast plans with R. W. Dunn, KPFO director of special events.

IN CHICAGO . . .

Charles Bead recycling after a struggle with a new shore (3) . . . General Mills has been the sponsor of the play-by-play baseball schedule shown on WBBM rather than have two other sponsors in on the show with them. . . . Jack Fulton going out following assignments on Evans Pur and Annas Wetsa show.

WDRB logo with 'WDRB 1300' and 'JOHN BLAIR & CO., Representatives' text.

Lively Showmanship WINS LARGER AUDIENCES in the INTERMOUNTAIN MARKET FOR WDRB In POPULAR with NBC RED NETWORK JOHN BLAIR & COMPANY

THE ONEILLS logo with 'LAUGHTER TEAR' and 'LISTEN TWICE DAILY' text.

LISTEN TWICE DAILY WDRB 1300 Radio Hour, 12:15 to 12:30 P. M. EST 6-6-6 P.M. EST COAST TO COAST IN CHICAGO APPROXIMATELY 45 MIN. NET. ED WOLF--RHO BLDG., NEW YORK CITY

# Atlantic Refining's Baseball Sked

## 2,300 Games Sponsored From New England to Florida—Many Minor Leagues

Philadelphia, April 3. Atlantic Refining Co. will sponsor the broadcast of more than 2,300 baseball games to come making the largest schedule aired by this leader since the broadcasts began four years ago. The games will be aired over 48 stations from New England to Florida with 18 consecutive play-by-play descriptions of contests of the National, two American, five International, eight Eastern, three South Atlantic, and two Piedmont league teams.

Of the 48 home games, 26 appear on the Red Sox and 22 on the Boston Red Sox will be aired over a network of 43 stations from New England. All home games of the Athletics and Phillies will be broadcast over a special league of 18 stations in New Jersey, Delaware and Pennsylvania, pumped from WIP, Philly.

Commercial plays will deal largely with the results of the Florida Red Sox being conducted by Atlantic over a 171-mile route through West Palm Beach and a spot near Ocala, Fla. The Florida Red Sox will take place at West Palm Beach the first pre-season meeting of the game usually held in Philadelphia in the winter of West Palm Beach April 18 and 19.

The 1946 baseball program is being handled for Atlantic by the agency of N. W. Ayer. The schedule of games and stations for Atlantic's new broadcasts follows:

National League—Phillies (all home games) over WIP, Philly; WBAN, Albion; WBAE, Atlantic City; WDET, Easton; WBCB, Harrisburg; WAZ, Haverhill; WQAT, Hartford; WESU, Reading; WJLM, Wilmington; and WOKR, York.

Pittsburgh Pirates (10 home and road games) via KDKA-WWSW, Pittsburgh.

Boston Sox (22 home games) over WBAE, Boston; WCCC, Bridgeport; WBAE, Fall River; WBAL, Gloucester; WBAT, Hartford; Conn.; WLNH, Leominster, N. H.; WLLM, Lowell, Mass.; WFEA, Manchester, N. H.; WBRK, New Bedford; WBSB, Wiscasset, N. W. London, Conn.; WBRK, Philadelphia; WBAE, Providence, R. I.; WBYB, Rutland, Vt.; WBSF, Springfield, Mass., and WATR, Watertown, Conn.

American League—Philadelphia Athletics (all home games) same as Phillies.

Boston Red Sox (22 home games) same as Sox.

International League—Baltimore Orioles (17 home and 20 road games) over WGBM, Baltimore.

Buffalo Bisons (21 home and 21 road games), WGB-WKBW, Buffalo; Newark Bears (21 home and 21 road games), WBEW, Newark; Rochester Red Wings (17 home and 17 road games) WTR, Syracuse; Syracuse Chiefs (17 home and 20 road games) WYTR, Syracuse.

Eastern League—Albany Senators (22 home and 20 road games) WABY-WOGO, Albany; Birmingham Triplets (all home and road games), WBBF, Birmingham; Elmira Pioneers (all home and road games), WESG-WEBY, Elmira; Hartford Landers (all home and road games), WTRF, Hartford; Scranton Red Sox (all home and road games), WOPR, Scranton; Springfield Red Sox (all home and road games), WOPR, Springfield; Wilkes-Barre Barons (all home and road games), WAK, Wilkes-Barre; Williamsport Grays (all home and road games), WRAK, Williamsport.

South Atlantic League—Augusta Tigers (all home and road games), WRVY, Augusta; Jacksonville Yankees (all home and road games), WJAX, Jacksonville, Fla. and Evansville Yankees (all home and road games), WYOC, Evansville, Ga.

Piedmont League—Charlotte Hornets (all home and road games), WBOC, Charlotte, N. C.; and Richmond Colts (10 home and road games), WRTD, Richmond, Va.

The Splinters Play-by-play announcers, and the teams they will handle are: Byron Spain (Philadelphia Athletics and Phillies); Jimmy Britt (Boston); Rocky Rowwell (Pittsburgh); Leo Davis (Baltimore); Ralph Hubbard (Buffalo); Earl Harp (Newark); Jack Barry (Rochester); Nick Stammer (Syracuse); Glen Reed and Steve Herrick (Albany); Tom McMahon (Birmingham); Bill Pope (Elmira); Jack Lloyd (Hartford); Fred Williams (Scranton); Ed Wolf (Williamsport); Thurston Bennett (Augusta); Jack Reithorn (Jacksonville); Bill Harris (Evansville); Hugh Carlyle (Richmond); Ed Kennedy (Springfield); Harry Thomas (Wilkes-Barre); and Paul Neff's Charlotte.

Winfield Head on Ford Detroit, April 2. Winfield Head, top soprano on WJZ here past few years, will highlight Blue Sunday Evening Hour next Sunday (?) from Musicale Temple auditorium here. Miss Helth is the wife of a Detroit star.

Year ago she was a fellower over NBC's "Metropolitan Opera Addition," which gave her a contract with Met. Opera debut is expected to take place this fall.

Bal Thompson, WFAA, Dallas, speaker, in New York for two weeks.

Eric Lind, W.L.V.A. Lynchburg, announcer, back at the mike after throat operation.

**WBAE**  
means business  
in Baltimore

**MIGHTY MIKE SAYS WFLB IS NO. 2 OR BETTER 66% OF THE DAYTIME IN PHILADELPHIA**

**C. E. HOOPER SURVEYS PROVIDE THE EVIDENCE**

WFLB is second ranking station or better 66% of the nine daytime hours between 9 A. M. and 6 P. M. This fact is shown conclusively in a new, four-month-long HOOPER SURVEY. Consider, too, one of the success stories of WFLB's daytime advertisers. "Ask about them—and ask, too, about WFLB's attractive availability. There is one waiting to do a sales job for you, NOW."

WFLB is a member of the NBC Radio Network and Mutual Network. Sponsored nationally by B.W. Perry, Inc.

# F-M HEARINGS END WITH FCC ANNOYED AT 'GRABBINESS' OF RIVAL CAMPS

## Armstrong Vs. Television Seen as Net Result of Hearings—Neglected Areas Are Emphasized by Commissioners

Washington, April 3. The hearings before the Federal Communications Commission investigated the contention system of the frequency modulation radio ended here with the commissioners plainly not pleased by the arrangements for slow progress, the alleged "grabbing" of commercial operators, and the seeming disengagement in the Armstrong system as a method of quick improvement of radio service in the neglected areas. The hearings developed a east-and-west fight between opposing patent interests for the privilege of controlling the stream. The story is now embroiled in 1,500 pages of testimony.

Engineering ropes came to a standstill with strong appeals for matching of Television Channel No. 11—between 44 and 50 megacycles—by the Federal Communications Commission. It is 40% here, where operators are the beneficiaries. Co. Charges are same as the six other licensees were ordered revoked last month. It was reported that the station transferred stock without FCC authorization.

## REV. ULMER'S WOES MULTIPLY

Brownsville, Tex., April 3. Another station is added to the list of those whose licenses are revoked by the Federal Communications Commission. It is KQFH here, where operators are the beneficiaries. Co. Charges are same as the six other licensees were ordered revoked last month. It was reported that the station transferred stock without FCC authorization.

According to the statement of the commission, the station was turned over by Rev. E. Wilson and Ernest Brouder to the Rev. Charles G. Jones on Oct. 7, 1936, to Rev. James G. Umyer, of Tyler, and M. D. Gallagher, of this city. The latter, who has managed the station until about April 21, 1936, when Lawrence D. Jones took over under a contractual plan.

## SIDEWALK INTERVIEWS ATTRACT 25 SPONSORS

New Orleans, April 2. Heavily furnished will bankroll Walter Williams' daily street broadcasts over radio station WDSU in New Orleans. The program will originate in front of the furniture store.

This is a second contract for Williams with WDSU within 10 days. Last week Williams began series of street broadcasts for Radio City. Both programs are of 15 minutes duration.

## ALL GOT TITLES

Charter Members of State Club Hold a Meeting

Philadelphia, April 2. Radio men who broke away from the National Club for 10 weeks ago over differences with newspapermen-members held an organization meeting last week. The club now to be known as the State Club of Philadelphia. William Lang, WTV, publisher, was elected the first president. Other officers elected were: Joseph Dillon, WFC, vice-president; Mort Brown, WFL, financial secretary; Edward Mayer, WIP, recording secretary; Paul Standish, WBAE, treasurer; and Charles Geourard, WCAU, chairman of the board of governors.

Members of the board are: James Allen, WFL; Fred Wood, WIP; Mort Lawrence, WCAU; and Joseph Harting, radio columnist for The Morning News. WHAT was appointed chairman of the membership committee. Membership will be open to anyone who derives his livelihood directly or indirectly from the radio industry. Headquarters of the club will be opened in a central-city hotel.

to file briefs leading emphasis to chief points in the highly technical testimony.

Head-on collision between the frequency modulation radio ended here with the commissioners plainly not pleased by the arrangements for slow progress, the alleged "grabbing" of commercial operators, and the seeming disengagement in the Armstrong system as a method of quick improvement of radio service in the neglected areas. The hearings developed a east-and-west fight between opposing patent interests for the privilege of controlling the stream. The story is now embroiled in 1,500 pages of testimony.

## Big Commish Not to Mar Television's Development

Possible diversion of the first video ribbon was seen in the comments of four regulators, but Radio Corporation of America and NBC people, with some backing from other visual experimenters, begged the Commish not to take a step that might set television back from one to five years and result in heavy financial losses. Attitudes reflected

by Chairman James L. Fly and Commissioners Thad H. Brown, Paul A. Walker and Fred L. Thompson was that the chief decision in whether video or FM is likely to make the greatest contribution to the welfare, happiness, and culture of the nation? T. A. M. Craven indicated a much slanting view without taking direct issue with his colleagues.

Radio's varied allocation schemes were forthcoming but went—from FM Broadcaster, Bax, and RCA—but the recommendations did not set well with the microphone camp. Thompson was most offended by the thought that the problem should be approached from the stand point of service to biggest cities and most congested areas of population, with Fly, Walker, and Brown sharing his feeling that the big boys of the industry are altogether too greedy.

Following more highly complex data about actual experience, the Commish was most offended by the thought that the problem should be approached from the stand point of service to biggest cities and most congested areas of population, with Fly, Walker, and Brown sharing his feeling that the big boys of the industry are altogether too greedy.

(Continued on page 47)



# Footprints ON THE SANDS OF TIME . . .

We quote below WSM's "Grand Ole Opry" as seen by the critical eyes of Time Magazine, The New York Times and the Nashville Times.

"A Program many plain folk in the South vastly prefer to Charlie McCarthy or Jack Benny. . . . Simple folk means that has captivated the nation. . . . A popularity not hoped for in the wildest dreams of its sponsors."

For 15 consecutive years this show . . . the only one . . . the original "Grand Ole Opry" has been turning millions of Southern people into millions of loyal WSM listeners. Dials stay tuned on WSM because the "Grand Ole Opry" has taught Southern people the WSM habit. May we suggest the wisdom of cashing in on this habit?

A letter or post card will bring complete information and case histories.

**WSM**  
NASHVILLE, TENNESSEE

National Representatives  
Edward Petty  
& Co., Inc.

IN A VARIOUS CAMPAIGN COMPLIANCE . . .



THEATRE CONSONANCE

YANK JAZZ TO BATTLE FRONT VIA BBC

Band leader Joe Marsala, currently at the Fiesta Daneteria, New York, resumes broadcasts of swing music to the British Broadcasting Co. via CBX April 11 or 18...

Murray Horton a Suicide

Cincinnati, April 2.—Murray Horton, assistant to Oscar Hill, president of the Cincinnati American Federation of Musicians, ended his life with poison in his hotel apartment here yesterday afternoon.

'Knew 'Em When' Start in Minneapolis On Tucker-Baker Check

Minneapolis, April 2.—Indicative of the meteoric rise in success and wealth possible in the entertainment field...

FORCES UNIQUE CLAUSE IN S. F.

Aguecodo Operator Won't Tolerate Opposition of Name Orchestras at Frisco Expo Offered Free to Public — Cites Last Year's Losses When N. Y. World's Fair Adopted Policy

AFFECTS MCA

Take it from Billy Rose that any non-union attractions either of the N. Y. World's Fair or the Frisco Exposition is bound to hurt his interests and he's anxious to see...

Weber on Coast in 47's Crackdown On Agencies and Niteries Using Chitz

Saltair Opens May 30

Salt Lake City, April 3.—Saltair Beach Resort will open May 30 with Irving Young orchestra. Name bands will play one night stands during the summer as heretofore.

Los Angeles, April 3.—Several lifetime agencies that have come under ban for alleged chitling and non-union tactics are due for a cleanup at the hands of Musician Union, Local 47, which is getting ready to crack down on non-union chitlers.

Dallas Agency Sues For \$559.28 Allegedly Owed On William Morris Deal

Dallas, March 28.—In action filed in County Court Tuesday (28) the Futer Agency of Dallas brought suit against William Morris Agency for \$559.28 allegedly due to her commissions on bands booked into Baker Hotel.

Reverend Coast trip of Joe Weber, president of American Federation of Musicians, and James C. Pettillo, who heads the Chicago band, is said to have been partly with a view to straightening out reported conflict between Local 47 and one of the leading band agencies here.

Freddie Rick's Encore Bankruptcy; Maestro Also Fined One in '28

Freddie Rick, claiming to be an unemployed orchestra leader, filed his voluntary petition of bankruptcy in 12 years in N. Y. federal court Friday (28). Rick, now 65, was a recording artist for Columbia and RCA in 1928, and was fined one year in 1928 when he was first in bankruptcy.

Leader Turns Boss

Arnold's Park, St. April 3.—Helen Wheeler is going up the Hudson to manage the Wood Gardens on the shore of Lake Okauai.

Sammy Kaye Back to N.Y. For Three Ciggle Shows

Sammy Kaye leaves the Commodore Hotel, New York, April 27 for a tour of theatre and night-club opening at the Rita Ballroom, Bridgeport, Conn.

As Head of MCA

At first she was seen primarily as Rose's method of reprisal against Music Corp. of America, particularly Bill Stern, with whom he had a run-in, due to an alleged attempt by MCA to re-organize an Agency in Frisco, without benefit of its board's entrepreneurial gifts.

Berigan's % Payoff

Tommy Dorsey has made arrangements with Local 688 of the American Federation of Musicians to surrender a percentage of the salary of Bunny Berigan to them each week which will go toward liquidating his estate.

Gale-Buchanan Bay Golden Gate Opponent To Savor Ballroom

Max Gale and Charlie Buchanan, owners and managers of the Savoy Ballroom, in Harlem, New York, are expected to be in New York, trying the Golden Gate Ballroom, recently opened opposition to the Savoy. Gale is spending a few days at Palm Springs before leaving for Chicago.

Smoothies, Modernaires

Two singing groups venturing with some outside hit or are to leave New York City for New Orleans, La. They worked for some time. The Smoothies pulled away from Hal Kemp and his band in the past year.

A Four-Man Intimate Group Has Lots Of Blessings Big Orchestras Don't

By James S. Pooler

Derail, April 3.

Tooby O'Farrell has counted up the blessings to be found in a small combination. As manager of a four-man group (but not one of the four) which is altering its American style at the London Club House...

they stand. (Performers in the smaller spots aren't given to blazing temperaments, either, and blaming it on the band is the least of it.) They can get booked in at any scale. This not only gives the boys some incentive to do well, but also an expensive item of the big bands — arrangements. They know what they're getting into and can do without a conductor. Just sit down and work it up on the bandstand. They're all there for rehearsal.

A big band gets plenty of snuff-igniters. The little outfit doesn't have to worry about such destructions. They usually come in one or two and settle down anywhere from a month to three months in some snug little hotel. They're sure they work right friendly with the customers, they build up a close small band with a definite atmosphere of five or six spots for a couple of years. In the past year, playing (Tooby O'Farrell's) they've had some 10,000 miles on the speedometer.

Buffalo Summer Dates?

Buffalo, April 3.—Hild that Buffalo Slaters may have a band headed through the hot months is foreseen in signing Lyla Carlyle's new red roller band to open at the Sun (7). Previously a local outfit billed out the Spring season and then were no longer at the Fall Hotel officials are saying nothing but action may be result of theatrical summer competition from other hostilities. Buffalo Athletics Club is mailing plans to open up new red garden and dance. The Hotel Buffalo, which passed recently from Slaters hands to new syndicate, they have started dancing in.

RAMPS VICE VERSA

Charlie Barnet, orchestra, which had replaced Ben Benoit for a month at the Lincoln Hotel, N. Y., is turning around Savit's agency May 1, playing the same Ben Benoit for a month at the Lincoln Hotel, N. Y., today (Wednesday).



# COLLEGE RHYTHM

The first of a series of articles on collegiate likes and dislikes as regards dance music and dance bands. The writers, staff members of publications at their respective schools, have been asked by *Variety* to give the opinion of the student body as a whole as to their own preferences. What *Variety* gives further instructions as to what was to be said or how. These articles appear as the undergraduates have written them, with the expressed opinion being their own.

*Variety* publishes the series to give music men and band leaders a cross-section of current undergraduate opinion on dance music and bands, with the hope that it will be both informative and instructive. For what the college group has to say about dance music is deemed important in the trend.

## U. S. NAVAL ACADEMY

By D. H. Wright, '39  
(Annapolis)

Annapolis, April 2  
Runners on Capitol Hill have it that there is at present before the House Naval Affairs Committee a resolution to change the famous words of the navy's battle song to "Anchor Aweigh Hery, Truck on Down the Field." At one rate, a recent canvass of the campus indicates that the navy is definitely "hey." We are able to vouch for the following, and any similarity of these opinions to any other opinions is purely coincidental.

In a full general canvass was that Guy Lombardo, Rex Fields et al, were the music masters of the present age. However, an extensive educational program was undertaken and gained such impetus that soon the popular cry was, "Out of the cornfields by Christmas." For purposes of simplicity, the navy divides popular orchestras into three categories, namely, "Off-the-rob," "Semi-off-the-rob" and "Hey."

The outstanding off-the-rob talent was undoubtedly Orin Tucker's rendition of "Oh, Johnny." The chief fault we can find with this one was that Bonnie Baker sang loudly enough to be heard, but the extravagant "winging stings" in the last chorus "crave-out" elicited this selection.

The semi-off-the-rob scholastic crown goes to Horace Heidt's Musical Rhythm. For best results, when playing records by Horace, we suggest you remove the needle from your pick-up.

The "hey" honoree were garnered by William Costello Basic for his version of the W.F.A. workers' theme song, "Well All Right! Dig! Dig! Dig!"

Now the above observations are based upon the results of a general poll, as we have said. In effect, they prove one thing—swing is here to stay. Of course for dances, dance music is the key-note; but for plain listening enjoyment—it's swing. The phono-manias are digitizing Ellington, Basie, Shaw, Goodman, Hawkins, Miller and Harlem Leonard.

Guy Lombardo is out. Brother Carmen sings as though he'd just stepped out of a cold shower, and to the best of our knowledge is the only man who sings while listening.

Kay Kyser is a dud. When Kay recently played a theatre date nearby, it was suggested that he contact Ser. Lichen and tell him of the enormous premiums gained from plowing under every other row. Russ Morgan is out for us. His trombone leaves the impression that he plays by alternately blowing and sucking, which is great—for harmonicas.

The Faves  
So far we've only told you what we don't like—now we'll give you the real lowdown. For dancing, Glenn Miller is No. 1. His music is full, rich and harmonious—no tricks there. Glen Gray's another favorite. Bob Chester, Jimmy and Tommy Dorsey, and Jan Savitt also rate dance tunes.

Away from the dance floor (and the dream girl) swing is first choice. (Continued on page 40)

# JACK KAPP SEES UNRESTRICTED RADIO USE OF DISCS BAD WAX SALES TACTICS

The Stations Make It Sound Like Exploitation, But For Whom?—Decca Sold More Records When It Began Limiting The Air Privilege

## Band Bookings

Enoch Light, April 11, Hotel New Albany, Ala.; 12, U. of Miami, Miami; 13, Club Brevard, Fort Lauderdale, Fla.; Duquesne U., Pittsburgh; 20, Grove City College, Grove City, Pa.; 21, Trianon B., Cleveland; 21, Carnegie Tech, Pittsburgh.

Larry Clinton, April 18, Trianon B. Toledo; May 5, Trianon B. Cleveland.

Al Donahoe, May 11, Herdsey Park, Hershey, Pa.; 24, Bayler School, Chattanooga, Tenn.

Gene Gray, May 6, Army, Jersey City, N. J.

Woody Herman, May 19, Golden Gate B., New York; June 8, Herdsey Park, Hershey, Pa.

Claude Hopkins, April 11, Roseland B., Richmond, Va.

Johnny Long, April 4, Raynor B., Boston.

Horace Heidt, May 1, Health & Drug Store, Boston; 8, Allentown Park, Allentown, Pa.

Jack Teagarden, April 18, U. of Virginia, Charlottesville; 19-20, Clemens.

Van Alexander, April 1, Mont. Ray, Chester, Atlanta, Ga.

Harry James, May 2, Buckley Mount, N. C.

Jimmy Lunceford, April 12, Webb Tower theatre, Kansas City; 18, U. of Nebraska, Lincoln; 20, Carlton College, Northfield, Minn.; 21, Riverside B., Green Bay, Wis.; 23, Eagles Lodge, Minneapolis; 23-27, Grand theatre, Evansville, Ind.; 28, Aud., Nashville; 28, Army, Louisville.

St. Oriental Palace, Jackson, Tenn.; Carl Moore, April 23-24-26, 28, Elms B., Youngstown, Ohio; May 8, 11-12-15-16-19, Madama's Dancehall, Hammond, Ind.

Lakeside Park, Barneville, Pa.; Leo Brown, April 8, Don Decker, April 27, George Childs, May 19, Blue Haven, June 1.

"Free records don't help record sales. By that I mean the broadcasting of discs. All it seems is that you must go by the count, and this shows that for the first three months of 1939 we are considerably ahead of the same time last year. We approved broadcasting of Decca records there; we don't now."

That's Jack Kapp, president of Decca Records, Inc., giving his views on discs and their usage over the air, licensed or otherwise.

"Any time one of our artists wants permission to have his or her records put on the air locally in conjunction with any local engagement that permission is granted immediately. In fact, we think that that is where discs may be ethically restricted, both for the recording artist and for our future sales."

This is in reply to trade squawks that Decca bands would like more of their platters put on the air, since they allegedly serve as a building for them for one-nighters, etc. But Kapp has further ideas on the subject.

"We use kidding ourselves that this can't be done practically because you know for a fact that all these mythical ballroom platter-chatter and sundry half hour 'dedic' teas' to this or that recording artist is merely an excuse to commercially tie in with some outside jewelry shop, loan company, home outfitter, California warden, local merchants and what not. The same bands are come-on for the record jockeys who ride herd over not only Decca records but all the others. We create a community for them to tack on a plug for Wholes' Haberdashery or Wholes' Refrigerators."

Continues Kapp: "We're no different from the picture business. In fact, many of our artists are inter-

locking nowadays on the air, the screen and the wax. An you see what happened to picture boulevard when they started giving away double features, free discs and what not.

"The best answer, is the fact that our sales shot up the moment we cut down on the indiscriminate broadcasting. If they don't buy them gratis every time a disc is turned, maybe they'll have to go out and buy a Bing Crosby or an Andrews Sisters."

As for Victor or Columbia, they have their own reasons for increasing broadcast I suppose. I imagine that a powerful RCA doesn't care a whit about its records; and CBS' Columbia platters are now engaged in a serious drive to gain a real toe in the record business, so maybe they see it as exploitation. It's like alcohol; to some it's a tonic, to most poison, if overdone. I think it's being gravely overdone."

As for Victor or Columbia, they have their own reasons for increasing broadcast I suppose. I imagine that a powerful RCA doesn't care a whit about its records; and CBS' Columbia platters are now engaged in a serious drive to gain a real toe in the record business, so maybe they see it as exploitation. It's like alcohol; to some it's a tonic, to most poison, if overdone. I think it's being gravely overdone."

## Wattenberg's Eye Op

A. M. Wattenberg, counsel for the Warner Bros. music interests, was operated on last Wednesday (17) for a torn retina. He's been in a dark room ever since.

The bandages won't be removed until the end of this week.

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# OFF THE RESTRICTED LIST AND BACK ON YOUR HIT LIST

Franz Lehár's

# YOUR IS MY HEART IS ALONE

ALL NEW ARRANGEMENTS  
POPULAR SONG EDITION  
DANCE ORCHESTRATION ARRANGED BY JACK MASON  
VOCAL ORCHESTRATIONS IN ALL KEYS

(and others)

Professional Material Now Ready  
MACK GOLDMAN, Prof. Manager

SHUBERT MUSIC PUBLISHING CORP.

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RCA BUILDING - NEW YORK

- .. and these Recordings
- DENNY GOODMAN COLUMBIA
- GLENN MILLER BLUEBIRD
- GLENN GRAY DECCA
- TOMMY DONSEY VICTOR
- BING CROSBY DECCA
- WILL COMBINE VARIETY
- MILDRED BAILEY COLUMBIA

RECORD REVIEWS

Artie Shaw 'Adios Margarita'—Fremont (Victor 23848)
These two ideas, the first to be back home on 'Thummy'...

Orville Turner 'If I Could Be Dumber'—'If It Wasn't for Meas' (Columbia 32899)
Same technique and playing to lead back home on 'Thummy'...

Benny Duchman 'Little White Lies'—'Dark Eyes' (Variety 2871)
Duchman's the trumpeter who recently left the Casa Loma group...

Glen Miller 'Moments in the Moonlight'—'Silent Star' (Decca 16283)
Miller's treatment of 'Moment' is an attractive job. In moderate tempo...

Benny Burke 'Ray Goes Bye'—'If It Wasn't for Meas' (Columbia 3297)
Both sides show up an untrapped good instrumentalist...

Duke Ellington 'Look the Bear'—'Moving Glory' (Victor 32446)
These are Ellington's first two sides under the new Victor contract...

Benny Goodman 'Fable of Helen'—'Ray Goes Bye' (Columbia 3298)
Goodman's choice of an untrapped good instrumentalist...

Eddy Duchin 'Tender to My Heart'—'Little Boy, Little Girl' (Columbia 32886)
First is different and interesting fare. Arrangement is neatly tied to the lyrics...



WAS A LAT N H T NOW IT'S AN AMER AN N
BIGGER EVER THAN RANCHO GRANDE

The Irresistible Beauty Walks from England
BELLA BAMBINA

As Featured by Gyp Gordon on Bluebird and Clyde McCoy on Decca
I Was Watching a Man Paint a Fence

And Finally... Entitled to Rise Ready on the Most Beautiful
Popular Song We Have Ever Published...

THE BREEZE AND I
Adapted by T. Converse from
ERNESTO LECUONA'S Inspiring "ANDALUCIA"

A Brilliant Solo For Violin Version of a Famous Composition
EDWARD B. MARKS MUSIC CORPORATION
RCA BUILDING • RADIO CITY • NEW YORK

Pasternak

Continued from page 1

in the business has. The middle-class man, the manufacturer and consumer. Certainly the trade press should know that no producer sets out to make a bad picture...

A Plea for Conservatism

The trade press doesn't have to say that a bad picture's lovely but they've had to say it so often. Let it forgive mistakes, spread a little kindness, a little consideration, a little leniency to soften the blow.

Producers are only human beings; actors are only human beings. Already deep in the heart of every actor gnaws the fear that his own life, that now it's begun, that this time's the last. Does the trade press then have to bust him in the nose because this picture isn't quite as good as the last? Can't he swim, or a bit wimpy? Can't he wiggle gently instead of belittling the voice of despair?

But even so Mr. Pasternak's dream to be a better writer, or a better producer, is the reason the exhibitors who came to the set to see how pictures were made. They want to see a while, and the patient coordination of a thousand and one details necessary for just one scene to be shot, and told to the camera.

But not about Mr. Pasternak's product. Mr. Pasternak's made seven movies in which he remains the artist's sweetheart. Mr. Pasternak, who is a bachelor, calls them his children. Some of them are merry, and so are they're better looking than the others. But they're all my children. I'm a father, he says. I'm a father, he says. I'm a father, he says. I'm a father, he says.

Mr. Pasternak's children turn out a nicely, he think, a because first of all, he loves children as an American public. In fact, the American people want to love him, he says. He won't grow up. He'll stay where the span of life is adjustable for the activity that is suitable for it. In America, God bless it, everybody plays. The American public likes Mr. Pasternak's children as well, he thinks he becomes an old man, and they settle their own affairs. When they get into trouble, they themselves solve their own problems. The American public likes people strong and resourceful enough to take care of their own problems. Children don't associate with bees, he says, because in life there are no swarms of bees. There are just bad deeds, not bad people. It's only the people that he has. The children of Mr. Pasternak's children inherit his engaging philosophy, it's safe to predict that the outlook for the new babies is good.

2 Kates

Continued from page 1

is now slated to wind up May 11, it's currently playing a 25-week run at Chicago.

'Glory' completed a 25-week run at the Shubert, N. Y. where it closed Saturday (30) during which time it grossed \$101,000, according to Variety's figures. The show also did \$122,000 during a try-out tour. Final week on Broadway netted \$20,000. The show would have lasted out the season, but took to the road to fill out the Theater District subscription schedule in Pittsburgh and Chicago.

Joe McCarthy, Jimmy Van Housen and Billie Rose authoring the new tunes for Rose's Aqueduct at the M. T. Fair, Robbins playing.

15 Best Sheet Music Sellers

(Week ending March 30, 1940)

Table with 2 columns: Song Title and Seller. Includes 'In an Old Dutch Garden', 'When My Wish Upon a Star', 'On the Hills of May', etc.

College Rhythm

Continued from page 1

Charlie Barnet and Basie are tops. Erskine Hawkins is a favorite and Lionel Hampton's records get a big play.

The chief objection seems to be to the many poorly balanced outfits currently knocking about the road. The numerous groups that sound like a trumpet player, accompanied by a bunch of boys named Joe—playing in the next room. Also commercialism and cowboy tricks.

The best bets in music are well scored tunes that offer a wealth of tone-color, and a variety of ideas, all aptly executed by a full band, and not one of those 'musical' tunes. This applies to jazz as well as swing.

Ode to a Corn Harvest

I think that I could never hear A band more pleasing to the ear, Than one that fell off all compared To the corn harvest. They seem to be able to take any song, be it Some ripping rhythm, an Osborne dirge, A trombone gliss, a 'velvo ride, Some scamp-stomp, and tie-ends, A gully haw, some music bar. Some may like a torrid harp, But I love the corn harvest.

The above 'poem' was constructed in era B. C. (before Count Basie), but now the lyrics, 'Sweet or swing—but solid!'

Latest news reports indicate the aspirants at Navy Tech (United States School for Boys—On the Sevens, by the Sea), are really true lovers of music—and not just live-on-board. They seem to be able to take any song, be it jungle chord, solemn hymn, folk ballad, operatic aria, or swing phrase, and analyze it and appreciate its musical values. They seem aware of the fact that there are measures of rhythm, and of the use of various moods—from primitive, wailing laments to jubilee stomp. Thus, Beethoven makes for drama, Wagner thrills with brilliant effects, Jelly Roll Morton endears in the three-fours, and Duke Ellington's intricate but smooth-flowing interpretations, and Basie lifts you right out of your chair with a propelling rhythmic drive that is so solid that even old King Congo could within in the three-fours.

It's an actual fact—page Mr. Bixby—had we noticed before having beaming at the picture of the O. A. O. (One-and-Only, unless it's Off-and-On), as they relate to the banding strains of 'Tuxedo Junction', and proceed to knock themselves out.

Everybody else seems to be picking 'Havens' (music) but for once the Navy refuses to adhere to tradition (Amen!) However, along that line we can assure you that the following is not our 'dream band', and the decision of the judges is final.

WOT to the Dream Solo

Rudy Vallee and Wynne King (the boys) are definitely here's come our favorite rock solo. Her de Clyde McCoy and Henry Buscayre comprise our bugle section. Moreover, when the crowd recently roared that Kay Kyser would have reached the East Coast until 1942 it held stopped to play all the boys they had ever heard of from his visit to the west—they thought it was a good idea.

Perhaps the mention of a few names from where we are sitting is new in order. Lester Young is the favorite sax player. Leo can be counted upon to dig himself into a torrid tempo groove with a tone and attack you could sit on. It. Romanesco Basie is another world leader, what with his overpowering pianissimo effects. Tommy Dorsey is okay if you're "losing that way" but when "on the Jersey side" you can't overlook that master of the ball. Benny Krupa is the king of drumming in a cynical talk. Vocalists are rare these days, ability being sold short for sheer quantity. The only one that we can't do without is Ella Fitzgerald. She has a career on the chippie' chorus for several years now.

The music world's forgotten men, the arrangers, can also take a bow from our own ranks. The arranger of the best band, Crooner, is Elia Fitzgerald; his brilliant orchestrations, banged out more hits than the Yanks announced in last season's World Series. It's Glenn and his boys, by the way (stand by for station identification: Glenn and his boys). The only one who's been on since June—to play for the Ring Dance. Only two years ago Paul Whiteman got the bid—so you can see the boys have changed radically the past three—(from the sublime to the solid to quote that grand old man, Amen.).

(Next week: Standard)

Just a Natural, Everyday Great Song

THE SINGING HILLS

For Every Singer, For Every Orchestra

You can't hold back—you're a 'jumpin' jack—when you hear BING CROSBY'S Novelty Sensation from his picture, "Road to Singapore" SWEET POTATO PIPER

By Burke and Monaco

"Look Down My Rain Bar!"—Slide Down My Ceiling Door! PLAYMATES

Basic Dowell's new section, "Flirtie"—A Dynamic Novelty!

SANTLY-JOY-SELECT, INC.

1019 BROADWAY, NEW YORK



# Inside Stuff—Music

## British Best Sellers (Week Ending March 9)

"Teeter, Brain"—Day.  
 "Who's Taking Home"—Day.  
 "1938 Crooner"—Laurie.  
 "Somewhere France"—Maurice.  
 "I'll Play It, You—Gay."  
 "Lovely Day"—Chappel.  
 "Quartermaster"—Cavendish.  
 "Close My Dream"—Laurie.  
 "Boogie—Maurice."  
 "Over the Rainbow"—Day.

## Forster's Rating In ASCAP Upped By 300 Points

Forster Music Co. got a boost of 300 points in its availability rating without even asking for a raise. The publishers availability committee of the American Society of Composers, Authors and Publishers, in making rating adjustments preliminary to the repatriation distribution for the first quarter of 1940, decided that the value of Forster's catalog in the U.S. had long been underestimated. Forster, previously rated at 1,800 points, is the publisher of the revival, "O. Johnson, O'".

Santly-Jay-Select also received a lift, going from 1,500 to 1,800 points, while "Straw-Voice-Cow" and "Agor, Yellen & Bernstein" were brought down to the same level.

Morris & Morris took a drop from 700 to 600 points but the firm's subsidiary, Helvete Music Co., moved up from 300 to 500 points, which gave MM&M an advantage of 100 points on the rebuff.

The new list was a result of its sale of the copyright of "My Melancholy Baby" to Shapiro, Bernstein & Co. three months ago.

Paul-Pioneer's ratings was also raised. It went from 450 to 600 points.

## Music Notes

Dave Bernstein appointed Chicago and Midwest rep for Lincoln Music.

Bob Smith handling plugs for "Sally" Music, Chicago.

Max Steiner composing symphonic score for "All This and Heaven, Too" at Warner's.

Mal Bailett's 30th anniversary as a maestro being celebrated tonight (Wed) at Roseland ballroom, N. Y., with an entire matinee joining in the festivities.

Richard Rogerson signed as musical director for the Columbia picture, "Tree of Liberty."

Herbert Stothart scoring background music for "Edison the Man" at Metro.

Ray Webb doing the music for the RKO's "The Saint Takes Over."

Johnny Burke and Jimmy Monaco writing songs for the Paramount picture, "Obed My Darling."

Irvin Talbot scoring Sol Lesser's "Our Town" from music by Aaron Copland.

Alfred Newman scoring "Earthbound" for 20th-Fox.

## Morris Fisher, Called 'Biggest Distrib' Of Bootleg Songsheets, Is Indicted

### Music Men's Dance Cicks

Chicago, April 2.

Second annual Tin Pan Alley Ball, held by the Chicago chapter of the Professional Music Men was, again, a most successful. Had been standing in the Terrace Room of the Morrison hotel, and brought out every musical celebrity happened in to be seen at the time.

While process have not yet been completely figured, it is estimated that the net will be nearly \$10,000 from admissions and advertising.

## Kid Songwriter Calls N.Y. Times Collect From N.B.

St. John, N. B., April 2.

Martin Halverson, 21, here attempts to sue The N. Y. Times as a songwriter who has been marked by the newspaper's editorials with charges that he is a plagiarist.

Halverson, now in the jail, is in a lawsuit with a former publisher against him. The charges were that of a woman's purse and vengeance.

St. John is 600 miles from New York and Halverson, once he got someone on the phone, would bring his lyrics. He specializes in war numbers. On one occasion Halverson found the N. Y. Times in paying for a call on the understanding that he had a big new break concerning the war. What followed was a song lyric. Halverson claims that he also had one of his reverse charges called accepted by the firm of Irving Berlin, Inc.

When jailed Halverson had lyrics in every pocket, most of them on wrapping paper.

## WM. T. MYERS, EX-RCA, AT COLUMBIA DISC

William T. Myers, former Chicago RCA general manager, joined Columbia Records Corp. office, department last week. He'll be consultant on chase store distribution.

Since leaving RCA about a year ago, he had been connected with the Earl J. Goetz Co. in Kansas City.

## ASCAP Annual Dinner April 24 at Ritz, N.Y.

Members of the American Society of Composers, Authors and Publishers will hold their annual meeting and dinner at the Ritz Carlton hotel, N. Y., April 24.

The big topic of conversation this time will be the new contract that the Society has offered the broadcasting industry.

Billy Bland at the Hotel Utah's Empire Room for a balance of season, ending December Day. Alice Mann is with the group.

Trenton, N. J., April 2.

Filed by the Music Publishers Protective Association as the copyright No. 1 distributor of bootleg sheet music, Morris Fisher has been indicted last week in the local Federal court for criminal conspiracy to distribute bootleg sheet music. The indictment was handed up by a grand jury against six of Fisher's associates, including the publisher, Edward Fisher, Henry D. Mader, Andrew Bloom and Harold Verter.

Through the indictment and arrest of the seven men the Federal authorities believe they have closed up the last of the important nests of this type in the east. The Federal grand jury is expected to have had a weekly distribution of 200,000 copyrighted songsheets. The gathering of evidence and presentation of the case was handled by Assistant U. S. Attorney Thomas V. Arrowsmith with the cooperation of Benjamin Kahn, MPAA's Jersey counsel.

Morris Fisher is accused of being in the business of printing and distributing illegal songsheets for over five years. It is believed that while he did most of his distributing in Philadelphia, Fisher maintained a printing plant in Camden. Fisher had been tagged by the Federal authorities several times previously on infringement of copyright. All these arrests took place in Philadelphia. On each occasion he either got a suspended sentence or the judge (it was the same one always) dismissed the case on the ground that he didn't like the American Society of Composers, Authors and Publishers. After one of these tirades from the U. S. Attorney General to have the next case against Fisher transferred to another jurisdiction.

In Cleveland Area.

MPAA has about 100 cases of copyright violations pending against bootleg songsheet handlers in the Cleveland area. The charges were brought following a checkup of newsstands and stores by an MPAA crew of investigators. Instead of warning had been issued the dealers several weeks before the appearance of the violators.

MPAA was also informed last week that the police in Ottawa had seized many of illegal songsheets from the Ruby Nut Co. candy and confectionery of Toronto, and charged it with bootlegging and copyright law.

## Would Examine Olman, Robbins in Roy Music Suit Against Feist

Suit of Roy Music Co., Inc. against Leo Feist, Inc. was revealed Thursday (28) in N. Y. supreme court, when the defendant sought to vacate an examination before trial of Alvin Epstein, Feist's attorney, and Roy Robbins, vice-president, and F. H. Smith, secretary. Action was actually denied by the court.

The plaintiff claims, "My Margara," from the author, Emma F. La Freniere. It is asserted that in 1928 the defendant published a Spanish song "Mi Chere," under the title of "My Margara," and published the song by making records of it. An injunction, accounting of profits, and damages is sought.

Against the Paul Whiteman-RCA Victor case won't be argued before the U. S. circuit court of appeals until the first of this session. So far the case has remained dead but at the first set of briefs and before the case goes to the bench there will still another two sets of written arguments that will have to be filed.

Action involves the broadcast rights to phonograph records. Neither side was satisfied with the finding handed down by Judge Vincent Bell in the N. Y. Federal court. The test case went up an appeal five months ago. The National Association of Performing Artists is pressing the matter for Whiteman.

Leonard Vanaman, road manager for the Buddy Goodman band, and Louis Tilton, former vocalist with the same outfit, were married in Woodland of the Heather church in Hollywood Monday (1). Goodman, who had been at the Coconut Grove, L. I., was the man and various members of the outfit were usher. Couple (1) honeymoon in Palm Springs.

Vanleit has been out of the Goodman band just about a year. She was replaced by Louise Tobin, who gave way to Kay Foster, the current baby Forrest following her. Miss Tilton has done nothing since but lately afternoon network shows logged "Hollywood Revue."

Bobby Crawford, artist presenting "Elegant Rovers" debut legit venture at the Maxine Elliott, N. Y., is reported planning to convert his play production profits back into a music publishing venture. When he sold out the music firm bearing his name to Max Dreyfus (Chappell-Harmon), Crawford became a Hollywood agent. Play, by four authors, Joseph Carole, Alan Dinehart, Alan Gottlieb and Edmund Joseph, features Dinehart and Charles Farrell from the screen. William R. Friedlander, now solely billed as a singer, formerly was co-producer with Crawford. Dinehart is supposed to have most of the play through dominant financing.

Raymond Scott's full-size band, which has done nothing but radio and records because it's composed of high-priced Columbia Broadcasting house musicians in the latter's New York studios, will be available for college dances and one-nighters in the New York area this summer. It'll contain the same men and won't travel too far afield for obvious reasons.

Band is being offered because of lull in commercials, etc., which give him much time off. Dates will start end in May or beginning of June. Band has never done any personal work with his quintet, except for a two-week tour a year or two ago at a New York nitery.

Woody Herman orchestra replaces the scheduled Bobby Byrne band at Roseland-Edison, Cedar Grove, N. J., for the three-week stretch beginning April 23. Byrne bills in with additional theatre dates until his opening at Glen Island Station, Westchester, N. Y., May 15.

Byrne is pulled out of the Roseland-Edison date because Frank Dulley, who owns the spot, wanted a 15-week option to be picked up if he desired since Byrne completed the Glen Island stand. Byrne is currently at the Windsor theatre, N. Y., and Hermann is an one-nighter.

Irving Berlin, who worked on the songs for "Louisiana Purchase" while in Kansas, wrote a gag tune about the British revolt, but liked the melody in "Anna," which he cleaned up and it will be part of the show's score, with new words, of course. It reminds of Harry Rosenthal's "In the May," a riddle theme song during a pretentious Palm Beach season, which closed so well with the customers that Rosenthal with late Con Conrad pitched it up and it became "Was He Love?" a published number.

The addition of the Novachord is manifesting a definite orchestral twist to the newer bands.

Notably this is so with Leighton Noble's outfit headed out of Boston, and with Herace Hedin's band. Latter's version of "Make Love with a Guitar" is being considerably by the new-type organ, and in all instances the richness of the Novachord's tonal effect is an aid to the bands.

Orlie Nelson has his own ideas about mixed bands. In an otherwise all-male outfit he has a girl trumpet player. She's Lois Ashford, second trumpet. Her brother, Bow Ashford, plays first horn in the same band. Girl player takes no hot licks, but for straight string section Nelson claims she's so good as any male he's ever had.

Band is currently at the Blackhawk Cafe, Chicago.

Rabson's music shop in N. Y. and Kitty Carlisle have combined in an unique experiment with a dancing-recording 15 inches, to permit customers dance set, and incorporating six tracks, one with a "thumba" back to back, and in medley form. Singer does her vocalizing in strict dance tempo to Joze Smith's beton and a picked combo of 15.

Piet and Metro got around the Benny Goodman "Let's Dance" radio trademark by using the complete last line, "My Wonderful One, Let's Dance," as the song title for an excerpt from "Two Girls on Broadway" (Metrol).

### Robbins to Coast Soon

Jack Robbins goes to the Coast in a week or an accompanying Joe Adamson (Universal producer, with special eye to picking the songs for the forthcoming U. S. "Little Bit of Heaven" (Gloria Jean) and "Seven Sinners" (Dietrich). Robbins has a music pub tie-in with Universal.

Peter Westlake offers four numbers for Republic's "Crazy City Kid." Ditties are "Money Trail," "George Price's 'Gold Diggers Song' and 'Why Is It?'"

Ray Webb doing background music for two RKO pictures, "The Girl in the Iron Mask" and "You Can't Fool Your Wife."

# 'WHEN YOU SHIP A S' R'

NUMBER ONE IN SALES      NUMBER ONE ON "THE HIT PARADE"

ALSO A KILLER      TULLY MAY BE AN EMPIRE BANDSTAND

92 SEVENTH AVE. NEW YORK CITY      CHAS. WARREN, Prop. Mgr.

Night Club Reviews

CHEZ PAREE, CHI

Hotel New Yorker, N. Y.

Chicago, March 30. Lon Holt, Mimi Kellerman, Beverly Roberts, George Brown, Ford Ross (3), Mercedes (Line) (18), Don Orlandi (18), Les (18), Don (18); \$2.50 minimum weekdays, \$3.50 Saturday-Sunday.

At Danahoe Orch (13) with Paula Kelly, Fred Meyer, Peter Kent Orch (5); The, and \$1.50 cover.

What may be the last show of the season at this spot is a solid and rounded bill of music, entertainment and variety to attract many. Great value for only one dollar with a show and dinner only about the minimum. It is a value that has kept the Chez Paree in the front line of the late club business.

At Danahoe with a solid bill of 13 floor reads, six lounge acts, and a variety of specialty acts. The wraps when occasion warrants, delectable specialties can stay under the pump. For dinner he wisely makes use of the lounge acts, but the selection is not necessary. From what was technically known as a "hot" show, the Danahoe was one of the season's Rainbow Room, the maestro wisely evidences that in billing of "lowers rhythm in a too, but isn't the middle" episode. Succumbing the Disco style of Bob Crosby, she's a nice change of pace, yet maintaining sharp distinction.

Supporting variety show is almost a regular, at least on a monthly basis. The comedy group, "The Pickpocket" comedian, registers with a variety of valets, wits, wipers, suspensives, artist-watches, comic, cigarette, etc. calling on the valets to work with wit and getting in as the Walter Arden for a couple of months.

Bob Crosby and Maxine Ragin (New Act) are a class ballroom team who've been around, but here they're making a go out on occasion. She was recently in "Very Warm For May" with the Walter Arden.

Paul Kelly, street songster, sings vocally with Danahoe, and Beverly Roberts sings a go out on occasion in acceptable manner. Peter Kent's quintet is the relief comedy club.

Brevort Supper Club (NEW YORK)

Atleevo Cook, Vera Snow, Palomo, Norbert Focini & Sam Gray, Virginia Marley & Livingston Corbett, Julius Monk, Wally Blacker, Herbert Jacoby; no cover or minimum.

Herbert Jacoby, m.z. and impromptu of the Ruben Blue, an East 8th street counterpart of the Blue Band with Toil and other music. He is another veteran, but restricted still another version thereof at the club Green. He is a veteran, but restricted still another version thereof at the club Green. He is a veteran, but restricted still another version thereof at the club Green.

At Danahoe with a solid bill of 13 floor reads, six lounge acts, and a variety of specialty acts. The wraps when occasion warrants, delectable specialties can stay under the pump. For dinner he wisely makes use of the lounge acts, but the selection is not necessary. From what was technically known as a "hot" show, the Danahoe was one of the season's Rainbow Room, the maestro wisely evidences that in billing of "lowers rhythm in a too, but isn't the middle" episode. Succumbing the Disco style of Bob Crosby, she's a nice change of pace, yet maintaining sharp distinction.

highly photogenic, and with her personal media dunder, she is an exceptional pair on face values. In addition their chemistry is litigous.

Herbert Panzer, violinist, and Sam Gray, pianist, are the musical backbone of the show. Their role is more in the Viennese and lighter folk-song manner, highlighting the French and German personality. Later is a Czech rhythm which have had a lot to be around. He does belauds and Cuban songs in showmanly manner.

LYNCH'S PHILLY (WALTON HOTEL)

Philadelphia, March 31. Rocco Casella, Gus (3), Capella & Beatrice, Daily Arden, Paul Duke, Beth Chaffin, Josephine Brown, Home Low (14), Neil Brown (12), Vincent Rizzo rhumba trio.

Like all local artists, Lynch's has not seen out until the end of the last season and while the bill is not especially exciting, the names, it's nevertheless entertaining enough that the customers here enjoy it, and the routine almost as well as the opening number has the familiar theme of country girls on the way to the big city, with Romeo Vincenzo, m.z. doing the lyrics. The girls playfully play on looks and dancing ability, but lack zip in their delivery.

Daily Arden has a classy sax routine. A soul, locker, well-oiled, her backbeats and other contributions have plenty of punch and the quality of the objectionable features which are common to most dancers. Duke occupies the center with his familiar rhombology, grabbing cigarettes, cigars and playing the piano. His entire act is steep, with some of the coring and the pulling in the bottom part to fill the gaps.

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TIC TOC, MONTREAL

Montreal, March 30. Lela & Andre, Laguna Scott, Arlene, Cuba, Wine, Fred Meyer, Vera, Three Playboys, The Yuc Girls, Cuba, Wine, Fred Meyer, Vera, Deodora, Mill Sherman Orch (8).

Lela and Andre, Laguna Scott, Arlene, Cuba, Wine, Fred Meyer, Vera, Three Playboys, The Yuc Girls, Cuba, Wine, Fred Meyer, Vera, Deodora, Mill Sherman Orch (8).

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

Following is a tabulation of the combined plugs of current tunes from NBC (WEAF and WJZ) and CBS (WABC) computed for the week from Monday through Sunday (March 23-31). Total repetitions accumulated during the week are given in parentheses. The time of a 1 a.m. simulcast denotes film song, 1 stage musical, all others are pop. Percentages in the right indicate how many weeks the song has shown up in three listings.

Table with columns: TITLE, PUBLISHER, GRADE. Lists various songs and their network airings.

with special instruction for beginners offered by the club maestro. Current show produced for the T. C. by Ray Tapley is distinguished by a mixture of punch and the quality of the objectionable features which are common to most dancers.

Cuban Serenaders (8) beat the ten-minute musical act that lures the customers in the mood. Dancers, a ducky, range heavily with the ten-minute musical act that lures the customers in the mood.

Topping the show are Three Playboys, definitely non-conga center, who have strongly to the old Clayton, Jackson and Durante method of prohibition days. Boys (Lem Dison, Bobby Starr and Joe Bolla) draw strong reaction all the way with their ten-minute musical act that lures the customers in the mood.

MINNESOTA TERRACE (HOTEL MCCLELL, M.P.L.) Minneapolis, March 31. Jimmy Kay Orch (11), Bill (11), Arthur Lunden, Burns & White, Arthur Murray Dancers (3), Kismet.

The town's swankiest spot, in the Hotel McClell, continues to serve up a mixture of the old-time and the new. First rate dance music, intriguing

music, such specially dancing, reading of the future and illustrations of and instruction in the latest vogue steps by the Arthur Murray dancers, a mixture of punch and the quality of the objectionable features which are common to most dancers.

Dance music always is the main consideration here because most of the guests apparently have gathered for the principal reason of trying the light fantastic, other entertainment being of secondary importance to them. The Jimmy Kay outfit specializes on the slow, sweet style of music. They're the most experienced dancers' demands and arrangements maintain the ears and set eyes to tapping. Joy himself is a general m.z. and conductor who also knows how to handle a crowd.

Gal Moran, singing comedienne, puts over her go and other numbers cleverly. The other band leader, Art London, is a husky six-footer, introduced as a former Yucca football star. He impresses as an unimpaired, and an unimpaired delivery is part of his sentimental love numbers.

Burns and White, man and woman, lead solidly with their lingo and acrobatics. For a further they burlesque an old-time melodrama and believe rib-tickling comedy effects through a mixture of vocalizing, fast-paced and amusing business. Kismet, of course, is the forerunner. Rest.

YESTERDAY'S HIT TODAY'S REQUEST SWEET GEORGIA BROWN BANNED HAVE REMICK MUSIC CORP.

THANKS TO REPUBLIC PICTURES FOR CHOOSING "SOUTH OF THE BORDER" (BY KENNEDY AND CARR) FOR THEIR GENE AUTRY PICTURE AND "ROSITA" (The New British Hit NOW KNOWN AS ROSITA) BY THE SAME AUTHORS FOR THEIR NEXT GENE AUTRY PICTURE PETER MAURICE MUSIC CO., LTD., London, Eng., and Controlled in U. S. A. by Shapiro, Bernstein, Inc., N. Y.

A NEW RHYTHM HIT Bigger than Once in a While - Better than I Cried For You SWEET GEORGIA BROWN REMICK MUSIC CORP. MILLER MUSIC INC. - 1629 Broadway New York BEN GILBERT HERB REIS



# South Jersey Roadhouses Spruce Up; Expect Nags to Bring Boom

Philadelphia, April 3.—Operators of South Jersey roadhouses this week started to refurbish their spots and make plans for ambitious shows in anticipation of the opening of the racing track at Johnstown, N. J., in which Bing Crosby and Lin Howard, son of Beulah's owner, are reported to be interested.

The sector, which was a gain-loss during the prohibition era, has lagged in recent years, but since the passage of the horse-racing bill things are beginning to perk up.

Among the roadhouses getting in shape for gala reopening for the spring season are Abe's Brownie in New York, Belmont's Maple Cafe and Red Lion Inn, Pennsauken Township, and Tony's Black Horse Inn. The Jersey area also expect to reap a harvest from weekend Philly hit-parade. There are also Blue Lays in the Jersey area like the ones in Philly that force early closing Saturday nights and total closing on Sunday.

Four spots will open within the next two weeks in the Hertsocorw-Berkeley section. 16 miles from Philly in the Main Line town. The largest is the Colonial Inn, Hertsocorw, to be run by Marvin Villard, former manager of the Ardmore-Intermar. Villard's opinion here will include Curran Elvins, Jimmy Solar, Frank Gerwin, and Marcellita's Blonson crew.

Mike Garber, brother of band maestro Jim Garber, will open the Herbridge Club, Hertsocorw. He is soon to reopen the Top-Hat Inn, Hertsocorw, and the Rainbow Garden, Bradford.

## Acts Play Hotelmen's Show As Mass Audience

Chicago, April 2.—Cleanliness by the appearance of a number of acts at a special show for the Midwest Hotel Managers Convention in the hotel Sherman last week. The show brought the attention of hotel men from all over the midwest to a number of available acts which have not previously been seen by them.

All agents were invited to send acts to this showing, with the agents protested fully at the time of their rights. Acts which showed were the Six Brothers, Martiniques, Alan Began, Larry Vinton, Ed. B. O'Neil, Nina, Stadler and Bone, Flanny and Hunsley, Martin Baroni, Sam Maxine and Clayton. As a result of this appearance, six of them acts were given immediate contracts by the hotel men.

## CONCESSIONAIRES! ATTENTION!

MICHAEL TODD ATTRACTIONS at the New York World's Fair this summer will offer the biggest entertainment value and will play to the greatest number of people.

### HERE THEY ARE

#### OLD NEW ORLEANS

The largest village at the Fair . . . Three separate and distinct musical spectacles with a cost of 300 . . . Staged under the personal direction of Hansard Short.

## Vaude Stopover for Hope in Chi Prior to N. Y. Airing

Chicago, week of May 18, before coming to New York for broadcast and the services with its sponsor, Popover.

Other stage dates have been lined up thus far by the William Morris office.

## BENNY THE BUM WASHES UP IN PHILLY

Philadelphia, April 2.—Benjamin (Benny) Monday's Popagan yesterday (Monday) finally gave up the ghost in his fight to keep his misery quiet. The spot shattered over the weekend and will remain closed for at least three weeks, when it will be reopened under the management of the Kalliner Bros., who operate the successful Little Bachelorette.

The Kalliner brothers have slowly brought into Benny's by advancing big money to meet his payroll. In all they are said to have put down between \$10,000 and \$15,000 into the spot, which they are ready to pull out for a complete refurbishing of the spot with a change of tag. Just what it will be called has not been decided.

The Kalliner brothers are looking for a successful operator to front for them. They were reported to have approached Jack Lynch, who has several others, but so far haven't signed anyone. Lynch is said to have turned down the proposition, bringing back to give up his successful spot loop the Healy Bros. and the other party, when it will replace, will run on a medium price policy, higher than the Rothschiller, but not so high as Lyach's.

## Southernaires Touring

The Southernaires (4), entertainers for NBC, began a concert tour of 14 cities starting yesterday (Tuesday), in Birmingham, Alabama, and closing Wheeling, West Va., in three weeks.

Their appearances in theatres and auditoriums in 21 cities will end under the auspices of legs as described earlier and while. Act actually consists of five members, one of them a pianist, with the four singers all dressed in Baptist ministers.

## '15 YEARS AGO'

(From Varsity)

John T. Pratt, Jr., son of the Standard Oil Co.'s ex. upon reaching his 15th birthday, gave a party and a check in Motion Picture Capital Company, which financed the Production Distributors. Action came to move for the Pratt oil millions to be invested in his aid.

Mrs. Tetrassini's broadcast several days prior to her present one of Albert Hays Loring, who is now drawing poorly. Just another case of radio detracting from a person's life.

"Happy New Year," a new playlet was shown at the Milling at the Broadway Palace. Jim Bartlett, Charles King, Nole Leung and Juliet were the stars. The newcomers who also went over big were Clinton Webb and Mary Hay, honoree. Mrs. Loring was the wife of Richard Bartholomew.

Four old favorites and one new bit shared the billing at the Broadway Palace. Jim Bartlett, Charles King, Nole Leung and Juliet were the stars. The newcomers who also went over big were Clinton Webb and Mary Hay, honoree. Mrs. Loring was the wife of Richard Bartholomew.

Minnie Madden Fiske wrote the libretto for a one-act grand opera called "The Light of St. Agnes," which is to be produced by the Chicago Civic Opera Co.

Michael Arlen's dramatization of his best-selling novel, "The Green Hat," got off to a rocky start in its New York production. The cast included Leslie Howard, A. P. Kays, Ann Harding and Paul Guilfoyle in the lead roles. Arthur McClaughlin staged and Al Woods produced.

Suit for \$25,000 filed by Jeta Goudal against Famous Players for what the actress charges, was an indeterminate dismissal by the company.

## Saracac Lake

By Happy Hunsley

Saracac, N. Y., April 2.—Address of those coming in this Acton Colony follow:

- Wm. Rogers Memorial Hospital; John Ludlow, Milton Weeks, Inell Gilbey, Cliff Heathor, Karl Kern, Jack London, Eddie DeBorja, Eddie Vogt, Tudor Cameron, James Meahan, Fred Rensing, Sam Smalton, Paul Egan, Eugene Pagan, Ed. Margaret Kinell, Martha Cliff Nagaw, Kitty Horn, Dorothy Meacham, Joseph John O'Brien, Joe Gravellio, Ernie Parson, Katherine Lusa, Harriet Anderson, Rudy Gaylin, Agnes Orr, Leonard Binzer, Helen Arnold, Inabel Book, Marion Wirth, Grace MacDonald, Helen Hahn, Hazel Smith, Beatrice Fidler, Ann Connerford, Margo Black, Dorothy Newcomb, Myra Blake, Rose Karp, Marion Cannon, Alice Gray, Margaret Hewell, Sidney Grill, Michael Cohen, René Sprigalis, Eddie McDougall, Ben Schaffer, Max Ward, J. Paul Welch, Edna Ball.

Harry and Charlie Barrett, 201 Broadway; Chris Hoopland, Saracac Lake Club; Alice Carman, 67 Helen street; Russ Kelly, 19 Broadway; Helen O'Reilly, 44 1/2 Broadway; George Anderson, 19 Broadway; Arthur Alvord, Station 5826; James McDougall, Station street; Eddie Burke, 11 Bloomingdale avenue; Rufe Lavign, Hotel Saracac; Mimsy Fisher, 2 Bloomingdale avenue; Jack Clayton, 188 Main street; Benson (Benny) Bender, 19 Broadway; William Headley, Hotel Algonquin and Happy Bonway, 19 Olive street.

Adolph P. Brent, Sr. 78, father of the writer of this column, who recently died in West Warren, Mass. During the early life he managed his own water show, touring the New England states.

William Headley hopping around with a crutch. A misplaced piece of ice got him.

Alice Carman, who pneumothorax'd over five years, shot back to a strictly in-bed routine. Dorothy Meacham got the 'go-home' okay.

Doc Sullivan mitting friends at the Rogers while visiting Ann Connerford, who is doing well.

Eddie McDonald did the trick and lost for N.Y. with an act.

Write to those who are ill.

## Evelyn Loring's Agent License Revoked in Cal.

Hollywood, April 3.

Agency license of Evelyn Loring was revoked today (Tuesday) by the California Labor Commission for violating four sections of the state contract action law by the threat on a cleanup campaign in pretorior ranks.

Loring invocation was for allegedly collecting performer fees for a night booking and then paying an act off with a post-dated check that bounced. Several other agencies are a similar fate. License renewal period dates from April 1.

State recently put investigators on the trail of the minor agents.

## CH BON AIR ROADHOUSE REOPENING ON MAY 28

Chicago, April 2.

Ben Air Country Club is slated to open its summer roadhouse season May 28. Invitations are that William Johnson will continue to operate despite his indictment by a federal grand jury here last week on charges of income tax fraud in connection with a gambling racket. The roadhouse will be conducted in this town.

Ben Air's golf course will be opened on May 1.

## Daniels, Parker Lead Off 'H'wood Presents' Units

Hollywood, April 2.

Billy Daniels and Mary Parker head the first of two units of "Hollywood Presents" to be staged around the country by the William Morris agency. Troupe is signed for six weeks at the St. Regis Wood in New York beginning May 1.

Second unit, headed by Billy Toft and Polly Carver, opens at Ben Francisco's Sir Francis Drake hotel. Each unit consists of a singer and at least girls in addition to the topstars.

## Stagehands' Vande

San Diego, April 3.

Stagehands' local will play out with two-a-day vaude at the Savoy April 31. Fifteen-act show is being booked through Joe Bruno agency in Hollywood for dual purpose. Backstage boys (a) hope to clear a little coin and (b) figure stunt may give somebody else an idea if it clicks.

Will be first time town has seen vaude in years, aside from Major Bowser act.

Cliff Webster's orch. once a top-street in Hollywood, will host the old acts for this event.

## ONE RKO VAUDE WEEK THIS SUMMER

RKO, following its procedure of the past few years, is folding virtually all of its vaudeville time during the middle of May. Shubert, Cassin, will have to straighten picture last week; Colonial, Dayton, drops vaude April 13, while the Palace, Cleveland, the name the first or second week in May. Keith's, Boston, is also expected to drop its four-day vaude policy about the same time as Cleveland.

This will leave the entire RKO circuit with but one vaude house after June 1, the exception being the Golden Gate, Frisco.

Under no circumstances, however, RKO may spot occasional stage shows during the summer if they are of sufficient box office merit.

## Jaffe Plans Summer Burley in Pittsburgh

Pittsburgh, April 2.

As result of biggest hit-parade across in years here, George Jaffe is plotting a return to stock this summer at Casino theatre, which has been operated since giving up the old Varsity several years ago. Regular season will close about middle of May, and, although nothing definite has been set yet, repertory would not start about middle of that month if at all.

In past, Jaffe has closed Casino from that time until late in September. Previously he had run stock at Varsity, but his conditions grew so bad he dropped that in 1929 and has since operated only eight months a year.

Understood that Pittsburgh is one of few big money-making cities still left on wheel, with Casino reportedly standing to net in the neighborhood of \$100,000 this season.

## Best Coffee in England QUALITY INN

LONDON, WEST-END

## THE THEATRE OF THE STARS

### J. H. LUBIN

GENERAL MANAGER  
**SIDNEY H. PIERMONT**  
BOOKING MANAGER

## JEANNE BLANCHE

Currently CHICAGO THEATRE, Chicago  
Management: MUSIC CORP. OF AMERICA

MICHAEL TODD'S WORLD'S FAIR ATTRACTIONS  
RKO Building, New York Phone Circle 5-4296

Variety Bills

THIS WEEK (March 29)
NEXT WEEK (April 5)

Numbers in connection with bills below indicate opening day of show, whether full or split week

Leew

NEW YORK CITY
State (1)
Katherine T.
Miles & Stone
Play Savannah
Crest Home Ore

Paramount

NEW YORK CITY
Wendell & Ford
(1934)
Tommy Dorsey Ore
Bud Barton Ore

RKO

NEW YORK CITY
Raymond
(1934)
Johnny Haddock
Merrill & Rogers
Merrill DeWitt Ore

NEW YORK CITY
Wendell & Ford
(1934)
Tommy Dorsey Ore
Bud Barton Ore

RADIO CITY MUSIC HALL
NOW
NIRSKA
Vic MARK J. LEDDY

Warner

NEW YORK CITY
Vivia Faye
Lucky Dorn Ore
Lucky Dorn Ore
Lucky Dorn Ore

Independent

NEW YORK CITY
Loren & Hopson
(1934)
Loren & Hopson
Loren & Hopson

NEW YORK CITY
Loren & Hopson
(1934)
Loren & Hopson
Loren & Hopson

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ATTENTION MUSIC LOVERS... EDDIE MILLER'S MELODY... THE NEW YORK CITY

THEATRE... NEW YORK CITY... Admission... Shows...

THEATRE... NEW YORK CITY... Admission... Shows...

PHILADELPHIA... THEATRE... Admission... Shows...

DETROIT... THEATRE... Admission... Shows...

(Continued on page 84)

MUSIC HALL, N. Y.

Mlle Nivola, Middle Eastern, ...

...ling on small white ...

KEITH'S, BOSTON

... Boston, March 28.

The Free Flama ...

Current stage ...

... can plunk out some ...

... Miss Bruce has been ...

... stage business ...

... around it the scenery ...

... Earle, Wash.

... Little Show of 1940 ...

... Using Fred Rogers ...

... Dream Medley ...

... Street, they blend ...

... Street takes in ...

... Street takes in ...

... Street takes in ...

... Street takes in ...

... Street takes in ...

FLATBUSH, B'KLYN

Charlie Barnet Orch ...

STATE-LAKE, CHI

Chicago, March 31.

Little Jack ...

... Another combo ...

... Couple of such turns ...

... Their regular ...

... Herb.

TOWER, K. C.

Kansas City, March 28.

Norvell Stevens ...

... In line typically ...

... Weekly spot ...

... Love comes in ...

... An unusual number ...

... Norvell appears ...

... A good number ...

APOLLO, N. Y.

Burd's All's Orch ...

... Apollo production ...

... Big event in the ...

... defined Webb's crew ...

STATE-LAKE, CHI

Chicago, March 31.

Little Jack ...

... Another combo ...

... Couple of such turns ...

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APOLLO, N. Y.

Burd's All's Orch ...

... Apollo production ...

... Big event in the ...

OLYMPIA, MIAMI

Miami, March 31. Gerald & Columbia, Arthur Bros. Chie...

Becoming a habit here lately for the b.o.m.s. to be the duller than...

But Sweeney is another who could have been put on as for this bill...

Otherwise, diversified layout of material is quite commendable. Not...

Billed as the "defiance of Broadway"...

Annual Bros. turn in just in two...

judged by the hand they get...

Other dance turns in inia solo...

Just a continuation of the cream...

STATE, HARTFORD

Hartford, March 30. Eddy Durkin Ork (13), with Jane...

Through its broadened current...

Not only is the piano-playing...

throughout and back up practically...

the rest of the gang had begged...

to be taken in the line of the...

Study work in a rump-tipping bit.

All cliché. Showered, transported, with a...

15-Fifteen-minute success for band...

Big good. Etc.

F-M Hearings

(Continued from page 2)

to operate on the ultra-high frequencies.

Arrangement between RCA and the rest of the industry came...

Regardless of the differing concepts...

Two acts on the show. Jeanne...

Compactness of the news clip, careful editing and good pointing...

EMBASSY, N. Y.

(NEWSREELS)

Compactness of the news clip, careful editing and good pointing...

There is, of course, much bearing on the war and considerable in the...

Anticipated Fireworks Did Not Materialize

The anticipated tussle between educators and commercial operators...

It is a simple to insure the desired...

It is a simple to insure the desired...

It is a simple to insure the desired...

It is a simple to insure the desired...

It is a simple to insure the desired...

It is a simple to insure the desired...

CHICAGO, CHI

Chicago, March 30. Orvin Tucker Ork (16) with Ben...

This is the second appearance of the Orvin Tucker band in this...

Business is great, with extra performance...

They know Tucker's work well with the audience breaking into...

They know Tucker's work well with the audience breaking into...

Tucker himself is an affable m.o. and handles himself well and keeps a...

Two acts on the show. Jeanne...

Compactness of the news clip, careful editing and good pointing...

There is, of course, much bearing on the war and considerable in the...

WALTON AND CROCKETT

(NEWSREELS)

Compactness of the news clip, careful editing and good pointing...

There is, of course, much bearing on the war and considerable in the...

THELOP and TAYLOR

(NEWSREELS)

A cute clip is the one in which Al Smith and Col. J. C. C. C. work...

It is a simple to insure the desired...

It is a simple to insure the desired...

It is a simple to insure the desired...

It is a simple to insure the desired...

It is a simple to insure the desired...

It is a simple to insure the desired...

DOX LOPER & MAXINE BARRAT

Dox Loper and Maxine Barrat review the new show...

Business is great, with extra performance...

They know Tucker's work well with the audience breaking into...

They know Tucker's work well with the audience breaking into...

Tucker himself is an affable m.o. and handles himself well and keeps a...

Two acts on the show. Jeanne...

Compactness of the news clip, careful editing and good pointing...

There is, of course, much bearing on the war and considerable in the...

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FRANCES CUMSTOCK

(NEWSREELS)

Compactness of the news clip, careful editing and good pointing...

There is, of course, much bearing on the war and considerable in the...

WALTON AND CROCKETT

(NEWSREELS)

A cute clip is the one in which Al Smith and Col. J. C. C. C. work...

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HOUSE REVIEWS

New Acts

DOX LOPER & MAXINE BARRAT review the new show...

Business is great, with extra performance...

They know Tucker's work well with the audience breaking into...

They know Tucker's work well with the audience breaking into...

Tucker himself is an affable m.o. and handles himself well and keeps a...

Two acts on the show. Jeanne...

Compactness of the news clip, careful editing and good pointing...

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# Plays on Broadway

## Ladies in Retirement

Madame in three acts, three scenes, by Maurice Strakosky. Produced by Hamilton Dresser. Directed by Hamilton Dresser. Opening on Broadway at the Plymouth Theatre. Running time, 105 minutes. Tickets, \$10 to \$35.00. Opening on Broadway at the Plymouth Theatre. Running time, 105 minutes. Tickets, \$10 to \$35.00.

If, as the pundits have been saying, the Broadway season is a good one, *Madame*, then it is a good one. It appears headed for a long run. It is a play which is just what the season needs. It is a play which is just what the season needs. It is a play which is just what the season needs.

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played her last Broadway role before departing for Hollywood several years ago. She is now a quiet life, however, hasn't the long register of the earlier years. It has Miss George as Julia, in her usual role, and as a young girl with a busy maid in attendance. It is a serious little bedroom comedy, with a plot that is simple, but with plenty of good lines. Creditors are everywhere, and the young girl is a good one for her age to set the junk, just unlearned, for enough to play a very good daughter. Susan, who she hasn't seen since the last time she was on Broadway.

Julia was an American showgirl who was a fashionable model of the day. She was in the World War. They had been together but two years when he went to the front, where he was killed. Susan has been brought up by her paternal grandmother, while Julia remained in London, appearing in the music halls and on the stage. She is a girl who is not a girl, and inclined to believe her affections without too much thought.

This she demonstrates in the beginning of the play, when she is seen in the most amusing intervals of the play. It is a good setting for the play, and it is a play which is just what the season needs.

On board, Julia meets some of the play's characters, and she is seen in the most amusing intervals of the play. It is a good setting for the play, and it is a play which is just what the season needs.

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being too tough, he tries the easy way, holds up a subway cashier and what he does is to be a hero. Action is taken in the living room. After the first hysterical scene, when he is held and the lad is worked out, he is convicted and sent to the penitentiary. He is a good one for his age to set the junk, just unlearned, for enough to play a very good daughter. Susan, who she hasn't seen since the last time she was on Broadway.

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# Gaither's Miami Playhouse Has B'way Tryout Plans

Gaither's Miami Playhouse has closed its first season Saturday (30) with "The Milky Way," the 15th play in the series. Plans are to use the Playhouse next year as a try out spot for the plays which will be produced in Broadway production. Gaither will open a New York City play in May, with his director, Glenn Jordan. They hope to line up right now plays.

## Play Abroad

### Les Monstres Seces (Severed Members)

Drone in three acts by Jean Cocteau. Produced by Robert Price, staged by the M. M. P. at the Plymouth Theatre. Running time, 105 minutes. Tickets, \$10 to \$35.00.

The title "Severed Members" refers to players who intrigue the plot. Cocteau does with two such actors who would like to be in this group. This ambition drives the real life of her on the stage.

The play is a comedy in this case. It is a play which is just what the season needs. It is a play which is just what the season needs. It is a play which is just what the season needs.

It is a play which is just what the season needs. It is a play which is just what the season needs. It is a play which is just what the season needs. It is a play which is just what the season needs.

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# There Shall Be No Night

Providence, March 29  
Drama in three acts by Jean Cocteau. Produced by Robert Price, staged by the M. M. P. at the Plymouth Theatre. Running time, 105 minutes. Tickets, \$10 to \$35.00.

This play is a comedy in this case. It is a play which is just what the season needs. It is a play which is just what the season needs. It is a play which is just what the season needs.

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## Ballet Russe

Produced by Colonel Albert, Inc. 1, Lendall Terrace, New York. Directed by Leonide Massine. Opening on Broadway at the Metropolitan Theatre. Running time, 105 minutes. Tickets, \$10 to \$35.00.

It is a play which is just what the season needs. It is a play which is just what the season needs. It is a play which is just what the season needs. It is a play which is just what the season needs.

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## College Play

### ASSURED NUTS (NARBARD)

Manuel gowns in two acts, eight scenes, produced and produced by the Metropolitan Theatre. Directed by Leonide Massine. Opening on Broadway at the Metropolitan Theatre. Running time, 105 minutes. Tickets, \$10 to \$35.00.

It is a play which is just what the season needs. It is a play which is just what the season needs. It is a play which is just what the season needs. It is a play which is just what the season needs.

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## Engagements

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### Mitchell Bill, Fixing Premiums

## At 75c, Adds to Ticket Agcys. Woes; No Reply to ATTA Threat

A lively week so far as the ticket business is concerned. On Saturday (30) when the Mitchell bill, which fixes the maximum premium at 75c on the ticket, was introduced and passed the legislature and now awaits action by Governor Lehman. Executive is away for a short rest and his signature or veto will still bring his return to Albany.

New measure, which is believed would supplement the ticket code, which has the same resale maximum, takes in tickets for all types of athletic and sporting events. The new code is limited to legit. Agencies adhering to the code have said an effective ticketing law is needed for most sporting events. A bill similar in the price aspect to the Mitchell bill was adopted by New York's council last spring, but vetoed by Mayor LaGuardia on the ground that it was probably non-constitutional.

There is a precedent on ticket legislation in U. S. Congress. It has been ruled that such legislation was price-fixing and therefore illegal under laws against price fixing. In years, however, and opinion in some quarters is that, because the highest ticket prices are almost always set in advance, there may be a reversal of the earlier ruling.

It is almost certain that the Mitchell bill will be tested, in the event that the governor signs it. Gustav Gerber, controller of the Department of Taxation and Finance, Albany called for a hearing before his final disposal of the bill. It was a large block of bills awaiting Gov. Lehman's disposition, he may or may not listen to the attorney, which is, however, the position of Mayor LaGuardia was on constitutional lines.

**Gerber Unanswered**  
Gerber's letter to individual managers of the ticket brokers belonging to the Associated Theatrical Agencies would not call attention to the fact that the bill is the 'antenna' of three ATTAs are suspended, until responses from them have been received. The receipt of the letter the enforcement authority or board declared it would be withheld until responses.

Board people regard their action in writing down the agencies for limited periods as less than a threat. Explained that the reason the board withdrew its fine against one agency (ATTA) is private. But the fact is on the record in the event of court action, it is anticipatory.

Board of the League of New York Theatres Friday (25) took the same stand as the enforcement board. Figures set forth by ATTA have questioned. Brokers in the indie group claimed 30% of the total tickets distributed by all legit. Agencies, counted by saying that this is a small percentage of the total number of tickets by agencies in the State.

In his letter Gerber asks the managers whether all the brokers in ATTA are to receive their regular share of tickets and how they will ask the enforcement board to stop their hands and not commit their own names to a violation of ticket distribution and that they will refrain from their pronounced acts of distribution of tickets. It is considered necessary for all of the members to quit selling the theatre tickets during the period of the enforcement danger to their individual standings. Letter to the intended strike from the board of April 17 and the enforcement board. Estimated by ATTA that, during the period, 10 tickets would be involved.

League's board appointed Vivian Price to succeed the late L. Lawrence Weber.

**Jean Innes as 'Ramona'**

Henet. Cal., April 3. Title role in "Ramona," historic outdoor drama of early California, by Susan Innes, is being given successive season. In addition to the leading part, she will have charge of the production of the play. The 1940 production opens April 28.

### Protecting Life

What is described as a protective closing ticket was posted Monday (1) at the World, N. Y., when the ticket for *Your Life's* playing, Stated, however, that the play would probably continue. Notice is in connection with a really deal which has to do with the matter of going back to the straight-out during the week. Guild building is owned by a group of bondholders.

### GOVT SUPPORT FOR LEGIST REMOTE

Chance of securing Federal support for the making of a relief theatre, are not regarded as strong according to show people who are in contact with the situation. Early this week it was announced that several hundred people will support the effort from WPA because of the further reduction in the appropriation for work relief projects. Lloyd Gough, who recently presided at a meeting to counter proposals for the making of a relief theatre, appeared before Equity's council last week to outline expressions of opinion. He stated that the theatre has inspired the meeting, he frankly expected to turn the problem over to Equity. During the WPA Federal Theatre Project, the relief theatre was a constant headache to the organization's personnel. The situation among members without jobs is acute and the matter was turned over to a committee.

Government support for subsidizing the theatre drew the criticism of Louis Schaefer, executive director for Labor Stage ("Pins and Needles"). He is due to appear before the committee for a subsidized theatre, which is 'a front for the Communist Party.' Schaefer contends that any movement to win financial support for the theatre should be initiated by concerned unions, not a political 'leaf-off' and not by a committee.

Gough is a member of FAC, but refuses reports that the organization would be the only one to support the fund. He charges that a number of well known of the theatre are listed on the list of subscribers, although if any are aware of its recent activities, and some are reported having disassociated themselves from the radical organization.

### Comedies

London. 'Key Largo,' another serious work, rated as a moderate success.

To date the list of drama casualties includes such shows as 'Christmas Eve' and 'The Night Before Christmas'. The 'Woman Brown,' 'Night Music,' 'Sue Dags,' 'Goodbye to My Girl' and 'The Man Who Killed Lincoln.' 'The World We Make,' 'Farm of the World' and 'The Night Before Christmas'. 'Thunder Bolt,' 'Another Sun,' 'Summer Night.' More serious plays are 'The World We Make' and 'The Night Before Christmas'. 'The Man Who Killed Lincoln,' 'The World We Make,' 'Farm of the World' and 'The Night Before Christmas'.

### H'wood Alliance Setup

Hollywood, April 3. Hollywood Women's Alliance, recently presenting the stage revue, 'Meet the People,' adopted a new constitution and set up a new executive committee.

Board consists of Henry Blankfort, J. Edward Bronner, Kátia's Elizabeth, Frank Paragok, Jay Gorney, Charles Leonard, Henry Myers, Norman Olfendick, Robert Brown, Charles Sage Elliott Sullivan, Dorothy Tree and Bernard Weiss.

### Gillmore, Who Was In Former Losing Venture, Proposes Equity Produce Plays to Aid Members

#### Addr. St. Louis Locals Making Good on Stage

St. Louis, April 2. Five natives, group of the St. Louis Little Theatre, are currently checking in light and flicker and they bring to sight the number from here who are coming in big size stunts. Many wish has a rule in "The Man Who Came to Dinner," current success. Bernard Phillips and Julie Stevens are making their mark in the flickers. Maury Tuckerman and James Perkins were members of Washburn Theatre, which closed in St. Louis. Other theatre, which was to be produced here at the American during the current season. Other theatre, which received initial training here in the past several years are Sarah Field, avrom actress, Katharine Coonan, radio commentator and columnist in New York; James Gillis, Fred Hunter, Elton Andrews and Robert Burt; the latter trio being members of Orson Welles' Mercury Theatre. All are members of the Harold Sosnig and Gordon Carter.

Equity's quarterly meeting at the Astor Hotel, N. Y., Friday (27), was a very busy one. A surprise proposal was introduced which is not expected to receive more than a lukewarm response. Frank Gillmore, former head of the association, suggested that Equity act on the proposal to fund the treasury and produce shows, as a way to help the unemployed situation.

Observers expressed the opinion that Gillmore has a smart money, forecasting the success of the Little Theatre, which operated at the 46th Street, near the Windsor. The final report that the venture went into the red for more than \$200,000. Most of the coin was laid by patrons, but Equity was in back of the enterprise, although that was to be the reason of the failure. Gillmore, recently returned from a cruise, himself subscribed and to the amount of \$100,000. He had to have hypothecated his insurance policy. His appearance at the Equity meeting was not expected and his proposal was privately challenged because he is the head of the Equity movement in this part of America and is supposed to represent all affiliated actor-artist groups in a committee. The former Actors Theatre listed many number of patrons who pledged themselves to the amount of \$100,000. Many never put up the cash, not anticipating that they would be called upon.

### Lytell Agrees To Go on Slate For Equity Prez

Burt Lytell has reconsidered about running for Equity prez and has named as a candidate for the presidency. It took permission by Equity leadership to be named. It was announced last week that he fell behind Ives' lead, and he will offer to the association in six weeks. It was announced last Monday (1) it was a foregone conclusion that he would be named to the presidency. The announcement was made concerning the regular ticket.

Lytell, in connection with his change of sentiment, commented that while there is a certain amount of honor attached with the post, it is a thankless task. Therefore, he added, his acceptance was made reluctantly. There are certain Equity policies which he does not subscribe to, he was quoted by former administrators of Equity. He was not asked to be considered.

One of the moves which Lytell strongly advocates is the 'big' (Continued on page 31)

### Surrendering Legist Show Issue Revised As Best Solution of Unemployment

Wednesday afternoon school to be held for Sunday mat.

State law provides for one day of school for each child, but only applies to the legit. Clearly shown that a majority of stage players have been unemployed for more than one year. Law does not apply to any other form of theatre performance, nor ball games and other sports in it is made no reference to World's. It may be necessary to have that restriction removed from the law, as it is now inequitable, but the state legislature adjourned Saturday (26).

Leaders in the association have voiced the opinion that Sunday performances are not the best yet such proposals have been tabled. Latest letter to play Sunday is addressed to the committee of the Forred, N. Y., the first day of this week (1). Monday night was dropped. My Lawyer was not the previous Sunday night and may repeat the trick.

### Propose Revival Of 'Passenger to Bali'

It is proposed to resurrect "A Passenger to Bali," melodrama starring Walter Huston, which disappeared from the Astor Hotel in the Barrymore, N. Y., recently. It is questionable, however, that Montagu Love, who is believed to own the venture, would be actively interested again. Revised figures show that it cost the production \$25,000 before the curtains ran on Broadway, \$65,000 of which had been paid by the production company. The show was maintained out of town.

Love is said to have long been in the finance of the show. Understood that he had hypothecated an inheritance in the production, but that the show was in round 23. He was bequeathed a sizeable sum by his father, the money was used to finance the show when he reaches the age of 20. A leading showman is quoted as saying that My Lawyer was returned to the boards. Play drew a monthly doubtful, or uncertain gross.









OBITUARIES

there earlier in the week. Driver of other auto was charged with criminal negligence.

THOMAS MALONE

Thomas Malone, 55, first operator of stage drama, died March 27 of carbon monoxide poisoning in the garage of his home at East Line, N. Corner called it suicide. Malone had been in ill health.

CAPT. JOHN HATHORN

Captain John Hathorn, 51, served in the U. S. Army in World War I near the turn of the century constructed the first wireless tower on this side of the Atlantic, near St. John's, N. F. at the late Guglielmo Marconi, died March 27 in Gloucester, Mass.

ELIASE STEBAN

Eliase Steban, about 58, who attracted attention in 'Broadway,' died March 29 in New York.

E. E. MOONETHAM

Ernest E. Moonetham, 68, operator of the Weston theatre, Detroit suburb, died there recently last week and daughter survive.

LOUISE DUNLAP

Mrs. Louise Dunlap, 55, early musical comedy and vaude singer, died in New York City.

JULIUS LEVY

Julius Levy, pioneer Texas theatre owner, died in Brady, Texas, March 29.

Father, T. of Charles E. Kurzman, manager of Loew's, Penn., Park and former player, died suddenly at his home in San Francisco March 28. He opposed the mortality rate in his profession.

Mrs. Alice B. Clark, mother of Gladys George, legend and player, died suddenly at her home in Beverly Hills, Cal., April 1. Mrs. Clark was the widow of Albert G. Clark, British stage and picture actor.

Father of C. L. Oswald, Paramount theatre operator as executive at the home office, died at Chelms, Wash., Friday, 1935. Widow, two sons and a daughter survive.

Shaw of Al Ramoon, owner of the Palace, who operated the Riata, Nashville, Mo., killed in an auto accident in California.

Edward J. 'Boss' Darby who, at various times, represented various vaude comedians, died last week at his home in St. Louis.

MARRIAGES

Maida Hunter to David Levan, in Manhattan, Va., March 31. Bride is daughter of Gabriel Hunter, radio commentator; he's non-Pro.

Maxine Jones to Mosh Beery, Jr., in New York City. Maxine is daughter of Buck Jones, horse opera star; he's an actor and son of Noah Beery. Ceremony at 1237 E. 12th St., San Francisco, March 27.

Adelaide Moffet to William P. Barker, Jr., in Danville, Va., Feb. 15. Mrs. Barker is singer; groom star of the Cal. Theatre Co. in Lewishburg, Pa. Federal Penitentiary (Columbia, Tenn.) for using mails defrauded.

June Long to John Russell in Yuma, Ariz., April 1. Bride is ballerina.

Martha Tilton to Leonard Vannerson in Glendale, Cal., April 1. Bride's father is actor; groom is actor. Goodman's band; he is Goodman's business manager.

BIRTHS

Mr. and Mrs. Lewis Reichel, children in Los Angeles. Mr. Reichel is art director for Henry Sherman Productions.

Mr. and Mrs. Manning O'Connor, children in Los Angeles. Mr. O'Connor is production aide at 20th-Fox.

Mr. and Mrs. Bob Mallon, daughter, in Bakersfield, Cal., March 23. Father is theatre manager.

Mr. and Mrs. Hank Fisher, daughter, in Tule, N. C., March 17. Father is program director of W.D. Tuelsco.

Mr. and Mrs. Robert Leiber, daughter, in Pittsburgh, March 21. Father's manager of Paramount theatre, Bradford, Pa.

Anti-Radio Strategy

Continued from page 23

possibly other radio-disking forces, and outside the FCC willingness to make incidental changes in the phonography which will allow them to broadcast content is equitable—the tooters and bidders are weighing the chance of being in the center of the battle of all kinds. Local in Los Angeles and Chicago have taken the bit in their hands and the tooters are going so far as to mention the name of an ex-congressman who has just introduced a lobby a bill through the capitol.

Bills Next Week

Table listing bills introduced in the Senate and House, including names of sponsors like Bay, Hatcher, and Keefe.

PITTSBURGH

So far, no specific moves have been taken by the radio newspaper for an alliance, but both are following parallel paths. During contract negotiations, the effect of the radio's and newspaper's printing groups have been spending the time in courtship.

Musicians Union likewise is reported to be in conference with the press brass-tacks that radi. It is one of the chief reasons for the recent downward rate in advertising business.

The musician's idea is that vaudeville would be rejuvenated by microphones means were less attractive. Sharp limitation of advertising expenditures could result in reduced expenditures for the costly variety shows and big name programs.

Opposes Government Radio
The radio and talking picture record as opposing government ownership but they have come out for restrictions on ownership giving facilities only to local performers.

Alpha Division
Alpha Division was organized by the radio and talking picture record as opposing government ownership but they have come out for restrictions on ownership giving facilities only to local performers.

SYRACUSE

Alpha Division
Alpha Division was organized by the radio and talking picture record as opposing government ownership but they have come out for restrictions on ownership giving facilities only to local performers.

CLEVELAND

Alpha Division
Alpha Division was organized by the radio and talking picture record as opposing government ownership but they have come out for restrictions on ownership giving facilities only to local performers.

JAMES H. COWAN

James H. Cowan, 31, v.p. of the Leland Hayward agency and former film and stage executive, died unexpectedly of a heart attack in his Beverly Hills home and he had been in California three years.

Beginning next month, he will be coming from New York to take over the show business in Los Angeles. Cowan later became a vaudeville artist with the Alvin and Kertzman troupe for Harry Luder, Annelle Kertzman and other stars of that era.

Moving into the Paramount theatre organization, he took over the buying of stock subjects for the company's theatres in the Chicago territory and was named its appointed director of unit production in the city's deluxe houses.

MAUDIE MALLIA

Maudie Mallia, who sang in her own right, died in New York and shifted to the Coast.

LEDA McFILLAN

Mrs. Lida McFILLAN Neus, 71, an actress of 50 years, died at her home in New York.

FRANK ROBINSON LITTLE

Frank Robinson Little, 50, theatre manager, died in his home in Rogers Regis, England, March 13.

HERMAN WHITMAN

Herman Whitman, 72, died in his home in Los Angeles, California, March 13.

MORGAN WALKER

Morgan Walker, 65, co-partner with J. W. Allen in Academy Theatre Enterprises, Inc. of San Francisco, operating a chain of California picture houses, died suddenly of a heart attack (31) at a heart attack in the bay city.

MURRAY HORTON

Murray Horton, 45, assistant to the president of the American Federation of Musicians, ended his life with poison Monday, Feb. 23.

GEORGE F. HARRIS

George F. Harris, pioneer in the cigarette business, died in Manila from injuries suffered in an automobile collision.

Under contract to Jetnik International, Westmore's last job included...



"As Winchell might put it, the Blue gives us . . .

# Lotions of Listeners at Lowest Cost!"

says **BOB BEUCUS** v.p. in charge of Advertising, Andrew Jergens Co.



Blue Network helps Jergens attain overwhelming leadership in hand lotion field! Hooper study reveals 40% use of Jergens by Winchell tuner-innards! More! You don't need a million dollars to do a bang up sales job on the Blue! Here is "Money Market" coverage at lowest national cost!

**WE HAD LUNCH** the other day with Bob Orr, v.p. of potent Lescage & Mitchell. He told us a story we know you'll be interested in hearing. A story about Jergens Lotions—and how the Blue Network has helped it go places! Bob said Jergens ranked third in hand lotion sales before Walter Winchell said "Hello Mr. and Mrs. America" on the Blue. Today Jergens is so far out front "there isn't any second."

Last week, along came the results of an amazing survey. It was made by C. F. Hooper who calls it "the strongest sales story for any medium ever compiled." Of the 2356 people studied six out of ten proved to be Winchell-Blue listeners. And 40% of the regular tuner-innards are Jergens customers! While only 10% of the non-listeners use Jergens.

All of which is very significant, and in the words of Jergens v.p. Beucus, is "confirmed by our sales figures." It proves the Blue's ability to produce big sales—at the lowest national cost of any medium!

This low cost, the result of the famous Blue Network Discount Plan, is one reason why the Blue is now being used by America's smartest advertisers. They also consider it 1940's best advertising buy because it provides concentrated coverage of America's "Money Markets," where 75% of the country's effective buying power is located.

75% of the Blue's 1938 advertisers renewed in '39. 17 new clients joined up. Because they know that sales begin where the Blue begins—at all-time low costs! We'll be mighty glad to show you how this network can help you "get" your ads for less than \$3000\* per night-time half hour, read to read! With lotions of love we remain your nationwide sales maker . . . National Broadcasting Company, A Radio Corporation of America Service.



**Sounds by the surf**... On vacation in Florida, Midnight Winchell caught these girls cooing—"I heard about this lotion on Winchell's program Sunday, and it's beautiful," and it's great! . . . Ken Dyke, graciously perched on air, usually said Bob: "The Blue's the way for me. It's done a swell job for Jergens—and gives us 'Money Market' coverage at a low cost nothing else can match." Photogenic girl in back is Lescage & Mitchell's v. p. Bob Orr.

"How Versatile" . . . With "Kid Chocolate" putting the shine on his show, Jergens v. p. Bob Beucus the shine on Blue Network, to delight of NBC's Ken Dyke, graciously perched on air, usually said Bob: "The Blue's the way for me. It's done a swell job for Jergens—and gives us 'Money Market' coverage at a low cost nothing else can match." Photogenic girl in back is Lescage & Mitchell's v. p. Bob Orr.



**Meet Mr. Broadway and his girl** . . . If he pulls his champagne down over his eyes in daylight . . . and blinks at unaccustomed Miami sunshine . . . and dishes out dough to this dame, he's Colman Winchell—and she's his daughter Wally, here putting the bite on paper. It might be cheaper, Walter, to sponsor a Blue program—only \$4 a week for a nighttime half hour!



**Manhattan Market** . . . In the window of this druggery hard by Radio City stand a Jergens sign. In wait too NBC researchers. Said druggist: "For my money Winchell and the Blue Network are tops. Jergens Hand Lotion profits have soared ever since Walter began those 'Mr. and Mrs. America' Blue broadcasts."

## NBC BLUE NETWORK

Sales thru the air with the greatest of ease



# WORLD

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VOL. 138 NO. 5

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PRICE 25 CENTS

# WORLD

## Detroit Business Riled at Coughlin For Impression He Gives of Town

Detroit, April 9.—Trade and professional irritants, such as Father Charles E. Coughlin and Rev. Gerald L. K. Smith, who spread "false" stories of conditions in Detroit, were slapped hard by Harvey Campbell, vice-president and secretary of the Detroit board of commerce, as Detroit opened its "Advertise Detroit" campaign last week.

"Get over the national networks from Detroit each Sunday," Campbell told the Detroit Athletic Club Board, "so tales which make this city seem to be an impenetrable place to live. I don't care whether the speaker be a former Louisiana preacher or a Catholic priest—that stuff is wrong. It's a shame that we should have professional irritators in Detroit who stir up the town and who stir up opinion elsewhere."

Campbell did not mention either Coughlin or Smith by name but left no doubt about who was speaking. The "Advertise Detroit" campaign will comprise at least \$100,000 to carry city's fair name to all corners of the country. Sun appears most for a big-time undertaking, but Detroit bigwigs may kick in more later on.

## Artie Shaw's Concert Idea via S. Hurok; Goodman's Encore

Artie Shaw will concentrate his efforts on a concert of symphonic jazz that he figures on giving in Carnegie Hall, N. Y., latter part of May. He is also considering making a concert tour in which Shaw has interested Sol Hurok, concert manager, in the venture and the latter (Continued on page 23)

## CHURCH'S 'DATE NIGHT' NO AID TO FRIDAY R.O.

Buffalo, April 9.—Buffalo's Pilgrim Congregational Church has thought up a new head-on tactic for theatre managers. Girls and boys of the populous Elmwood district will no longer have to wonder where to go on "date" nights. That will be the church, with youngsters going to the night to pick their own partners for dancing, reading, cards, checker and an evening of sociability, whether members or not, and all under proper supervision.

## 3 H'wood Names In Race For Nat'l Dem Delegates

Hollywood, April 9.—Race for delegates to the Democratic National Convention has at least three Hollywood names presently in the running, one on each (Continued on page 3)

## Cohan Film Up Again; One On Ringling Also

Deal for a film in which George M. Cohan may appear, may be coproducer and will be principal subject, is being negotiated with h.o. execs of several major companies in New York by Coast agent Mrs. Ad Schulberg. Mrs. Schulberg is making a flying visit back to the Coast on the deal over the coming week-end.

## Bowling's 18,000,000 Weekly Fans Put 10 Strikes on Show Biz

Chicago, April 9.—Eight years ago it was miniature golf that panicked indoor show business, but bowling, which has burgeoned in the past couple of years, today plays in an estimated 18,000,000 weekly. Of this number, fully 4,500,000 are women, the bread and butter of the film biz.

**JIMMY WALKER'S SHORTS**  
Jimmy Walker may do a series of shorts for Jubal Singer, producer of the new Family Album, an exhibitor of New York to talk over the proposition. Last night (Tuesday) Series would be titled "Jimmy Walker's Family Album and Betty Compton (Mrs. Walker) would have a part.

## PLETHORA OF S. A. FOR THE MIDWAY

Girl Shows and Name Bands—Rose and Todd Plus Fair's Own 'American Jubilee' Revue

SPACE 95% SET

The New York World's Fair midway, last year as gloomy as a European minority, is being given a shot of gloss for the second trip around, chiefly via a plenitude of new girl show setups. There will be many more new franchises in amusement, some shows this year than last, plus plenty of production values.

It's paradoxical that the midway commensurates will spend more money this year than the opening season both for talent and physical setup, but that's explainable by the fact of the midway in 1939 was to its bleak outlook from the very beginning. This season's plans will make it fully a Great White Way, as it's being hothooded.

**Commerce Dept. Awards Ebsens Dance Patent**  
Washington, April 9.—An "honorary patent" was awarded Tuesday by the United States Patent and Trademark Commission to the dance form of Vilma and Buddy Ebsen. Novel promotion team included introduction of a new dance—the "Kokoe Kokoe"—before representatives of the committee.

## Ohio River Showboat, 1940 Version, Will Pay Guests \$1,000 a Week

Pt. Pleasant, W. Va., April 9.—Capt. Billy Bryant, veteran showboat operator, has succumbed to the radio inducement and is planning a quarter policy this season. He'll pay on a \$1,000 a week for anyone to appear on his showboat. Idea is for them to go into the cast for occasional shows or to do an act in connection with the regular play. Players will be from Hollywood, film, vaudeville or radio, but they must be strong names.

## Bon Lillie to Make Her 1st British Pic

London, April 9.—Beatrice Lillie is to make her first appearance in a British film. English comedienne, however, has been in a number of Hollywood productions.

## Myron Selznick Charges 20th Is Jamming His Biz

Los Angeles, April 9.—Old dispute between Myron Selznick and 20th-Fox moved into Superior Court, where the agency filed a suit asking an injunction to prevent the studio from interfering with its business. Listed as defendants are Joseph M. Schenck, Darryl F. Zanuck and Lew Schreiber, who are accused of inducing those under contract to the studio to break their contracts with the agency.

## 2 Vaudeville Acts Ad Lib in Theatre Fire, Averting Panic

Atlanta, April 9.—A serious panic was narrowly averted by performers Thursday (4) at the Roxy here when fire broke out backstage during the vaudeville performance. Nan Wynn, singer, who was on the stage at the time, and Jean Carroll and Buddy Howe, mixed comedy team, held the audience for 25 minutes from running for the doors, singing and telling gags until the house had emptied quietly.

## ROBT. E. LEE BUILDUP AS HERO BY DUPONT

Robert E. Lee will be heralded on DuPont "Crash" as a hero of America on April 23 in a special broadcast over NBC from the 5,000-seat auditorium of Richmond. This occurs during Confederate memorial week and 15 years after Lee's surrender. DuPont previously did a Lincoln stanza in the Virginia Jaunt, B.B.D.O. (Continued on page 25)

## Photograph Discs Are Back in Woolworth's After Seven Years Out

Woolworth chain has resumed the sale of photograph records. It's called the Discra product, an experimental basis, with the discs to sell at 25c. The Discra releases have been placed with stores in several strategic spots and if the arrangement works out, more centers will be added. They involve plenty of merchandising, which includes window displays and the grinding of records.

## George M. Cohan has given Bryant the right to use any of the shows he authored.

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### Ringling Circus Runs Overlong in N.Y. Debut, but Better Than Last Year's

By JACK PELASSI

First night (Friday 15) of the Ringling Bros. and Barnum & Bailey circus, this season's debut in New York, was a success, although it was a bit overlong and, although it was a success, it was a bit overlong.

The show opened at 7:30 p.m. and ran for two hours and ten minutes. It was a success, although it was a bit overlong.

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Very colorful  
In enter, the Ringling show has been mounted attractively dressed, that going from the opening spectacle, "The Return of Marco Polo," to the finale of the circus.

The show opened at 7:30 p.m. and ran for two hours and ten minutes. It was a success, although it was a bit overlong.

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

Myrna C. Pagan, Beverly Anson, Fay Millard, Mrs. G. & Mrs. George Murphy, Fred C. Colton, J. P. Orr, Joe Pasternak, Thelma Power, C. H. Raymond, John Roche, Ed Montgomery, Brown West.

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

Richard Alden, Bernard Brown, "Red" Cole, Ted Curtis, Harry Edington, Fred Fisher, Felix Feis, Lu Carmes, Ed Gardner, G. V. Gantard, Mitchell Milburn, G. H. Hanson, William J. Holsmann, Bob Hussey, Arthur Jacobson, John Joseph, Clarence Kinsland Kelland, Jack Kennedy, Bernard Luger, J. R. McDonough, J. H. McLaughlin, Tom Meagher, Tom Moulton, Ernest Raguse, Jack Rayburn, Lou Ruppel, Leven Ryder, Joseph M. Schneck, Walter A. Scully, Douglas Shearer, Herbert Silverberg, Fred R. Smith, Rosalie Stewart, James Street, Ward Whelbeck, Jack Whitney, Drury Wilder, Philip F. Zinnack.

### Colbert, War Reporter

Hollywood, April 9. Claudette Colbert's next star turn at "Alike Boys" is the title of a woman war correspondent in Spain.

### JOLSON, KEELER, RAYE IN HATS

A switch in the book and partial change in management transfers Al London, Ruby Keeler, Martha Raye and others head up "On The Line" into "Hold On to Your Hats," which had been announced by Eddie A. Aronson and George Hale. "Hats" has a book by Guy Bolton, Edwin Davis and Matt Broderick, with songs by E. Y. Harburg and Burton Lane. John and Lee Shattuck will have the major interest in the show, with Aronson and Hale as producers.

Old Silvers and Jack Yellen were to have supplied the material for "On The Line" on its 10th annual benefit entertainment and ball Friday night 15) at the Commodore Hotel. E. Y. Harburg from the program amounted to about \$10,000 of the total. In previous years a benefit party was part of the event.

### Catholic Actors Guild Benefit Grosses \$12,500

Catholic Actors Guild gathered around \$12,500 in its 10th annual benefit entertainment and ball Friday night 15) at the Commodore Hotel. E. Y. Harburg from the program amounted to about \$10,000 of the total. In previous years a benefit party was part of the event.

### Pic Politics

Outstanding pict is Frank Reicher. Liberal Radical ticket headed by Luigi-Gov. Ellis Patterson, and Melvyn Douglas as Democrat. Miss Margaret Sullavan's movie has a Hellcat.

Miss Margaret Sullavan's movie has a Hellcat.

### Floeting Flame

Chicago, April 9. An elderly lady drove up in her car recently at McVickers theatre of the city, which was the granddaughter of the man who had built the theatre and, as a result of a fire, the world has to just look around.

### Mrs. Roosevelt Will Donate Her Radio Income to Quakers

Philadelphia, April 9. The American Friends Service Committee, with headquarters here, will receive the proceeds from the radio program of Mrs. Franklin D. Roosevelt over NBC network starting April 10.

### MRS. EVERETT CROSBY WAXING FOR DECCA

Another in the family, Florence George (Mrs. Everett Crosby), has become a Decca recording artist. Both sets on a holiday, Miss George did some waxing of ballads for the company in New York.

### DIS-'CONTENTED'

Don Bestor, whose band is being picked up by Basil Cavin, Englewood Heights, N. J., by NBC, had to dig up another theme song Monday night 15) because his old theme, "I'm Contented," was being used by the makers of Contented Film. "I'm Contented" was being used by the makers of Contented Film.

## 'Pop' and 'Tom' Cameron Sued In Fla. After Series of Reverses

It's said that only a comic can play tragedy. Charles T. ("Pop") Cameron, Arthur Jacobson, John Joseph, Clarence Kinsland Kelland, Jack Kennedy, Bernard Luger, J. R. McDonough, J. H. McLaughlin, Tom Meagher, Tom Moulton, Ernest Raguse, Jack Rayburn, Lou Ruppel, Leven Ryder, Joseph M. Schneck, Walter A. Scully, Douglas Shearer, Herbert Silverberg, Fred R. Smith, Rosalie Stewart, James Street, Ward Whelbeck, Jack Whitney, Drury Wilder, Philip F. Zinnack.

### Going Places

By Cecelia Ager

Thee's Mimi Sanka-Off in the Circus. Updates in the Garden. The Circus is something out of the box. It makes with the latest thing. A p. system distributes the gentlest system of the ringmaster's hierarchic announcements. Suddenly pronounced. Artistically the actor's entrance. He takes the audience by surprise. He takes the audience by surprise.

Artists directed a circus in "Jumbo." the Ringling Bros. have made it come true. Updates in the Garden. It's a circus with modern atmosphere and, no place for nostalgia. However, downtown in the Garden, they're selling make up still.

For downtown in the Garden, there's Gargantuan the Great, and by the side of his cage, there's a fellow talking contentedly.

If he doesn't say, "Here's a little show, boys. It's because he's done it up so that he doesn't have to. He says he'll be glad to have you, so he'll get to show close to hear it. He keeps it high, and because he's so big, Gargantuan didn't hear what he's saying. Gargantuan's locked in an air-conditioned cage with the pane of glass and just the same the fellow isn't taking any chances. He wouldn't want to hurt Gargantuan's feelings, letting him know he's dismissing his private life. Besides, it wouldn't be good for Gargantuan to learn to know the things he tells about. Gargantuan's not old enough, he isn't ready for the facts of life.

Gargantuan wouldn't understand the things that happen when a parrot talks with a lady; so why worry him, this fellow says. It never works out for Gargantuan. He's got to be understood. He's got to be understood. He's got to be understood.

Every once in a while, this fellow talks quietly over his shoulder at Gargantuan who luckily hasn't heard the book, otherwise he wouldn't be engaged in his rubber tire; then, reassured, this fellow continues quietly with his lecture. It's destructive, but in case anyone should want to know, it's not his study of his. He's got to be understood. He's got to be understood.

### SAILINGS

April 8 (Alexandria to New York), Faird Samakia (Eschobards). April 6 (New York to Genoa), Rita Medole (Eschobards). April 5 (New York to Genoa), Lange, Louis Bidley, Jr., Mrs. Joseph Friedman (Washington). April 4 (New York to Bermuda), Everett Merritt Dwight Deere Via Panama (President Roosevelt). April 4 (New York to Genoa), Vincent Stearns, Diana Forbes-Robertson (Vulcano). April 3 (New York to Argentina), Arlie McGovern, Maria Serpilino (Argentino). April 2 (New York to Genoa), Gilbert Miller (Santo Elena). April 2 (Genoa to New York), Jack Forrester (Mashattan).

### ARRIVALS

Frank Richter, Marguerite Splivovich, Leon Kurzer.

### SENTIMENT'S REWARD

More than their usual salary to which Black acquired without rumor, despite pretensions from "Black Velvet," were Harry Black and George Zee. Black and George Zee. Black and George Zee.

# No Technique Needed for Pic Acting.

## Says Welles; Sounds Theatre's Doom

Paadena, April 9.—Orson Welles, who has yet to make another picture, last week told to his first picture, last week told to his first picture, last week told to his first picture... (Continued on page 18)

# Frank Showmanship

## And Freak Ballhoos

### Win Him Mayoralty

Milwaukee, April 9.—Showmanship unprecedented in local politics has won Carl F. Zedler, 32, on his first venture into an elective contest into office as mayor of the "Red Capital" of Wisconsin. When voters were counted in last Thursday's election in the 19th largest city in the nation, Zedler had completely defeated a margin of 12,116 ballots over the veteran Socialist campaigner, Daniel W. Hoene, mayor for the last 24 years, and one of the best known executives of any city in the United States... (Continued on page 18)

# Tokes Bergere's Girls

## Meet Return to Europe

Philadelphia, April 9.—About a dozen members of the cast of "A Night at the Folies Bergere" have departed for their homes in France and England as a result of the folding of the show here Saturday night at 9. Some of the girls appeared at the office of city officials last night pleading against their shipment back to Europe as a war danger, but they were turned down. The showgirls were brought here on credit by Charles G. Fischer, producer, who put \$500 bonds for each of them. They stay in the office for the duration of the show. Some of the principals and choruses were rehired by Fischer for a possible shipment to London in May for conferences with Edgar Selwyn, who produced the first Turp Encore.

# Ruyon Wins in May

## On M-G Turp Encore

Hollywood, April 9.—Dan-on Ruyon and Metro are taking another Joe and Ethel Turp Encore picture, to be released this summer. Writer, currently recovering from a flu, is expected to return to the city for conferences with Edgar Selwyn, who produced the first Turp Encore.

# Twice as Horrible

'Johnny Got His Gun,' the NBC series, will be repeated by Arthur Oehler on his next NBC series, but as an hour instead of a half hour.

# Benny-Allyn Pic

## Being Set, Mark Sandrich In-N.Y.

Mark Sandrich, Paramount producer and director, will fly half time on the Jack Benny-Fred Allen film this summer, trained into New York from the Coast on Sunday (7) to work on the picture with Allen. He has an appointment on the Kate Smith Myers and Ernest Pagano. Benny is expected next week to be sent to the Coast on Sunday (7) to work on the picture with Allen. He has an appointment on the Kate Smith Myers and Ernest Pagano. Benny is expected next week to be sent to the Coast on Sunday (7) to work on the picture with Allen. He has an appointment on the Kate Smith Myers and Ernest Pagano.

# DAVE SELZNICK WOULD

## FILM LIFE OF CHRIST

Life of Christ will be filmed by David O. Selznick, the producer developed in New York this week. He has been thought of as film papers published editorials indicating opposition to the book following review he would be given rights. Some Jewish protest also developed after he had already given up the idea's best-selling fictionization of Christ's life, "The Nazarene," several months ago. He shipped it to the city, and it was taken over by the publisher's editorial department.

# Pic Work Trims 'Romeo'

## Run of Oliver-L Leigh

Hollywood, April 9.—Picture commitments at Metro, where both are under contract, will require reduction of "Romeo and Juliet" and Laurence Olivier at conclusion of 15 or 16-week run with their plans to appear in "Romeo and Juliet" on Tuesday, San Francisco, last night. The picture is to be reduced to two and a half weeks, and then to one week in New York for release. Showmanship spots, as presented by Leigh-Oliver, is in 23 scenes, with 19 sets and a revolving stage.

# Complete Academic Review

## of Technique, Arts, Merchandising—Bachelor of Science in Motion Pictures Is the Ultimate Degree

# RADIO TOO

"B.M.P." will take its place with other alphabetical designations in the film industry. It is now being set up by Dean Maxwell McCann of NYU has been established in the past few weeks with courses in various branches of the industry on industrial and business subjects in all phases of celluloid. It would lead to the degree of Bachelor of Science in Motion Pictures.

# Gene Raymond Has Been Busy Working

## Songs on the Side

Gene Raymond is not a guy to put off his future plans in one container. Piffery revealed that Frank and Gene have been busy working on songs for RKO to a three-picture pact. He hasn't been wasting time since Paramount passed his option after he attempted to "Stein Heaven" for the studio in 1938. He's been using the empty days, he stated, in studying musical harmony theory under Hollywood teacher Jean Harlow.

Gene of the effort will be known in a couple weeks when G. Schirmer, Inc. gives him an answer on two songs he brought into New York to place with the publishers. Numbers are not of the pop type, but serious stuff. One of them, "I'm a Soldier," is a three-act story. Raymond also wrote songs and music.

Schirmer, in January, published a picture for the picture player, "Let Me Always Sing," written by his wife, Jeanette MacDonald, who has used the music on concert tours. She has also included it, with Raymond accompanying her on the piano, in an album of records made for Victor.

# Gilda Gray Reprising

## Shimmy for Billy Rose

Gilda Gray will retrace the shimmy steps with Eddie Langford, Prof. Lambert, Wini Shaw and Blanche Ray, among other stars in the new show being set by Billy Rose for his Diamond Horseshoe, N. Y. City. Most cast the "Wilson Minner" era of 25 years ago, unlike the present show, which is in the G. Gray mood.

# Error's 6 for RKO

Lion Errol inched a new deal with RKO calling for six pictures a year. First is "The Marriage," to be directed by Les Goodwins.

# Ginsberg Shakes Up Par Personnel;

## Thompson, Leahy in Van of Exodus

# Beery's 31 Years in Pix

Hollywood, April 9.—Thirty-two years in pictures and still a star, Wallace Beery celebrated his 31st birthday and his 13th consecutive year as a topknight actor at Metro.

# WB's Idea With Indie Units Is A Miniature UA

Warner Bros. now negotiating with three indie producers for their output next season and seeking to many more top-bracket, self-financing picture makers as it can get, is understood planning a unique method of selling its product. It will add a separate sales force to its regular department to dispose of the independent product entirely apart from its own home-owned film.

But last week added its second indie, "Life of Sergeant York" by its relative Leahy deal was originally being talked by RKO, but it is understood WB offer was better. Warner also has a Frank Capra movie, Robert Bidini's indie-made "Life of John Doe."

RKO is the setting up of its own little counterpart to United Artists. Inasmuch as quantity of product by indie producers is increasing so much next season, and the trend appears to be continuing in that direction, WB idea is that it might as well profit by distributing it through its already-established physical asset as anyone else.

# METRO'S OSBORNE PIC

## CALLS BILL ORR WEST

William Orr, assistant to J. Robert Rubin, vice-general manager of Metro, left yesterday afternoon ("Tue.") by train to confer on the picture "Pride and Prejudice" of Bing Sling, which Metro shortly places in production.

# 1st Ice in 'Hood'

Present Horseshoe show shifts into to N. Y. World's Fair into Radio City, where it will make room for the above lineup.

# Embassador's Contract

Embassador's Contract Grade will be the first night spot here to go for an ice show.

Hollywood, April 9.—Shapiro of Paramount, instituted by Henry King, new general manager in charge of studio operations under V. Frank Freeman, reformed in the departure of Fred Leahy, production control manager, and Marian Thompson, producer. Leahy's duties were taken over by Keith Glasson, former manager of Hollywood activities and new studio manager. Their work had overlapped and caused unavoidable conflict.

Thompson's last picture was "The Road to Singapore." He had two pictures on his tentative schedule, expecting a contract renewal, but negotiations were broken off.

Appointment of Ginsberg does not conflict with George Hagmann's functions as executive general manager of the plant.

# Kate Smith Series Has Benny, Robson, Zorina Among Names Lined Up

Jack Benny, coming cast for the prorm of his "Buck Benny Rides Again" picture, will precede the Kate Smith picture April 28. On the same status Miss Smith will play one of the leading parts in a dramatic sketch, Bernard Schoenfeld's "Johnny Applegate," done first at the normal magazine series early next weeks ago. She'll do the part Walter Winton played.

It has been rumored about whether the Kate Smith show will go to the Coast for broadcasts there. If the trip is made there will be three programs from the normal magazine series early next weeks to plug the footage from the Century-Fox picture "Life of Lillian Bruce." Pictures to be adapted for the other two Coast broadcasts (Continued on page 21)

# VARIETY

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4 PICTURES

Los Diablos and Tragic Death at 47 Points Warning for Show Biz Execs

The tragedy of Louis B. (Loni) Diamond, 47-year-old Paramount executive, who died while working on a social-business New York show biz circles as warning signal to similar workers...

The Paramount Pictures Corp. official statement stated that the alleged health failure reflected on him, because only recently the M.D. examination and okayed him for additional insurance...

Diamond was unique in show biz through his multiple activities as a producer of motion pictures, president of Paramount's two music publishing subsidiaries, Paramount Music and Paramount Music Corp.

As a music man he didn't rely merely on Kern's tunes, but his personal side; Diamond himself wrote and made the plugs. As a film executive in the P.M. he was tried to maintain normal business hours...

With Mrs. Orrin Tucker, the mother, author, songwriter Leo Broukoff's wife, head booker Ben Fiedler, Helen Charleston and others, Diamond was hosting a large musical party...

Stripped from his wife, Celia, for some six or seven years, Diamond was frequently seen in company of Melva Charleston. He has two sons, Paul and Dick, and three married sisters...

Barney Balaban, president of Paramount, greatly distressed by Diamond's death, commented that it meant a big loss to the company...

Officially re-elected as president of the board of directors of the company...

NY State Re-elected

Universal Pictures Co., Inc. and Universal Corp. at first annual sessions held last week respectively elected all present officials in each category respectively...

Officers re-elected for Universal Corp. were Condit, chairman of the board, Note J. Blumenthal, president...

Hollywood Anatomy by BILL BALLMAN

Hollywood, April 9. This is the town your Jack built. Where Roosevelt makes a straight man out of Jack Benny...

Where the car-hopper of yesterday is the Hedges' George of tomorrow...

"Drums Along the Mohawk," "Gertrude," "Alibi," "Upstairs"—and Ann Sheridan 60 million away.

Where you can wake up a pauper and go to bed a millionaire. The terms of the Great Big No and Millionaire Video...

Threatened withdrawal of United Artists from the Motion Picture Producers and Distributors' Assn. was smoothed over, with the company remaining in the Hayz ranks...

Metre's last week's interestingly announced that the board of directors of the company affiliate was not giving it fair treatment in the Chicago territory...

M-G-G PROFITS ON 'GONE'

In some instances, although there haven't been many, Metre has been forced to make up the difference on profit for 'Gone With the Wind'...

Asked concerning reports from Circuit exhibitors that the 10% profit mark, requiring Metre to make up...

According to Rodgers, the vast majority of contracts did not include the provision calling for a 10% profit guarantee...

Rodgers stated that he had not been asked to make any guarantee of a net return because of the overhead feature, his belief being...

When the net has not been reached 10% or over have occurred...

When the net has not been reached 10% or over have occurred...

Continued on page 14

Warner News Pertaining to Pictures

- WB cancels its radio plays... Page 20
Theatre-trail color greenways... Page 22
Radio reviews: Francis Lederer, Ameche-Trevor, Claude... Page 23
FABA asks SAG help... Page 27
Kalman's 3 new operettas... Page 41
Legis review: 'Romes and Juliet' and 'Highly'... Page 42

Roosevelt's Globe and Sam Bronston's Tasting Jerger

Boles, Langford, Robeson In Coast 'Show Boat'

'Show Boat,' with John Boles and Frances Langford singing the lead roles, opens the third session of the Los Angeles Film Exhibitors' Association May 13, under direction of Edwin Lester.

'Production is one of the most expensive ever staged in local history. Supporting cast includes Guy Kibbee, Paul Robeson and others.'

C. Ryan's Resignation May Speed LaGuardia's Pet N.Y. Film Proj. Yen

Resignation Friday (5) of Cirodonis J. Ryan, Jr. aide to Mayor LaGuardia in the drive to bring film production to New York, is expected in informed quarters to speed up the campaign...

It is believed the mayor will in his stead a man familiar with and well-known in the industry...

Department of Commerce head, now in Thomas C. Corcoran's hands, resigned after a liff with an aide to the mayor...

Deal currently closed to completion by the Federal Reserve Bank of eastern production is that of John Butler, former production manager...

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PASTERNAK HAS PLANS FOR FRANCISKA GAAL

Joe Pasternak, Universal producer, has announced the start of the New York Film Festival last night (Tuesday), following which day will be the start of the picture deal with options and hopped down to Washington to gander the picture for a future Deanna Durbin picture.

Mis Gaal appeared in seven pictures with Pasternak in Hollywood before he came to this country. In fact, next Durbin picture which he has arranged financing and have a story, but no distribution as yet.

Pasternak declared the Hungarian actress never achieved outstanding success in America, although a fine actress, because parts were never written for her...

Four days spent by the producer in Washington last week, he awarded contracts for the picture...

Reports that he was here for 'cont. part revision were labeled 'pure propaganda' in the press...

He believed that the little theatre movement could be of great value in the development of the theatre...

REPORT WARNERS-SAX REOPENING B'KLYN LOT

Rum has it remains the 'Vanguard Warner Bx' studio, Brooklyn, in about six weeks, returning production to the lot...

Letter is understood to be to the directors of the studio, following his recent resignation from WB after having transferred to LHM where he is now interested with other projects.

No confirmation of plans to resume shoot-making in the lot could be obtained from Warner executives talking out of town.

H'wood Switch on Shecan

After four weeks' shooting, Walter Wagner's production of Vernet Shecan's 'Personal History' has ended as a failure for Shecan with the title 'Foreign Correspondent.'

Political upheaval abroad since the book was bought as a best-seller several years ago prompted the revised script.

NYU Pix Course

and any other course recommended by industry execs, as well as the standard writing curriculum in England. Backgrounding the technical subjects will be plenty of broad cultural subjects in the history of the U.S. and American literature...

NYU is currently teaching 'The Cinema as a Literary Art' and 'Screen Writing,' provided by Robert Gemmer, author of 'Screenwriting' and 'Screenwriting for Dummies.'

Urges Schools Train Radio Actors Inclusion of dramatic training in the high school curriculum is urged by the National Education Association...

He believed that the little theatre movement could be of great value in the development of the theatre...

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# LOOK MAG, LIKE TIME, PRODUCING AS WELL AS SHORTS

## Look Mag, Like Time, Producing Features as Well as Shorts

Look mag, coping a lead from Time, will have feature pictures released under its tag as well as the shorts in which it has been experienced in recent months. First full-length film to bear its banner will be "Lights Out in Europe," documentary made by Herbert K. Brown, to be released by Mayer & Birtyn. Other pictures will follow at several month intervals, while shorts will be released every six weeks.

Look setup differs considerably from that of March of Time inasmuch as the mag will have editorial voice in the production of both the shorts and features, but no financial interest. Financing is actually handled by the American Pictures Corp. and their full repertoire will be Look-Amplex. Presently, Look will produce some of the longer itself, but acquire most of the features from indie such as Kincaid.

Major release is being negotiated for future features. The two shorts which have already been produced under the Look-Amplex imprint have been distributed exclusively by Paramount, and it is expected that that company will handle the entire output although several other distributors are also interested.

Prez and G.M. of Ampix is Barrett Lee, Chicago investment broker. He's been in film financing for several years but this is his first active role in production. Recently he opened production office on the 850 Parkside in New York.

Long-tail-lengthers will all be documentary in nature and known as "Time" magazine. It is expected to be a limitation of some of the standard features of Look in addition to "magazine" trends on the American scene.

## DISNEY STOCK SLOWS

89 Preferred Shares Not Being Bought Up

Walt Disney preferred stock, offered to the public at \$25 per share early last week, is not going over well, according to latest figures in Wall Street. Generally when a new issue is listed, it is in such demand that the public is so much that the price goes up.

In trading yesterday (Tuesday) the shares still could be bought for \$25 in Over-the-Counter Market where it is being traded now.

## NO SUCH THING AS A BAD PIC

### General Manager of Tri-State Steams Up His Managers to Go Out and Sell 'Em - Decries Increasing Attitude to Expect Ready-Made Beneficial Films

**EXHIBITS MUST CO-OP**

Des Moines, April 9. Tri-State Theatre Corp. has a new slogan: "There is no such thing as a bad picture."

Returning from Hollywood recently, G. Ralph Branton, general manager, held a meeting of district and home managers at which time he impressed upon them that exhibitors, they must start all over again to sell pictures if they want the industry to survive.

He said the exhibitors themselves have had a big part in the present situation by their demands on producers to produce material which will be more entertaining and a greater effort on the part of exhibitors to help themselves to survive through production costs and the curtailment of European revenue, means the exhibitors have to cooperate with exhibitors who have the cooperation of exhibitors in putting pictures over.

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He charged it was an indictment of the exhibition end of the business when such pictures as the "Blue Bird" and others of that type, could not be sold to the public. He said, "Every picture shown at our theatres is worth the admission price asked. We have slipped into the habit of buying the picture and making it to be made for us, depending upon promotional for our income at the box office. With the present overhead it would be impossible for the industry to continue under these circumstances." He reminded the exhibitors that it is their obligation to sell any picture and he asked that they start "re-emphasizing their entertainment."

The managers meeting adopted a resolution to carry out a definite campaign in the interest of the industry and to this and the three exhibitors, who will be in charge of the Omaha territory, Joe Kinisky of the tri-city, and Art Steele of the territory, will hold a conference in Des Moines two days out of every week for the purpose of drafting a manual for the management of the territory will be 15 to 20 application programs from which each town on the territory will select one picture, either from those offered in the manual, within one year from the date of the meeting. If there are two theatres in one town on the circuit, each house is to be no less than three exhibitors.

The thought behind this is that there will be a continued activity in each town which will surround the entire campaign where the exhibitors will not depend upon box-office picture, but their activities will correlate new stars, new stories, and therefor start selling the industry all over again.

## Selznick Sees Varied Admission Scales as Films' Sole Salvation; Admits Costs Must Keep mounting

### Rubbing It In

Unhappy D.A. of 'Abe Lincoln in Illinois' has the story going the rounds of a meeting at a New York track of Max Gordon, producer of the picture, and Charles J. Shumay, of Fox-affiliated theatres.

"Max" Shumay stated considerably half way across the track, "they don't want Lincoln."

Unique idea on the much-mooted question of upped admission prices was advanced by David O. Selznick last week when "Gene With the Wind" producer declared that exhibitors and public must be educated to a whole variety of admission rates in each house, the price varying with the quality of the film.

"I'm 'pro-positus,'" Selznick asserted, "for a theatre to charge the same admission for a \$75,000 picture as it does for a \$1,500,000 production. Some adjustment must be made in short of our loss of foreign income. We must get much more income from domestic sources and I am convinced that exhibitors should be permitted in this country yet. Varied admission prices might do the trick." Selznick pointed to the New York from the Coast last Friday (13) and said it will remain there for a month, exhibiting with United Artists on foreign release of "Reverend Mr. Harvey" and "Gone with the Wind." He will also make a deal before he leaves, he said, for release of shorts he will make feature Bob Banchey. This will probably be through UA. Fact was made known to exhibitors by Selznick and Selznick explained last week that he was not in any sense becoming a shorts producer but merely doing this because of personal friendship.

Following his New York stay, Selznick, priced in New York from the Coast last Friday (13) and said it will remain there for a month, exhibiting with United Artists on foreign release of "Reverend Mr. Harvey" and "Gone with the Wind." He will also make a deal before he leaves, he said, for release of shorts he will make feature Bob Banchey. This will probably be through UA. Fact was made known to exhibitors by Selznick and Selznick explained last week that he was not in any sense becoming a shorts producer but merely doing this because of personal friendship.

## CITES HURDLES TO UPPING PRICES

Columbus, April 9. P. J. Wood, secretary of the Ohio FTO, takes exception with statement of Barney Banton, recently quoted in Variety, that prices at the box office should surmise according to product quality. According to Wood, two obstacles stand in the way: federal tax exemption too low to permit increases without paying high penalties in taxes, and quality of pictures would require a reduction in more cases than where increases would be permissible.

Wood stated, "The prices might be boosted at intervals by first runs. Wood contended the sales were not sufficient for the market to be maintained standard prices. If more revenue is desired, Wood suggested a general permanent increase of the box office—after the federal tax exemption matter is settled."

## GRIFFITH ADDS DICKINSON'S 40 HORSES

Lincoln, April 9. H. J. Griffith, Oklahoma circuit head, has bought 40 theatres in 30 Missouri circuit, year ago. He said, "I have added the Dickinson chain, formerly called the Dickinson chain. Had made a stock investment in the chain, but Griffith because complete over this weekend."

Financial details not disclosed but property underwritten's \$1,500,000.

## Texas Atty.-Gen's Headlines Austin Trax, April 8.

Circuit heads of the leading four Texas organizations support a day last week, which they met with Attorney General Gerald Mann. Conference was an outgrowth of the recent investigation by the Attorney-General of the files and books at various exchanges and offices of the four groups.

Upon receiving several calls from the heads of the organization asking for a decision in the findings of the investigation, Mann invited the heads of the Interstate, R. E. Griffith Theatre, Bob Rowley and John Jefferson Amst. Co. and heads of major distributors to talk things over here. No major executive were here in attendance, although they were represented by George Wright, Dallas attorney.

Among the theatre men present at the luncheon and conference were Karl Hestibelt and John Moberly of Interstate, Harold Robb, Ed Rowley and C. V. Jones of R.R. while John Gordon represented Jefferson. R. M. Rice, an attorney, represented the Griffith group. Also present were R. E. Griffith, W. G. Underwood and Lloyd Hurt of Republic.

The outcome of the conference is still a question. There has been no indication whether any legal action will be taken which will be based upon.

## O'Donnell on the Coast Aligning Dallas Array

Dallas, April 9. With town planning on the western coast stage for the April 15-20 national Variety Club convention, R. J. O'Donnell now in San Francisco for guest stars, so far has Ken Murray, m.p.c. Ricardo Cortez, Dorothy Lamour, Mavis Brown, James Cagney, Edw. G. Robinson, James Millard, Ray Rogers, Tex Ritter, Alan Jones, Brian O'Hara, J. S. Froy, Sam Katz and maybe Louis B. Mayer and Kenney Baker.

Also due are execs Y Frank French, Cliff Lewis and Barney Blain of Pac. Law Warner and Bryan Stone of Drury Zanuck of U.S. Foy, Sam Katz and maybe Louis B. Mayer of Metro.

## WILL ROGERS DRIVE FROM APRIL 25-MAY 1

This year's Will Rogers National Theatre week will be from April 25 to May 1, later than anticipated as that services of Bette Davis, Judy Garland and Kay Kroy" could be utilized for the making of a short "If I Forget You," which will be screened in the country's picture houses in connection with the drive.

Walter Brum, Bob-Fox and Metro are the studios donating their equipment for the making of the short. Irving Berlin was worked out by Harold Rodner of WB's G. O. new deals which from Hollywood, Irving Berlin, who will be used, entitled, "If I Forget You," and National Screen will distribute the briefs.

## Six Directors Dropped At 20th in 6-Mo. Turnover

Hollywood, April 9. Heavy turnover in the director division at 20th-Fox over a period of six months was climaxed by the signing of Fritz Lang and Lloyd Douglas Traube as pilots on the Westwood job. During the last half-year six directors: Roy Del Ruth, Alfred Wertheimer, Michael Curtiz, Alfred E. Green and Herbert L. Lewis were dropped from the contract list.

William Irving was worked out as the directorial roster consists of Henry King, John Ford, Gregory La Cava, William Wyler, William Wellman, Otto Brower, Alan Dean, H. Bruce Mumblstone, Norman Foster and Ricardo Cortez.

## MacMurray's WB Pic

Hollywood April 9. Fred MacMurray moves over to Warner June 10 to head the cast in "One Sunday Afternoon." Moving the second half of a snap in which Pat O'Brien was loaned to Paramount, that last fall for "The Night of Night."

Patricia Morison moved into the same lead opposite MacMurray in "Rangers of Fortune," which rolled yesterday (Mon.) at Paramount Sam Wood is directing.

## RKO TAKES NO ACTION ON NEW PFD. DIVIDEND

RKO directors took no action on a dividend of dividend on the new preferred shares, due to be paid May 1, when they met last week. Although the divvy requirement was earned in this category, the consolidated company, the board decided to adopt a conservative policy for the present because of uncertainties resulting from the European situation delayed making any distribution.

Both the common and preferred shares of the reorganized company will be listed on the New York Stock exchange as soon as final approval is given by the Securities & Exchange Commission.

## Schenck, Zanuck, Goetz East on U.S. Tax Quiz

Hollywood, April 9. Joseph M. Schenck, chairman of the 20th-Fox board, Drury Zanuck, producer, and William Goetz, executive vice president of 20th-Fox are scheduled to appear in New York before the inquiry of the U.S. Department of Justice in making its lay payments growing out of the film merger.

In Chicago, on Sunday (14) they will attend the company's annual stock convention, at which time a dividend is expected to be paid. A dividend is expected to be paid.

## Werker Chucks 'Page'

Hollywood, April 9. Alfred Werker stepped out of the director job on "Stolen Page" after an argument with Edward Small over the handling of the story. Picture had been in work a week. New director is Alfred E. Green.

## Staying UA

Although thoroughly satisfied with the Max d'Ercole picture, Selznick declared it very unlikely that he'll release any future pic through any company but UA. "A deal not reached because he could only get Cable through giving the film to me."

During his vacation, Selznick said, his Coast staff will likewise take time off, but the New York production rps would continue to search for material and to continue under contract to him. Miss Leigh, Miss Bergman, Joan Fontaine, Mattel, and other stars of Selznick's will be all kept on continuous contract when he doesn't need them. Selznick said, "Miss Berzeman are both currently in England and Hitchcock is directing a picture." He said he expects that about 15% of total budget, but wages are not to be used, entitled to those employees are entitled to wages they are getting, he declared, the same as for Hollywood being greater income.

## Terrib 'Most Unpaid'

Another place where cuts are going to be made is among writers. He termed the current industry as "a constant underpaid group in Hollywood."

Making observations on a wide range of the ten remaining to the industry, Selznick said: "Five years from now all pictures will be made by independent producers; another fad." Only thing now holding it back is cost and that is (Continued on page 12)

# AS THE YAW TRAILERS APPROACHES, 'CONSEY' POSSIBLY FADES

### Co-defending Majors Can't Reach Any Accord—UA, Col and U Are Non-Theatre Owners—Fix Excess Meantime Say a Trial of U. S. Interference in Biz Is Inevitable

Settlement of the U. S. Government's anti-trust suit against major film companies by consent decree is still a possibility before the formal hearing on such day passes without general agreement among the film companies on a basis of settlement, in the hope of terminating the action by such decree becomes increasingly uncertain.

Industry executives, who should be in a position to know, declare some preliminary estimates here that the gap between film leaders and the Department of Justice. The present block in the industry and the inability of all the eight defendant companies to subscribe to a common program of settlement.

Of the eight, five are charged with certain acts as result of their operations in theatre circuit on May 1, the affiliated companies, Loew's, Paramount, RKO Radio, 20th Century-Fox and Warner Bros. and other three companies are Columbia, Universal and United Artists.

It is stated that the case will be settled by consent is not of recent origin. Certain industry executives here in favor of settlement with the Government the best possible deal under the circumstances.

The suit was filed in federal court in July, 1938. Despite repeated denials by Thurman Arnold, head of the Federal Trade Commission, the attorney general's office, that the U. S. was even interested in the settlement is reported on good authority that a consent decree would be approved by Government prosecutors provided the terms and conditions met the requirements.

Writing to Fix Self-Regulation Status of negotiations at the moment is declared to be as follows: "The Government is not interested in the so-called 'consent decree' with Paramount dissenting from certain essentials, are willing to accept a regulation of the industry operations, under a plan of supervision which, at some future date will be controlled by Congressional legislation. Such a scheme, in the light of a trial date of May 1 is some indication of the attitude of the Government which appreciates the difficulties and means of compromise. The Government has expressed the slightest desire to become a party to any consent decree settlement, according to report. It is the contention of counsel and executives of these companies that the Government cannot make out a conspiracy to restrain of trade in violation of the provisions of the present complaint.

## Podell Bows Out

When the anti-trust trial began before Judge W. G. Goddard May 1, the Government's chief of staff will be Paul D. Williams, David L. Fiedel, present New York attorney who for a time was engaged in preparation of the prosecution and mentioned for the spot of trial lawyer, has withdrawn from any further action in the proceeding. He left for California several weeks ago, and according to information supplied by an official he is not expected to return to New York until the end of May. He is charged of anti-trust activities, in charge of anti-trust division, as to Podell's status in the case.

## Metro's 'Tortilla' Not Held by Par, Glazer Made Both Pic Deals

Purchase of John Steinbeck's novel, "Tortilla Flat," by Metro on the part of the latter company, is a complex that South Side's new \$50,000 deluxe theatre, the Fifth Avenue, reportedly has been planning to finance to remain dark for lack of suitable product.

Claiming that he is an amovis case and doesn't know what happened Lawson is contradicted by his wife, who says she has been complaining of the constant screen fare he is unable. He sent 50 bulletins to his apartment house, which is his apartment house, with his neighbors' names.

## Andrews 3 MAY 05 H-G

Andrews Sisters, being considered for a film by Universal, were listed as having the following schedule made in the east last week. They were to go into a film with Deanna Durbin.

## M. A. Lightman, Jr., To Manage Memphis April

Memphis, April 9. M. A. Lightman, Jr., 23-year-old son of the former MPTCA president, announced last night he had made the purchase of 10 days hence when he becomes manager of the Orpheum, to leave at Jackson, Tenn. He is required by the elder Lightman's contract in partnership with Paramount. Lightman has been with father's office about four years, also handling the latter's theatre with his father, Helena, Ark., at brief intervals.

## OZARK STATE ALSO WANTS FILM BUILDUP

Memphis, April 9. H. Kentucky, "Maryland" and "Arkans" can do it, his own Arkansas. At least that's what Governor Carl E. Sanders and his cabinet told Hollywood on the notion of an Arkansas candidate.

## Zoning Blocks Out New \$50,000 Coast De Luxer

Inglewood, Cal., April 9. Film zoning set up for this community, after the city council approved that South Side's new \$50,000 deluxe theatre, the Fifth Avenue, reportedly has been planning to finance to remain dark for lack of suitable product.

## Andrews 3 MAY 05 H-G

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## In This Purty?

Detroit, April 9. A week after the Detroit police banned "Strange Cargo" and "Primrose Path" here, this is what the burlesque houses were running on across the city.

## Here's What Happens From Unspooking Too Many Mice Mustangers

Detroit, April 9. Maybe it was watching too many westerns unrec'd from his camera, but the Detroit police have been so particular here, to Wild West justice which landed him in the jail. He was arrested after cutting loose at 3 a.m. April 8, with everything

## Mrs. Mae Cooper Test

Memphis, April 9. The censorship job has hit Memphis. All these years the state has reached along without return. Now it's back on the job.

## PAR'S 14 NETCO HOUSES TO OPERATE OUT OF H.O.

The Metro group of theatres in the Paramount circuit will be operated from New York starting May 1. George Walsh, president and general manager of the circuit, is handling the houses from headquarters of the circuit at Poughkeepsie, N. Y.

## MORE IS PUT

April 9. Damage suits totaling \$100,000 on the Universal picture, "3 Dollars a Million," were transferred to Superior court.

## Studio Contracts

Hollywood, April 9. Metro handed player ticket to Dan Dailey, Jr. Warner lifted Wally Kell's writer option. Ann Rutherford drew a new part at Republic. Republic asked court approval of a minor contract with Wally Davis. Paramount handed player contract to Lella Roubicek. Warner asked actor part at Warner. Metro lifted player option on Dan Dailey, Jr. Maximilian Fabian drew new contract from Republic. Arnold Gillette was handed new Metro part as main attraction on Robert Foulk, dialing driver.

# MCH. MAY AND OHIO'S CENSOR REPEAL

Columbus, April 9. It is thought in political circles that the Missouri state board in rejecting "Strange Cargo" and "Primrose Path" will greatly increase the chances of a referendum on censoring movies passing in the Ohio legislature next session. Both pictures, however, received the praise of a local clergy, who called it a "blessing on your theatre list."

Ohio that censorship is strictly political, related because of the moral of the morals of two states cited as indicated by the censoring activities?

Introduced in the Mississippi legislature at Jackson last week was a measure which would be operated on the censor board of three to be named by the governor with unlimited power to issue orders to shut down any theatre in the state.

Author of the bill is the Rev. Charles Greenville Hamilton, Republican of the city of Jackson, Miss. Monroe County, clergyman at the same time also dropped in the hope of a referendum on smoking and drinking at state supported schools and colleges.

Some of the names of the fellow legislators.







Rebecca Smashes \$23,000 in Chi; Husband's Wayne King Neat 39G, 'Enrich' M. G. \$6,500, 'Gone' Fades

Chicago, April 9.—(Best Exploitation: UA) Dr. Enrich's second town last week on his way back, but he will be terrific on the order of his show. Special preview Friday evening 11, was a big success. The picture, which included a flop with the Hearst-Broad-American... (text continues with show details and box office figures)

19,000 Last week, 'Viva Cisco Kid' (M-G) (11th wk), \$13,000. 'Blue Bird' (M-G) (10th wk), \$12,000. 'The Sign of the Cross' (M-G) (10th wk), \$11,000. 'The Sign of the Cross' (M-G) (10th wk), \$11,000. 'The Sign of the Cross' (M-G) (10th wk), \$11,000. (text continues with weekly box office reports)

ROONEY EBSES

Washington, April 9.—Only two new shows last week find an average total take split profitably between its spots. 'Tom Edison' plus Vilma and Buddy Ebsen, p. has captured a big share of the audience. 'The Sign of the Cross' (M-G) (10th wk), \$11,000. (text continues with show details)

IN WASH.

Washington, April 9.—'Grapes of Wrath' and 'Broadway Melody' are both showing big grosses this week as the town has been looking for a new holdover and is garnering a pleasing profit. 'Broadway Melody' (M-G) (10th wk), \$11,000. 'The Sign of the Cross' (M-G) (10th wk), \$11,000. (text continues with show details)

'VIRGINIA C.' 'BLONDIE'

Brooklyn, April 8.—Town's most attractive spot this week is Fabian Fox displaying 'Virginia City' and 'Blondie' with RKO Albee and Fabian Fox. 'Virginia City' (M-G) (10th wk), \$11,000. 'Blondie' (M-G) (10th wk), \$11,000. (text continues with show details)

Rooney's 'Secret' Tops Providence With 17G

Providence, April 9.—'Tom Edison' is the rage here, having broken the Providence market take 'Pinocchio' in third week at RKO Albee still going strong. 'Blue Bird' (M-G) (10th wk), \$11,000. (text continues with show details)

First Runs on Broadway (Subject to Change)

Week of April 11. Actor—'Gone With the Wind' (M-G) (11th wk). Capitol—'Dr. Kildare's Strange Case' (M-G) (10th wk). Columbia—'And One Was Beautiful' (M-G) (10th wk). (text continues with Broadway listings)

Week of April 10

Actor—'Gone With the Wind' (M-G) (11th wk). Capitol—'Forty Little Mothers' (M-G) (10th wk). Criterion—'Pollyanna' (M-G) (10th wk). (text continues with Broadway listings)

MELODY'S SWEET

\$41,000 IN TWO

TWO SUB SPOTS

Brooklyn, April 9.—'Grapes of Wrath' and 'Broadway Melody' are both showing big grosses this week as the town has been looking for a new holdover and is garnering a pleasing profit. 'Broadway Melody' (M-G) (10th wk), \$11,000. 'The Sign of the Cross' (M-G) (10th wk), \$11,000. (text continues with show details)

B'way Overboard With Holdovers, But Biz OK; Rebecca \$100,000 2d, Primrose 32G 3d; True'Duchin 30G

(Idea: Exploitation: Columbia) In the 'A' first runs on Broadway New York area holdovers with the exception of the Strand which opened 'All Came True' and 'Eddy Duchin' Friday (11th wk). 'The Strand' is not doing an exciting business but may top a fairly good \$30,000. Stays overboard for another week. (text continues with Broadway listings)

An all-day roundup Monday (8) noted the boxoffice badly, reducing the totals for the week. On the weekend business stood up well, but content that Saturday was much better than Sunday (7), with heavy volume on the latter day creating the difference. 'New bill will be brought in today (10) by the Paramount with 'Dr. Croyle' on the screen and Mitchell Auerbach's 'The Sign of the Cross' in release. Shelton is a holdover from the prior show which went four weeks. He is to be replaced with an option for a second. New Broadway shows are 'The Sign of the Cross' (M-G) (10th wk), 'The Sign of the Cross' (M-G) (10th wk), 'The Sign of the Cross' (M-G) (10th wk). (text continues with Broadway listings)

Rebecca looks about \$22,000 on the third week of the Paramount with 'Dr. Croyle' on the screen and Mitchell Auerbach's 'The Sign of the Cross' in release. Shelton is a holdover from the prior show which went four weeks. He is to be replaced with an option for a second. New Broadway shows are 'The Sign of the Cross' (M-G) (10th wk), 'The Sign of the Cross' (M-G) (10th wk), 'The Sign of the Cross' (M-G) (10th wk). (text continues with Broadway listings)

Business is holding up satisfactorily in most situations, with only a few complaints. 'Rebecca' on h.o. of Warner Bros. is doing very well. Second week of 'The Sign of the Cross' (M-G) (10th wk), \$11,000. (text continues with Broadway listings)

PICTURE GOSSES

high up in the smash division. 'The Sign of the Cross' (M-G) (10th wk), \$11,000. (text continues with Broadway listings)

Business is holding up satisfactorily in most situations, with only a few complaints. 'Rebecca' on h.o. of Warner Bros. is doing very well. Second week of 'The Sign of the Cross' (M-G) (10th wk), \$11,000. (text continues with Broadway listings)

PICTURE GOSSES

OK \$17,500, PITT

Business is holding up satisfactorily in most situations, with only a few complaints. 'Rebecca' on h.o. of Warner Bros. is doing very well. Second week of 'The Sign of the Cross' (M-G) (10th wk), \$11,000. (text continues with Broadway listings)

Heavy Bay Ups 'Va. City' to \$9,000 In Mpls.; Invisable Man Dual \$2,000

Monday, April 9. Season's first spring-like weather but doing slightly better than any...

With holders at both the Century, Ophelia and the Metropolitan...

Estimated for This Week: Aster (Par-Singer) (900) 15-35-40...

Estimated for This Week: Archer (Par-Singer) (1,000) 25-30-40...

Estimated for This Week: Archer (Par-Singer) (1,000) 25-30-40...

Estimated for This Week: Archer (Par-Singer) (1,000) 25-30-40...

Estimated for This Week: Archer (Par-Singer) (1,000) 25-30-40...

Estimated for This Week: Archer (Par-Singer) (1,000) 25-30-40...

Estimated for This Week: Archer (Par-Singer) (1,000) 25-30-40...

(U) and 'Honeycomb Deferred' (U), fair \$4,000.

(U) and 'Honeycomb Deferred' (U), fair \$4,000.

LOWBARO FINE \$16,500 N.D.P.S.

Estimated for This Week: Archer (Par-Singer) (1,000) 25-30-40...

Estimated for This Week: Archer (Par-Singer) (1,000) 25-30-40...

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Estimated for This Week: Archer (Par-Singer) (1,000) 25-30-40...

Estimated for This Week: Archer (Par-Singer) (1,000) 25-30-40...

Estimated for This Week: Archer (Par-Singer) (1,000) 25-30-40...

10-35-40 - Chickadee' (U), Billed last week...

GINGER LURES \$7,800 IN K.C.

Estimated for This Week: Archer (Par-Singer) (1,000) 25-30-40...

Estimated for This Week: Archer (Par-Singer) (1,000) 25-30-40...

Estimated for This Week: Archer (Par-Singer) (1,000) 25-30-40...

Estimated for This Week: Archer (Par-Singer) (1,000) 25-30-40...

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Estimated for This Week: Archer (Par-Singer) (1,000) 25-30-40...

Estimated for This Week: Archer (Par-Singer) (1,000) 25-30-40...

Estimated for This Week: Archer (Par-Singer) (1,000) 25-30-40...

Durbin's 'Date' Snappy \$21,600 In Philly; 'Honorable Good \$5,500

Estimated for This Week: Archer (Par-Singer) (1,000) 25-30-40...

Estimated for This Week: Archer (Par-Singer) (1,000) 25-30-40...

Estimated for This Week: Archer (Par-Singer) (1,000) 25-30-40...

Estimated for This Week: Archer (Par-Singer) (1,000) 25-30-40...

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Estimated for This Week: Archer (Par-Singer) (1,000) 25-30-40...

Estimated for This Week: Archer (Par-Singer) (1,000) 25-30-40...

Philadelphia, April 8. Balmey weather over the weekend...

Estimated for This Week: Archer (Par-Singer) (1,000) 25-30-40...

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Estimated for This Week: Archer (Par-Singer) (1,000) 25-30-40...

Estimated for This Week: Archer (Par-Singer) (1,000) 25-30-40...

Estimated for This Week: Archer (Par-Singer) (1,000) 25-30-40...

Ticheckio, \$10,000, Big Montreal Winner

Montreal, April 8. 'Finochea' with miners admitted...

Estimated for This Week: Archer (Par-Singer) (1,000) 25-30-40...

Estimated for This Week: Archer (Par-Singer) (1,000) 25-30-40...

LOWBARO FINE \$16,500 N.D.P.S.

Estimated for This Week: Archer (Par-Singer) (1,000) 25-30-40...

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Estimated for This Week: Archer (Par-Singer) (1,000) 25-30-40...

Estimated for This Week: Archer (Par-Singer) (1,000) 25-30-40...

Bowling B. O.

(Continued from page 1) a stag play and that only for the low class and lower income brackets...

But in the past three years bowling has caught on sharply, with the new types of bowling alleys...

One are the oldtime money bowling alleys hidden behind a pool...

Bowling has made great progress through the stunt of 'songans,' which shows the types of bowling...

Added trends are being brought in. The field, with the operators...

Listed as beneficial owner of more than 10% of stock issued by Lewis & Boston Theaters, Lewis, Inc., of New York...

REBECCA SOCK \$8,000 IN DETROIT

Estimated for This Week: Archer (Par-Singer) (1,000) 25-30-40...

Estimated for This Week: Archer (Par-Singer) (1,000) 25-30-40...

Estimated for This Week: Archer (Par-Singer) (1,000) 25-30-40...

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Estimated for This Week: Archer (Par-Singer) (1,000) 25-30-40...

Estimated for This Week: Archer (Par-Singer) (1,000) 25-30-40...

Estimated for This Week: Archer (Par-Singer) (1,000) 25-30-40...

MY SON IN ICE \$14,000 IN BUFF.

Buffalo, April 8. (By Expedition Buffalo) Looks like another smacking scene at downtown offices this week...

Estimated for This Week: Archer (Par-Singer) (1,000) 25-30-40...

Estimated for This Week: Archer (Par-Singer) (1,000) 25-30-40...

S.E.C. Discloses Little Stock Trading in Feb.

Washington, April 8. Derivatory February trading in security stocks is reflected in the Securities and Exchange Commission's monthly summary of transactions recently...

Estimated for This Week: Archer (Par-Singer) (1,000) 25-30-40...

Estimated for This Week: Archer (Par-Singer) (1,000) 25-30-40...

Durbin, Fine \$15,000, Leads Frisco; True Fair 15C, 'Rebecca,' 2d, 13C

San Francisco, April 9. Shirley Temple's 'Miss Bird' at Warfield, is taking a dive toward a record low price for the child star...

Key City Grosses

Estimated Total Gross This Week \$133,000 (Based on 34 cities, 100 theaters)

Estimates for This Week (1,000; 30-40) 'All Came True' (WB) and 'Shooting High' (2nd). Probably will go to \$145,000...

Golden Gate (RKO) (2,000; 30-51) 'The Sign of the Cross' (2nd) will likely hit \$125,000. Last week, \$125,000.

Worldwide (F.W.C.) (2,000; 30-41) 'Miss Bird' (2nd). Very disappointing...

Marcus Unit-Tears Denver, April 9. (Real Exploitation: Debsman) Working it up and doing most of the drawing...

Debsman's spotting eye-column art and a handy touring story in the top section of the News on the way...

Estimates for This Week (1,000; 30-40) 'Virginia City' (WB) and 'Champ at Oxford' (2nd)...

Brooklyn (F.W.C.) (1,000; 35-45) 'The Sign of the Cross' (2nd) at work at Orpheum and 'Courageous' (2nd) at Grand...

Estimates for This Week (1,000; 30-40) 'Virginia City' (WB) and 'Champ at Oxford' (2nd)...

four days. 'Yarnor's Daughter' (Par) opens today ('Thursday'). Last week, \$125,000.

'SINGAPORE' BIG \$14,000 IN CLEVEL.

Cleveland, April 9. With 'Come out of the air,' after nabbing around \$25,000 during 10-week stay at Hillman, key houses are getting back into the groove again.

Extra 9 a.m. matinee was added to Saturday's first-aid show for 'Pinechick'...

Estimates for This Week (1,000; 30-40) 'Virginia City' (WB), 'Buff-out-over' (2nd) and 'Chickadee' (2nd)...

Stpp (WB) (7,000; 30-35-45-55) 'The Sign of the Cross' (2nd)...

Stpp (WB) (7,000; 30-35-45-55) 'The Sign of the Cross' (2nd)...

Chicago \$12,000 'Nifty Circus' (2nd)...

Cincinnati, April 9. Cinema center's combined box is a shade under last week. It's a record...

ANN SHERIDAN \$7,000, B.O. OOMPH IN MEMPHIS

Memphis, April 9. Looks like Sheridan's prophetic hit on the first day...

Estimates for This Week (1,000; 30-40) 'Virginia City' (WB) and 'Champ at Oxford' (2nd)...

Dull Tinge to L. A. Trade, 'Cyclops' Plus Vaude Nice \$17,500, 'Vigil' N. G. \$13,000, 'Becky' Stout \$7,500, 2d

Broadway Grosses

Estimated Total Gross This Week \$94,100 (Based on 42 theaters, 100 shows)

'HUBBIES' VAUDE OK \$13,000 IN BALTO.

Baltimore, April 9. Big hit holding a steady grip here with 'Head of the Family'...

Most of 'Hubbards' play is national and local. Second stanza at 'Rebecca' at Low's Century...

Estimates for This Week (1,000; 30-40) 'Virginia City' (WB), 'Buff-out-over' (2nd) and 'Chickadee' (2nd)...

Stpp (WB) (7,000; 30-35-45-55) 'The Sign of the Cross' (2nd)...

Stpp (WB) (7,000; 30-35-45-55) 'The Sign of the Cross' (2nd)...

Seattle Oomph Sheridan to \$5,800 (Real Exploitation: Palomar) Top new fare this week consists of...

Palomar had top exploitation idea for Ann Sheridan in 'I'll Take Care of You'...

Estimates for This Week (1,000; 30-40) 'Virginia City' (WB) and 'Champ at Oxford' (2nd)...

Palomar had top exploitation idea for Ann Sheridan in 'I'll Take Care of You'...

Estimates for This Week (1,000; 30-40) 'Virginia City' (WB) and 'Champ at Oxford' (2nd)...

Palomar had top exploitation idea for Ann Sheridan in 'I'll Take Care of You'...

Liberty (2nd) (1,000; 31-32-42) 'The Sign of the Cross' (2nd)...

Only fair big hit in town currently, no records likely to be broken...

'Hubbies' (WB) (1,518; 83-110-81-93) 'Come 'til You're Satisfied' (19th)...

'Chickadee' (WB) (1,204; 20-26-30-34) 'Come 'til You're Satisfied' (19th)...

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'Come 'til You're Satisfied' (19th)...

'Come 'til You're Satisfied' (19th)...

# Yank Distributors Slate Sales Drives Broad to Combat B. O. Blackout

That foreign business, even if devoted for political reasons, still is a major concern of the American picture companies was indicated this week, with virtually every distributor planning foreign sales contacts.

20th-Fox probably will lead off the campaign, its program being Paris, the latter part of May. There also will be regional meetings in London and possibly Brussels, and in Rotterdam, foreign sales chief, will provide.

Paramount also is holding similar foreign sales huddles in Paris and London, with John W. Hicks, Jr., its foreign chief in charge. Metro's foreign convention dates have not yet been set. Warner Bros. will have regional meetings in Europe. No Latin-American contacts are planned because Joe Hummel, foreign sales chief, only recently returned from a three-month tour of Central and South America.

RKO likely will arrange several small conventions, with a chance that foreign managers can be called in New York for these sessions. Universal will outline its plans for foreign sales huddles in London and Paris, with a metropolitan devoting much of the arrangements of previous years. Warner Bros. will hold conventions because both their foreign chiefs are devoted to the work in Europe. N. Y. Both likely will hold regional in one or more European cities.

Hutchinson plans to visit Europe next month to make first-hand appraisal of the British and French markets. He is to be followed by company foreign chief to plan visiting Europe this spring. John W. Hicks, Jr., Paramount's foreign sales chief, is leaving shortly. Hutchinson goes to Cuba for the Central American convention April 28. He is expected to leave N. Y., by plane shortly off for Paris May 15.

## Long Fight Near End As Music Men Exhale In Assize Look To Pact

Byron, March 20  
Looks like the last between exhibitors and the Australian Performance Rights Association. Following the death of Jack Woodbridge, negotiations are being handled by Sam Solder, assessment was made. There is very possibility of a long-term pact which might operate from July next to term favorable to both parties.

The long fight against the AFPA on copyright fees covering music spotted in all pic houses, and the long battle with the AFPA on alleged high copyright sales. Pressure was applied at one time for governmental interference against the "methods" adopted by AFPA with Amise showmen.

## Selznick

Continued from page 1  
Is already being overcome by the single negative process. Control of affiliated units heads took the initiative. Small exhibit with one such movement. The realization of the duals would raise the price of individual pictures continuously in Hollywood which must be taken into consideration.

There will be more fewer pictures by major companies in future years because producers have found they produce as much profit as before, A as with 30 B's. This decrease will be compensated for by the strong trend toward indie production. The total will still be below pre-war levels.

The bill will be a boon for indie producers except for its "synopsis" clause. Letter will encourage the making of bad pictures and encourage revision of the script which the bill prohibits is done only to improve the final product.

Propaganda pictures and pictures with a social message, such as "The Price of Wrath," should be clearly labeled by the producers with what they are. Mission of the screen is entertainment, should be clearly leading the public to the nature of a film may wreak permanent damage.

# Zukor

Continued from page 1  
tioning, the Government's attorney was seeking bits of information which might fit into the general pattern of the U. S. complaint against Paramount and the other film companies, accused of illegal acts of conspiracy and restraint of trade.

Due to protest by German Consul at London, Max Reinhardt, who has been named, "Lon Has Wings" had been banned. Three British producers, including one who was a member of the home front, 20, acting big evasion, and news was said out following night, but police then stepped.

Autostate Vaudeville Co.  
The Automatic company, at one time, was a holder of the incorporation of sundry Loew and Morris Kohn ventures. The stock, which was privately held, was being bought by Mr. Everett heights. None of the company has any bearing on the stock owned by Automostateville Co. was one of those bonanzas that happen occasionally in the birth of a great industry.

There is charming information about the procedure of these pretrial examinations. The Federal court rules. The idea is to save a lot of time by building a record from the sworn witnesses without the attending expense of maintaining the trial. The ruling went into effect during a time taken in an idle courtroom on the sixth floor of the U. S. Federal Building, N. Y. The court principal sit at ease round a very beautiful mahogany table. The examination is done in a conversational manner. Also seated at the table are lawyers from the different downtown legal firms which are watching the interests of other companies.

Everything moves smoothly until a witness makes some reference to a compiler, or fellow defendant, who is mentioned in a 1923 William Fox started a theatre-going campaign. A youth at the far end of the table jumped to his feet and asked that the question and answer he repeated. This was done again. Louis Phillips, of the Paramount legal staff, who is sitting next to Zukor, intervened. It is all very serious. It is also slightly bewildering. Much of the water under the bridge is when Zukor reached that portion of his autobiographical account which touched on the building of the East Loew theatre district which was dedicated as a monument to the late Mrs. Loew. The contract which he divided for a quarter of a century, he seemed to hesitate a moment in reflection.

Because there is a story about this event which has seldom been told. It was the late Mrs. Loew, who was an immigrant boy of 14, arrived in New York, seeking his fortune, and he ended his days in a small apartment on the East Side, except for a married couple who had some home in Hungary who had been married here for several years. It was arranged that he would stay with them.

The young woman was kind to the homeboy boy. She encouraged him, helped him learn English and filled his mind with the literature of the day. However, they lost touch. Zukor went to Chicago and lived there for a number of years.

On the afternoon when Paramount's new suites of offices were being moved into the new building, he was his old friend who had watched his career from a distance. He attended his first program of speeches and formalities, and spent the rest of the day and evening with his family. When the Paramount theatre opened the following day, his beneficence comes from the center box in the mezzanine.

Zukor's career is full of things like that. Of course, there was the time when he walked aboard ship at Cherbourg, through the French customhouse, and he was seen by the Daily (film) wrapped around his body and hidden by clothes. He had been in the picture business for a while and he was time regulation would have impounded the film industry.

# U. S. Film Interests Seen Favored By New Reynaud Gov't in France

## German Protest Results In E. African 'Lion' Ban

Cape Town, March 9  
Due to protest by German Consul at London, Max Reinhardt, who has been named, "Lon Has Wings" had been banned. Three British producers, including one who was a member of the home front, 20, acting big evasion, and news was said out following night, but police then stepped.

## REX DIFES TO SOVIET, BAN 'NOTCHKA'

Mexico City, April 9  
The Confederation of Mexican Workers, Mexico's most powerful labor organization, has banned Rex 'Notchka' (1942) even after it had been okayed by the municipal and federal censors. The organization, which controls all public workers, considered that the film slighted Russia and her doctrine. The ban is based on the fact that Mexico has not had any diplomatic relations with Moscow since 1917. The ban, which President Lazaro Cardenas declared in a recent speech that Mexico is not committed to the Soviet Union, will not be accepted by Mexicans.

The Confederation is now to lift the ban on the film, but it is understood on the Italian-made 'Tripo Africano' on the ground that it is fascist propaganda. This ban, it is understood, was largely because the Confederation no like the Berlin-Rome attitude toward the local industry. As this attitude is believed to have been changed, the ban is to be removed.

## RKO REALIGNS IN FAR EAST; SPIERMAN SET

Resignation of Norman M. Durant, manager for India, and establishment of a new branch office in Singapore last week, brought a complete realignment by RKO in the Far East. The new manager, RKO's former manager in Japan, becomes India manager in Durant's old spot. Charles Julian, of the RKO force in France, becomes manager in Tokyo. Appointments made by Leon Britton, RKO's East Loew manager, included 'F' with the expiration of the contract with Pavilion, Ltd., which formerly had the exclusive rights to RKO pictures in the Far East. RKO has opened its own branch at Singapore to handle product for this territory.

## Foreign Coin

Continued from page 1  
in a short time, Fred W. Lange, Paramount's managing director for continental Europe, is comparatively optimistic regarding the threat of heavy American coin freezing in France. Lange summed up his idea about distribution and business generally in France prior to showing off last Saturday (4) for New York. He had been in New York for about a month for homeoffice contacts with John W. Hicks, former chief, and others.

Lange was extremely dubious about whether the French market would freeze much distributor rental money. If any. He explained that the market, whether or not, was entirely different from that in Great Britain, strongest foreign market for American pictures. It is only in the return on a U. S. production small, but the dubbing, which costs \$3,000 a picture, minimizes the net. Thusly, the return on a feature is an small that the picture itself, whether or not, could be considered worthwhile by the French government to freeze any part of the revenue.

## Paris, March 20

The new government, headed by 62-year-old Paul Reynaud, the "little giant," which received a very hostile reception by the public, was announced before the Chamber of Deputies. Friday (20), is considered generally favorable to the new government. Information is noted as "doubtful."

He is considered a moderate, but a publicist Socialist Ludovic Favier, with Socialist Jean Perrier as the successor, Jean Glazounoff, who was head of the Bureau of Information, before it was transferred into a ministry, and retained as head of a consultative committee for propaganda. Louis Deslauriers is chief of the technical division, which comprises about 30 members chosen from photographers and radio employees professionally engaged in propaganda.

Julian Calk, a secretary general of the information service, grouping all former services. Martinou Despat, former head of press and censorship, has resigned, and his collaborator, Jean Huguet and Henry Prete, Henry Prete, recently appointed cinema director, has resigned, and his collaborator, Jean Glazounoff, who was head of the Bureau of Information, before it was transferred into a ministry, and retained as head of a consultative committee for propaganda.

Newsweek Finance Industries  
Reynaud's former finance minister, is likely to approve any measure giving encouragement to a home industry, and reducing to the absolute minimum the amount of French currency going abroad. On the other hand, foreign minister, he may adopt a very cautious policy and give no assistance against attempts to antagonize any of the large democracies.

A personality in the new government friendly to the film trade is Louis Berton, Minister of Commerce and Industries. On the other hand, both American and French film interests appealed to him to bring back the film industry to the local industry. More than any other man he is responsible for the few concessions made to the industry, such as later closing hours, larger auditoriums, more city lighting and later subway running.

## Film Alliance in Deal To Distribute 50 British Pictures in the U. S.

Not Wachtberger, v.p. of Film Alliance, returned to New York from Europe last week with contracts for 53 completed features from independent producers. The deal covers as many more pictures to be produced in the next 18 months. The deal is for the distribution of "Let George Do It," an anti-Nazi comedy, ready for distribution in U. S. shortly. The deal, which was completed during the last two years, already being readied for showing in this country.

The producers and director's shorts will be brought out on the same print as the first of a completed film. It is planned for Film Alliance to produce a number of major French stories in English. If conditions are favorable, some of the production will be moved to N. Y.

## Mexico's Prod. Fall

Mexico City, April 9  
Unless something extraordinary happens in the way of more cash, the production of Mexican pictures is set to stop for the time being. It is thought here on the way that the industry will be about half the normal quota.

## REYES' PAF HUDDLE

Alvarez Reyes, Paramount's Columbia manager, is in New York for huddles with John W. Hicks, Jr., former chief of the American branch. It is the first trip Reyes has made to the U. S., since joining Fox 10 years ago.

# IT ALL CAME TRUE!

"Right up there with 'Dark Victory'—that's how the boys in Pittsburgh, Memphis, Akron, Milwaukee and New York rate it! It all came true for them!

Everything we've written!  
Everything you've heard!  
Everything you've come  
to expect from

**WARNERS**  
The Showmen!



The 'A' in  
A-Time Stands  
for **ANN**



# Sheridan

with

**Jeffrey Lynn • Humphrey Bogart**

**ZASU PITTS • UNA O'CONNOR • JESSIE  
BUSLEY • JOHN LITEL • Directed by LEWIS SEILER**

Screen Play by Michael Fessier and Lawrence Kimble  
A Warner Bros.-First National Picture

From the Story by LOUIS ('Rains Came') BROMFIELD

IT ALL CAME TRUE THE BISCUIT EATER

(WITH SONGS)
Walter Connolly, Alan ...
The picture is a ...
The picture is a ...

Hollywood, April 9

...
The picture is a ...
The picture is a ...

Miniature Reviews

'An Easy Way' WB, Ann ...
The picture is a ...
The picture is a ...

ISLE OF DESTINY

(One Star)
The picture is a ...
The picture is a ...

SON OF THE NAVY

Hollywood, April 2
The picture is a ...
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THE DARK COMMAND

Hollywood, April 9
The picture is a ...
The picture is a ...

Saturday's Children

Hollywood, April 9
The picture is a ...
The picture is a ...

FREE, BLONDE AND 21

Hollywood, April 9
The picture is a ...
The picture is a ...

THE DARK COMMAND

Hollywood, April 9
The picture is a ...
The picture is a ...

Saturday's Children

Hollywood, April 9
The picture is a ...
The picture is a ...

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**M-G-M's  
GREATEST  
TRANS-  
CONTINENTAL  
TOUR!**

**"20  
MULE  
TEAM"  
is on its  
way across  
America!**

**WALLACE  
BEERY**

Star of M-G-M's  
dramatic thriller  
"20 MULE TEAM"  
launched this amazing  
promotion triumph in  
Los Angeles this week!

Greater than M-G-M's  
world-famed "Trackless  
Train"! Greater than  
M-G-M's sensational Travelling Motion Picture  
Studio! M-G-M once  
more electrifies the indus-  
try with another nationwide  
showmanship scoop!







**NOT ~~2~~ BUT 2... 3**  
**... AND 4 WEEKS FOR**  
**Paramount's "ROAD**  
**TO SINGAPORE"**  
**... THE HOLDOVER HIT**  
**OF THE YEAR !!!**

New York —4 WEEKS at New York  
 Paramount  
 Kansas City —3 WEEKS at Newman  
 San Francisco —3 WEEKS at Paramount  
 Philadelphia —3 WEEKS at Fox  
 Minneapolis —MOVED from 1 week at Sears  
 to 3 weeks at Century  
 Chicago —3 WEEKS at Chicago and  
 moved to Garrick  
 Hartford —3 WEEKS at Allyn Theatre  
 Milwaukee —3 WEEKS at Palace, moved  
 to Strand Theatre  
 Detroit —MOVED from 1 week at  
 Michigan to Palm State  
 Los Angeles —3 WEEKS at Paramount  
 Theatre

St. Louis —2 WEEKS at Ambassador,  
 moved to Missouri Theatre  
 San Diego —MOVED from Fox to  
 Orpheum Theatre  
 Providence —3 WEEKS at Strand Theatre  
 Atlantic City —CARRIED OVER from 1 week  
 at Stanley to Virginia  
 Worcester —3 WEEKS at Capitol Theatre  
 Newark —3 WEEKS at Paramount  
 Theatre  
 Washington, D. C. —MOVED from Earle Theatre  
 to Metropolitan  
 Seattle —3 WEEKS at Orpheum,  
 moved to Music Box  
 Oakland —3 WEEKS at Paramount  
 Theatre

Omaha —3 WEEKS at Omaha Theatre  
 Des Moines —MOVED from Des Moines  
 Theatre to Roosevelt  
 Portland —3 WEEKS at Paramount  
 Theatre  
 Indianapolis —MOVED from Indiana  
 Theatre to Circle Theatre  
 Peersoon —3 WEEKS at U. S. Theatre  
 New Haven —3 WEEKS at Paramount  
 Boston —MOVED from Metropolitan  
 to Paramount and Forway  
 Buffalo —MOVED from Buffalo  
 to the Hippodrome  
 Louisville —MOVED from Rialto to  
 Brown Theatre  
 Memphis —MOVED from Malco to  
 Strand Theatre



*The Box Office Sings* IT'S A  
**PARAMOUNT SPRING!**

"I'm out to shoot holes  
 in these 'Road to  
 Singapore' records!"  
 —Jack (in the Double) Benny



Get set for extended playing time when **"BUCK BENNY RIDES AGAIN"**



# 44 New Houses Built in Michigan Past 2 Years; More New Theatres

**Detroit, April 9.** Theatre building in Michigan is booming with 44 houses having been built in the state during the past two years.

A recent survey by the Allied Theatres showed the state's total is now slightly better than 800 houses. Additional seating capacity provided by the new houses is 8,675 in Detroit and 18,542 throughout other places in the state.

Detroit still has nearly half of the state's approximate seating capacity of 450,000. This is not including suburban cities near Detroit where there has been major theatre building launched. Big houses are going up in nearby towns where, under the new laws in private housing, many Detroiters are building their new homes.

Paramount has closed a deal to take over a theatre now under construction at Birmingham, Mich., suburb of Detroit. To be known as the Bloomfield, it will seat 1,800 and will be ready sometime this fall.

Two weeks ago Fox completed ar-

rangements re-acquiring the Madison, Detroit, lease on which it had given up last year.

### Cullins-Evans' Nabe

**Memphis, April 9.** New nabe announced by Chalmers Cullins and Nabe Evans, partners past three years in operation of Detroit Orpheum, recently acquired by M. A. Lightman through purchase of outstanding bonds, will be called the Idlewild and located in choice residential section. A building permit was granted this week. Construction starts May 1. Cullins and Evans already operate the Harvey, Negro theatre in North Memphis.

### Texas 84th Constructing 'Em

**Dallas, April 9.** More than \$225,000 is represented in new houses in the Texas area, a survey here showed last week. Due to start soon is the Airway, nabe, for P. G. Cameron, owner of the Peak, nabe, 7th-outer.

## FEMME PIC CUSTOMER FOILS R.O. STICKUP

**Baltimore, April 9.** Attempt at a stickup of the nabe Capitol b.o. here was foiled by quick action on the part of a femme customer, a checker and house manager, Robert Marbonka. Given a note by the hoodlum men with instructions to hand over her cash, Elizabeth Bloom, the cashier, hesitated for a moment, causing the hoodlum man to place his arm threateningly on his hip pocket. Action tacked herself, into hurrying into the theatre to spread an alarm. James Barr, checker, rushed out to grapple with the stickup man who knocked him down but failed to outrun manager Marbonka, who grabbed him and held on until arrival of police. Marbonka is a police magistrate-at-large on the side, but did not sit in this case.

## Disney Lands Sonovox

**Hollywood, April 9.** Walt Disney closed a four-year deal for the exclusive use of Sonovox Wright's recently invented Sonovox in animated cartoons. Several major plans had been dictating for the device.

# For Fifth Year, Any Action On A New Copyright Bill Stalled


**Washington, April 9.** There will be no general copyright legislation at the present session of Congress. For the fifth successive year, the matter of re-viving the 28-year old statute to conform with the Bern convention has been put on the shelf.

Decision to sidestep the whole controversy once more was reached last week at secret meeting of the Senate Patents Committee, which felt there is insufficient time to go into the matter bound to result in such argument and on which views are so conflicting. Meanwhile, the legislation still has not even been introduced in the House, where in the past the greatest delay has developed.

Whether another attempt will be made to ratify the treaty taking the United States into the International Copyright Union remains conjectural. Plans of Senator Albert Thomas of Utah, manager of the pact, are

indefinite, largely because of disagreement among experts whether the agreement would supersede existing law. Some authorities feel it would be possible to ratify unless Congress takes action to iron out conflicts between the pact and the present antiquated statute; others hold that the treaty would automatically alter any inconsistent or contradictory provisions of our existing laws.

The Senate group even discarded the idea of a stop-gap bill that would remove any such legal doubt. It had been suggested that the simplest solution would be a resolution or act stating merely that the treaty takes precedence or some measure bearing only on the issues in conflict. But this was deemed unsatisfactory, partly because it would open up the whole proposition, bringing demands for widening the scope to include this and that additional point until there would be no possibility of stopping short of a complete overhauling of the basic statute.



**ARTISTS BOOKING BUREAU, INC.**  
PARAMOUNT BUILDING, TIMES SQUARE, NEW YORK, N. Y.

CHICKERING  
4-7600

April 1, 1940.

Red Skelton  
Paramount Building  
New York, N. Y.

Dear Red:

As happy to advise you that both Bob Seitzman and myself are delighted with the results of your current engagement at the Paramount and we have decided to hold you over for the next show. This happens to be the first time we have ever held any artist over on a new show since our band policy has been inaugurated.

With kindest regards,

Very truly yours,

HARRY CHICKIN

HK:HL

Personal Representative  
**WILLIAM MORRIS AGENCY**

Writer  
**EDNA STILLMAN**

Manager  
**TOM KENNEDY**

# BROADCAST MUSIC AT THE PERFUMANCE

## AGENT FOR AMP, SESAC AND DISAPNO

### SESAC Pays Paul Heinecke \$125,000 Annually—BMI Seeks Backlog of Numbers—More Radio Investment in Music Foreseen

BY BEN BOECK  
Executive heads of Broadcast Music, Inc., have started to direct their efforts toward making this organization the licensing agency for all performing rights groups, except the American Society of Composers, Authors and Music Publishers, which the broadcasters do business. The contemplated project calls for deals with the Associated Music Publishers, Inc., and the Society of European Stage Authors and Composers. Ralph Peer, whose Radio City Music Co. is a member of ASCAP, would also figure in the combination as past owner of the Promoters. He plans Americano de Musica, a Mexican enterprise, which aims the rights to hundreds of Latin-American compositions.

BMI's major idea is still pretty much in the nebulous stage. Management, the BMI general manager, formerly headed American Music Publishers, has a backlog of royalties collected about \$120,000 in performing rights from the broadcasting industry. The AMP's plan is to combine with the American Co., public utility combine, which bought it in 1930 through several sources, and to develop one of its wired radio projects, later to be known as Music. BMI would hold over the AMP's backlog, totaling an annual guarantee, say, of \$100,000 a year, and whatever was left over above the AMP would be retained by BMI. Out of the \$100,000 the affiliated publishers would be their respective music publishing concern. The BMI might eventually acquire all such publishing contracts as this AMP has, and a nucleus of an extensive copyright reservoir.

Where the BMI is expected to end its long tussle is in working out a deal with Paul Heinecke, the one-man music publishing firm. The performing rights income on this catalog, which includes the Cole firm, of Chicago, amounting to \$250,000 a year. SESAC splits its income with its affiliated publishers on a basis of 50-50. Heinecke handles \$125,000 a year for himself and his limited overhead.

The North American Co. bought the AMP catalog from Heinecke for a reputed price of \$250,000. Heinecke later went west to establish himself as a man of German, Slavic, etc. publishers for the nucleus of SESAC.

As the planning minds at BMI see it, these two catalogs (AMP and SESAC) would give the broadcasters a broad repository of classical and semi-classical music. The building up of a repertoire of broadcast music would be a much slower process, but they are confident that with ample time and patience it can be done, since it is radio, and the networks in particular, that serve as the primary, if not the sole, exploitation medium of current popular music.

### Stephen Kintoul Seeking Station in Connecticut; Harold Meyer Arranging

Bridgeport, April 9.  
Stephen R. Kintoul, of E. Katz agency, formerly of WBAP, Bridgeport, has asked for a 250-watt 1270-kilocycle to serve the Bridgeport-Hartford area in the licensing hearing sessions in the state. Harold Meyer, formerly of WUSN, St. Petersburg, Fla., who is presently in charge of a Washington operation, has already launched good-will campaign for station.

Meyer also has request from Harold Thoman, operator of WATER, Waterbury, and WBRK, Pittsfield, both of which are affiliated with the station in Bridgeport, where Stephen's WBRK is headquartered.

publishing business, just as happened in the case of the motion picture producing interests. Major pop music publishers have for years ago made a step was inevitable. They have discontinued what happened to NBC 10 years ago and argued that if the broadcasting industry wanted to keep down the price of its music it would, like the film industry, have to come into the act on an investment basis. By buying into several music publishing firms radio would be in a position to have a representative on the ASCAP board of directors and be able not only to protect its licensing interests as has happened in the case of the theatre seating tax but get some return on what the broadcasting industry puts into ASCAP and the music business as a whole.

I. D. Levy, a major CBS stockholder and owner of WCAU, Philadelphia, suggested a couple years ago that the broadcasting industry hold a stock issue of anywhere from \$10,000,000 to \$20,000,000 for the purpose of buying into the publishing industry. The networks and independent operators, according to Levy's plan, would become subscribers to this issue and thereby be in a position to pressure the board of directors, which they pay millions a year and serve as a chief source of exploitation.

### Yokel Showcasing '3 Men On A Horse' Via 'Command Performance'

Three Men on a Horse is being recorded for radio, a format developed for the 'Command Performance' station Friday 13. Broadcast on an expanded Play by Play basis, which they pay millions a year and serve as a chief source of exploitation.

The stage show, is handling the radio deal.

Several players who were in the original cast at the Playhouse will be in the new production, including Billy Kent and Teddy Hart. Part of Play, which was originated by Sam Levey, will be handled by Milton Berlin.

## Supreme Court to Decide if Station Buyer or Seller May Appeal From F. C. C.

Washington, April 9.  
Final ruling whether adverse F.C.C. decisions in station sale cases can be appealed and whether a station is mandatorily to be bought or sold in United States Supreme Court in connection with the abandonment of Columbia to lease KFSO, Kalamazoo, Mich., to two new owners. Deal is now in the hands of the Commission's finding that it would be contrary to public interest. Case was then appealed and the District of Columbia Court of Appeals returned the Commission's motion to dismiss the challenge.

In two companion proceedings, the Commission asked the highest tribunal to clear up uncertainty and confusion about the appeals provisions in the Communications Act (section 402b) and about the status of parties to a proposed sale or lease. In regard to the latter question, Chief Counsel William J. Dempsey said a heavy administrative burden will be imposed on regulators if the lower tribunal is not reversed and the joint CBS-KFSO appeal is not granted.

Chief question is whether 402b authorizes an appeal from an order compelling a party to sell or lease, but not several other points of general concern to the industry are raised. Among them are the Commission's jurisdiction to issue such an order, and whether it should be carried to a three-judge district

### SUMMER APPROACHES

Rate Smith OF June 15—Interest's Silver Using a Quote

International Silver (CBS-Sunday) switches over to a quiz show with August 15. Rate Smith will switch its last from South Coffee to Grand Nuts May 14.

## FRED ALLEN'S FAL STATUS UNDECIDED

Traxco (CBS) will take an eight weeks' vacation from broadcasting starting at the end of June. The second half of next season's program won't be decided until May 18. The account is in the hands of Fred Allen about coming around to see if in the event he decided not to continue with the Traxco, but at no time has there been a salary quotation.

In going with Traxco, Allen would be in direct competition with his present sponsor (Wednesday, 7:30 p.m.). The main gripe in Allen's present contract is that he has to contend with the view of the other accounts, Young & Rubicam (Sal Hepatica) and Foster & Ryan (Lionel Lincoln). It is very much in the trade that after all these years Allen and Leo Britton, his partner, have been successful in such an issue, or that Allen would agree to become competitors in the source of his work check for all consecutive years.

It is possible on the other hand, that Allen will be asked by Y&R to accept another account from that agency's list, with a new show possibly being given over to the Warner studio. Deal was immediately called off.

Ernest Tony Martin the week previous, but because the picture is just a heavy belly.

court, not directly to the D.C. appellate bench, and the argument that requires the consent to assign licenses and the Federal Communications Commission's order of "applications."

Placing most emphasis on the latter, the Commission is making a heavy load on the regulators if the order is allowed, Dempsey said accordingly, he is entirely in accord with assignments — says nothing about filing applications or granting hearings — that is an entirely different procedure in such matters from the course followed in deciding on a petition for a license, he maintained. The hearing on transfer and sale matters is wholly discretionary, under the F.C.C. regulations, and is in the KFSO industry's meaning, only because it was the most expedient way to get all the information necessary to determine whether the transaction was in accordance with public interest.

100 Hearings to  
If disappointed parties in such matters are entitled to appeal, it will be necessary to hold over 1000 hearings, according to Dempsey. He noted that in 1939 there were 77 petitions for consent to assignment and 1000 for transfer. In 1938, 122 cases of these two types were docketed the prior year.

In maintaining that an appeal should be entertained, the industry insists that Congress meant to delineate between "applications for

## Conscience Club or Bats

Abbott and Costello, of the Kate Smith program, have undertaken to make further capital of their catchphrase, "I'm a hot boy," by offering to make membership stations to "Abbott and Costello." They say that if they will write a letter confessing they have done the wrong thing either at home or at school. They must also promise to improve their behavior.

Makes the first time that a team of radio comics has tried to muscle in on Uncle Sam's preserves.

## Hummert Discs Meet Difficulties

### AFRA Complicates Coast Placement—WMAA Night Experiment Flops, Serials Go Daylight

### Johnny Ford (Louisville) Kills Self in Routerford

Louisville, April 9.  
John Routerford, violinist member of the Uncle Henry's Mountaineers, was found dead in his bed at 11:30 p.m. Saturday with a gunshot wound in his head. The body was discovered in his bathroom.

Routerford was known on the air as Johnny Ford, and had been with the hillbilly aggregation on the air and in his own appearances dates. Henry G. Warren, manager of the troupe, said Routerford was separated from his wife, Coroner John M. Keeney returned a verdict of suicide.

### Warners Cancels Players When Ethyl Gas Program Belittles Their Prestige

Hollywood, April 9.  
Failure of B. R. D. & O. producing the radio show "Ethyl Gas" has led to its original agreement was given by Warners as the reason for cancelling out its guest stars, Arns, Blum, and others, on last Monday's Ethyl program. Studio said when deal was struck it was agreed to separate the stars and music from their picture, "All Came True," throughout the half-hour show.

Three days before the Ethyl troupe landed on the Coast from New York the studio was advised that only one spot would give over to the Warner studio. Deal was immediately called off.

Ernest Tony Martin the week previous, but because the picture is just a heavy belly.

### Blackett-Sample-Hummert Struck a Deal

A deal was struck between Blackett-Sample-Hummert and a group of music publishers to place more of the Sterling business on the California, Radio System and the West Coast Network. The American Federation of Music Authors informed the agency that a rebroadcast for 100% of the radio (artists) would have to be paid the talent if the disc victims of the agreement were to be placed with the two regional.

The campaign on the California regional market, but on the eve of starting date AFRA, acting on the prospect of continued competitive network, interested. The CBS started the campaign survey Monday (9), including the West Coast. The situation with the union is straightened out. The same happened with the West Coast network. Letter's new contract raised its Sterling business from an hour to an hour.

Blackett-Sample-Hummert has a new schedule of the Sterling business. It is now 11 p.m. effective Monday (15). The schedule consists of eight quarter-hour serials and one quarter-hour after an afternoon schedule. It has been found that, aside from the sale of cheaper rates, the returns on the air show of this type when run off the network are not as good as the other. Only two of the present group of Sterling serials on WMAA will be continued, aside from the new ones "Our Gal Sunday" and "Helen Trent," both of whose live versions are being produced by the network. The new Sterling strip on WMAA will extend from 1:15 to 3:15 p.m. on Tuesday, which cleared over the NBC-hour at night, will be added to the WMAA schedule and there will be a new one-hour live recorded music tangle, "Sweetest Love Songs of the Day." The serials "The Great Train Robbery" and "The New Orleans" will be the new originals over NBC between three and five p.m.

### FERRY-HANLY OKAYS TWO

Singing Cowboy in Wilmington—Disc Jockey in Waterbury

Ferry-Hanly has well placed two shows for J. T. Baker chemical. One is a three-watt 15-minute live series starting April 30 over WDEI, Wilmington, with Cousin Lee, singing cowboy, and the other is a 15-minute "Spins and Needles," recorded series along the lines of "Take Believe" and "The Great Train Robbery" (17) over WBRV, Waterbury. Miltচিত্র is the producer.

### Urquhart Leaves KDKA For NBC Chicago Job

Pittsburgh, April 9.  
Charles Urquhart, producer in chief at station KDKA, will leave his post here this week-end to handle NBC's new program "The Zeller." He takes over his new post on Monday (15). George Head, one-time WJAB announcer, is coming to Pittsburgh to head of transcription service locally, may get it.

Also KDKA, Lynn Morrow, assistant to W. B. McGill, in charge of sales promotion, is out and has been replaced by George Zeller, formerly on advertising staff of Screenland, Inc.

### Albers' Fur Coat Stunt

Seattle, April 9.  
Albers Bros. Milling Co. gave a \$500 fur coat to a Portland woman who had won a contest by writing to the cereal packer's daytime serial, "Mine to Conquer," on an NBC Pacific network. The woman's name is Zeller, and she received \$300 fur coats.

The grand prize winner was born in 1910 in the KFSO area and was an originator, and put on the air as part of that day's episode.

# Pacific Coast Largest Web Problem In Connection With Daylight Saving

First of the broadcasting industry's two annual headaches, the beginning and ending of daylight saving time, has already begun to make itself felt. What's merely a matter of pushing the clock ahead or back one hour for some stations provides a tough chore for other station operators. The latter must readjust their program schedules so that all customers are satisfied.

Because of the time change NBC last week almost lost the weekend editions of Prater & Gamber's "Guiding Light" and "Against the Storm," both of which are cleared over the red network. After contacting the Coast links on the two shows, F. C. G. decided Friday (3) to let themselves stand as is with the advent of daylight saving.

In preference, starting April 30, between EDT and PST expands from three to four hours, so that the two artists will get to the air between 7:30 and 8 a.m. Under the AFCA contract a rebroadcast of the two programs would entail the payment of 50% of the basic talent salaries. The Pacific region covered by NBC is estimated to include 75% of the country's potential sales.

General Post is solving its daylight saving problem by dropping the show of Dr. Malone on the NBC-bus by shifting the serial to CBS. Its present spot is 11:15-11:30 a.m., seven to ten time. Columbia has made the 8-15 spot available, starting April 8, and there will be a rebroadcast which will get the show out to the remainder of the coast. The CBS network will consist of 18 stations. Murray's 13-week commitment on "Malone" doesn't expire until May, there will be no program changes until the end of the bus until May 3.

# DUN & BRADSTREET MAN WRITES RADIO POETRY

Author of tomorrow night's (Thursday) Columbia Workshop program is A. M. Sullivan, associate editor of the Dun & Bradstreet Review and president of the Poetry Society of America. Scribble is a dramatic poem entitled "A Day in Manhattan," by Carl McGill will direct.

# Shakeup Texaco Coaster

Hollywood, April 9. Buchanan agency is shaking up Coast half of the Texaco show for the remainder of the season. Family comedy spot is being dropped, guest stars will again be called to end. Frank Morgan's weekly warbles two songs where she did only one before. Ken Murray does a monologue in addition to his movie duties.

Jack Brunton, Coast radio head for Buena Vista, leaves Coast (Wed.) for New York to talk over the changes with Texaco and agency heads.

# Smith Names

Continued from page 30  
haven't been set and if suitable one is available the air will come. However, several 3000-Fox names may be used in original dramatic shows.

Guest lineup for three other editions of the show have also been set. April 19 stands will be presented from "Ladies in Retirement," with Flora Brown and other leads from the show at the Henschel Club. On May 3 changes will bring Vera Zetina and Richard Greene in from the coming picture, "I Was an Adventurer."

This Friday's (13) program will feature Bill Hildner and Dave DeWitt in an adaptation from "French Without Tears." Also on the same hour will be "The Madie Davis," with vaudeville comedy team, usually deleted on the air, will do a repeat appearance.

# JAY O'BRIEN DIES

Society Man Owns WINO—Paley Suggested He Buy Station

Pratt Beach, April 9. J. Jay O'Brien, 58, New York investment broker and owner of WINO, West Palm Beach, died at his winter home here of a heart attack April 8. O'Brien, who was a CBS stockholder, took over the station at the suggestion of William B. Paley who at the time described it not only as a good investment but something that O'Brien could personally supervise since he spends winters in Florida. O'Brien's widow, the former Mrs. Lane Hylan Hemingway Fleischman, is a major stockholder in Standard Brands.

# GENERAL TIRE'S REPORTED BUY OF WJW

Akron, O., April 9. General Tire & Rubber Co. and station WJW here declined comment today on a report that the sale of the station to William O'Neil, president of General, hinged only on approval by the Federal Communications Commission. Purchase price has been reported at \$60,000.

The station has been owned by James W. Ford for some years, and only last week Mrs. Edythe Fera Maynone resigned as manager after a year at this post. William O'Neil, who had been bookkeeper at the station, was elevated to the managerial post by the board. R. M. Warden, Akron attorney, is president of the station.

It is reported here that if General, one of Akron's large rubber concerns, goes the station, William O'Neil, Jr., son of the tire company's president, will be in charge of the station, and Jack Reed, former newspaper man, will be transferred from the tire company to the radio staff.

First act of the new management is likely to be an application for a power increase, followed by acquisition of a chain contract, probably Mutual.

WJW was to have been a link in Elliott Roosevelt's proposed Transcontinental network.

Monotone WADC, owned by Allen T. Simmons, who arrived here Monday, April 9, will push plan for a new studio and transmitter. Both WADC and WJW have been operating as stations of a proposed new station here of Bernard Berk. Berk recently received the green light from the FCC, but new protests denied further hearings. As soon as Berk gets the final OK it is said he will tie up with NBC.

If General Tire gets WJW and Berk his new station, it will be the first with strong competition among them.

# WCLE, CLEVELAND SEEKS NEW AIR WAVE

Cleveland, April 9. WCLE has filed an application with the FCC seeking permission to exchange frequencies with WCPC in Columbus. If plan works out WCLE will operate on 960 kilocycles and WCPC on 610.

Application also seeks increased power for the station. The station wants WHCK going on full time basis and WCLE adding three hours to present daily operating schedule.

# RADIO INDUSTRY EYE ON FEDERAL SPENDING POWER

Stevens College Consumer Rally Last Week Held Very Significant—Radio's 'Emotionalism' a Point of Attack—Denatured Copy Would Drive Away Sponsors, It's Feared

Increasing intelligence of the consumer group in putting radio on the defensive. Broadcasting's arteries are liable to be opened unless some kind of tabun, but there is no agreement about the best way of serving "public interest" and simultaneously safeguarding industry investments.

The problem has become more acute in a good part of the industry appreciation. Many far-sighted observers are frankly worried about long-range consequences, particularly in view of the fact that industry is being mapped out by the printing trade which is related exclusively in Vauxey.

Radio has been placed on the defensive, along with the advertising business, by the National Phillips philosophy about the under-fed, ill-nourished, and poorly clothed lower classes. The statistics and crumbers have made more headway than is apparent from the outside by hearing statistics on the necessity of increasing purchasing power of the masses.

Direct attacks are entirely likely against radio advertising as well as grounds. It is emotional and it builds up an artificial appetite. On the first charge, the industry obviously is very vulnerable, because the ear appeals as far as habitually concerned unemotionally and predominantly to the emotions, not to the intelligence mechanism.

Whole idea is similar to theories expounded by Stuart Chase, the writing committeer, who has incited modern business on many occasions for inspiring the people to buy things they don't really want, without need, which are of low quality.

These are no opinions that are in fact being determined. As is obvious from the remarking of Federal Trade Commission's Agricultural Adjustment Administration's overlooked Consumer's Division and the Federal Reserve Government unit. Generally, the Federal Government is mostly concerned with the consumer's welfare in relation to specifications, but there also is a substantial element that feels Federalism should be maintained, and that it can call 'general warfare.'

Now the idea is pushed. It may result in grief for radio. Obviously, any legislation stipulating that advertising should be placed in the hands of a speaker or printed should be strictly literal word hort broadcasters in general. Not to imply that a telephone patch is dishonest, but there is no question that the method of advertising is in the hands of the advertiser, and smokes involves putting emphasis on certain unvetted beneficiaries.

The industry watchers are convinced that advertisers would be unadvised to remove advertising from a bankroll and the listeners would turn a deaf ear if Congress specified that advertisements could be made from that Zipper breakfast food consists of corn in flaked form, rice that has been blown up, or wheat that has been blown up. The existing statute forbade any remarks about the muscle-binding powers of Zipper.

(Continued on page 31)

# Drastic New York City Copy Censor Plan Brings Hasty Organization Of Advertising Defense Group

Makes Good

Bernie London has finally got wholly and completely out of the CBS mailing room in New York headquarters. London has been with the network nine years, starting as an office boy. In the interim he has become a sports data expert and has worked with various advertisers and on accounts. But never got enough folding money out of it to justify quitting the mailing room.

But he makes the grade and will assist Walter Hoyt's new series for Avalon cigarettes.

International News Service scored an amazing radio blitz Monday night when at around 11:00 it furnished its network and local station clients with a dispatch that said the Nazi troops had crossed over into Denmark. The event found Transradio WJZ and WGB doing the Annals of Denmark. They were left, apparently, hoping that the INS flash wasn't a dud. It was not until about 45 minutes afterwards that U. P. and A. P. came through, and Transradio was considerably annoyed that there has been no group like it since Max Jordan's (NBC) break at about 11:15.

With Monday's shift to the war to Scandinavia the brass hub-bub of last September's war has been agitated around the network news department. NBC and Columbia stayed on the air until 1:30 a.m. Tuesday interrupting dance music with bulletins and foreign pick-ups while WABC, WEAZ, WJZ and WGB didn't shut down their transmitters at all. Unlike the untransmitted hours that prevailed last September, the war yesterday (Tuesday) were consulting their bulletin broadcasts to an hourly schedule only breaking in between time if the item was exceptional.

The New York dailies yesterday morning detected CBS as the original source of information that the Nazis had actually landed troops in Norway. This item came in a broadcast by Edward R. Roybal, who was in London, at 3 a.m.

Stations and webs are back at business with full-time match. Typical of the change overnight. Mutual has Raymond Swing doing five instead of three analyses weekly.

# JOE RIES WILL BE AT EXPO AGAIN FOR WLW

Cincinnati, April 9. Joe Ries, WLW educational director, goes to New York next week to warm up as director for the second time in season of Crosley's production from the World's Fair. Organization will again exhibit models of the latest electrical appliances and gadget auto.

As in 1939, the Crosley \$60,000 award will go to the AMF. The Fair 13-month program, with Ries as narrator.

David Crosier at AMP David F. Crosier is the AMP newly named will go to the AMF. The Fair 13-month program, with Ries as narrator.

Representatives from various advertising media, including radio, yesterday (Tuesday) looked to meet with the New York City Department of Health against the adoption of a regulation which would penalize any one disseminating deceptive food and drug advertising. The protest was made during a hearing held before Dr. William H. Best, deputy acting health commissioner. If adopted the regulation becomes effective July 1, 1946, and subjects any one found guilty of violating the measure to a fine of \$500 or a year in jail or both.

Support for the protest was heavily mounted last week after the Cleveland organization had discovered the proposed amendment and called the attention of editors in the radio, newspaper and magazine trades to it. It was found that counsel for the health department strongly favored the regulation since it would be able to hold the advertiser directly responsible and thereby make it impossible to go after the advertiser who might be out of state or in California.

It was disclosed by the health department that plans had been made of a department of advertising approval by any other municipal group.

Under the applying law the board of health has the authority to amend or cancel any advertising without approval by any other municipal group.

With Coca Cola slated to renew its Sunday transmissions after the another 33 weeks, the coming summer will have a record number of advertising spots in its distribution on the air. Pepsi-Cola is using a three-weekly news program over 111 CBS stations and there's Coca Cola with its Bob Ripley show on CBS Friday nights.

# SOFT DRINK AIR RACCS. BOOM

Of the major regional districts Dr. Pepper leads with half-hour weekly news program on WABC-TV. Station originates in Dallas.

Shuman in N.Y. Looking For KWFC Sales Rep Howard Shuman is in New York to appoint a sales rep for KWFC, which goes on the air May 15 at Mid Springs, Ark. He has contracted for a sales rep with the United Press and A.M.F. Managers while in town.

KWFC is on 1210, and will operate 250-100 watts under the joint ownership of Shuman and Clyde Wilson, Bureau of Broadcast Standards, all veterans of WWI and WW2. They intend to give all his time to the station. He is now lining up a staff. Jack Webster will be the program director.

# 'Voice' Back to Mutual

"Voice of Experience," Dr. M. Sayle Taylor is tentatively slated to go back on WGR-Mutual Monday May 1 for "Shades of Aschade" program. Show went off the same May 10th/11th. He will be on the air for several weeks. It will again have three 15-minute slots weekly and the agency, Wassy will handle the program.

# Plymouth Deal Covers Theatre-Radio Cash Giveaways, Detroit Curious

Detroit, April 9. Plymouth auto dealers Tuesday night's first theatre-radio quiz show from stage of Fox deluser and over WXYZ here. Program, which every Tuesday night for at least 15 weeks. With Dick O'Connell quiz quiz show is handling out \$500 in giveaways (\$120 to theatre patron, \$150 to radio listeners).

Both theatre and radio areas are watching the experiment with interest. Fox, town's largest theatre with 4,600 chairs, experiences many up-and-downs at the boxoffice because of Clear A film shortage. In the past decade has failed to draw 'em in consistently and since dropping of fresh couple years ago house has run into plenty of trouble with double feature, often of the Class B variety. On the radio side, local quiz show hits come just as WJZ drops local airing of Tums 'n' of Gold show. Detroit News attention recently gave cancellation notice to NBC-Bed on Tums program. Manager W. J. Berke declaring that show is not in public interest. WJZ also no longer carries Tums Tums Tums' quiz show for Lakeside Broadcast Co., which has originated in station's radio theatre and highlighted T. Ryan, vet sportscaster.

## 'Ballroom' Option Pickup

NBC's spot campaign using the "Mable-Believe Ballroom" idea will likely be reserved for another 13 weeks, beginning the second week in May. Approval of the extension is expected from the account by McCann-Erickson within the next two weeks. Program, which uses Victor records exclusively, is now on 19 stations.

## NO LOTTERY FACTOR INVOLVED—GOODMAN

New York. Editor, VARIETY: The March 27 Varsity carried an article on a program produced by us, in which it was stated that the telephone company officials in Texas ruled out the game, in this instance sponsored by Pepsi-Cola, even under the heading of a lottery. We should like to explain the facts. The telephone company never, at any time, stated our game was a lottery. The General Counsel said he did not believe it, but he indicated that he did not know how to interpret the term "gift enterprises," which an article in the Texas Constitution prohibits. He pointedly, monetary or otherwise, was over written in the law, so essentially, it is no law at all.

This program has been on more than 40 stations since 1937, and no station ever has been a lottery. We have had the game before most of the radio buyers in Washington, and they have no objection to it. In addition, Post Office officials in Washington gave us permission to use the mails. The program was also approved by the attorneys for Pepsi-Cola before we started to broadcast for them.

There is no element of chance in our program at all.

Harry S. Goodman.

## ED CASHMAN LEAVES CBS AFTER 9 YEARS

Ed Cashman, director of several CBS musical programs, has resigned and is departing for another spot. Phil Cohen replaces him on "Concert in Rhythm" and Al Rinker takes over on "Ray Block Presents" and "Al Bernard's Merry Musical Men." Before becoming a musical director, Cashman had held posts in various departments at CBS. He had been there nine years.

## JOHNSTONE LOOKS SET

WON Official Pretty Sure To Head 'Democrat' Radio

O. W. (Johnny) Johnstone, publicity and special events director for WOR, Newark, has been offered the post of radio director in the Democratic National Committee. It looks set. Only time open between them is the matter of salary. It there's a deal Johnstone goes on the payroll of the committee May 1. Job would require him to shuttle between Washington and New York City. Before joining WOR Johnstone was with NBC for over nine years as manager of the press department and assistant to the president.

## Radio Game 'Has Dailies' Ad Hook-Up

Richmond, N. Y., April 8. Wegman's local chain food store here is running a six-week WBAV with "Buried Treasure" program advertising in with stores' newspaper ad. Listeners must have copy of ad from the Democrat and Chronicle or Times-Union to play the game. The program was also advertised article and first one phone calls are being made. Advertising article gets \$5 prize. Other prizes are \$2, \$1 and merchandise. Similar prizes for 100 calls based on status in ad.

## KEN CARPENTER OFF NBC AFTER 10 YEARS

Chicago, April 8. Ken Carpenter, formerly sales manager for NBC Central division here and recently in charge of promotions for the NBC-Blue, has resigned.

Carpenter had been with NBC for about 10 years, and was replaced as sales manager of NBC division here by Harry Kopf some 18 months ago. At first Carpenter continued in charge of NBC-Blue sales but lately Kopf took over supervision of the red and blue with Carpenter devoting time to blue network presentation material.

## Joe Gentile's Concert Party

Detroit, April 8. CKLW's "Happy Joe" Gentile has organized a concert party from members and in scheduling personal appearances. Gentile emceed since by Tony David, Ralph Bings, Wally Townsend, Bill Lewis, Bobby L'Heureux and boys from studio band.

Marianne Val Clare and Budd Lynch, both of CKLW, are arranging a show for the Masonic Temple here in which Detroit's students of Notre Dame University will perform.

# WSAL, WFIL GET CANADA DRY PLAQUES

WSAL, Cincinnati, has won the silver plaque, and WFIL, Philadelphia, the bronze plaque in the Canada Dry Contest. The judging occurred last Thursday (4) in the New York offices of the J. M. Mathes agency. The four judges were William S. Brown, of Canada Dry; Sam Wingfield, of Mathes; S. Barrett McCormick, of W. P. Schaefer; and Robert J. Lowrey, of Varsity. Silver plaque carries \$200, the bronze plaque \$25, the certificate \$15 for station exec handling the promotion. The full list of Canada Dry awards follows:

- Silver—WFIL, Cincinnati
- Bronze—WFIL, Philadelphia
- Certificate—WABC, Syracuse
- Bronze—WJAB, Albany
- WABC, Edmonton, Alberta
- (\$100 each)
- WNK, Cleveland
- WPHS, Memphis
- WVBC, New York
- KYOK, Oklahoma City
- KOKO, Ft. Worth
- WVBC, Pittsburg
- WAVE, Louisville
- WVBC, San Diego
- WVBC, Wausage
- WJIM, Lansing
- Reservable Mentions
- WBAL, Baltimore
- WHAM, Rochester
- WBR, Buffalo
- KEO, Des Moines
- WNY, Cedar Rapids
- WRN, Lawrence, Kansas
- WVBC, Hartford
- KVOD, Denver
- WAGA, Atlanta
- KIDC, Boise, Idaho
- WIRE, Indianapolis
- CFCT, Montreal
- CFBC, Grand Prairie, Alberta
- CFAC, Calgary, Alberta

## Loughran to Transamerik; Gruenberg Mega 'Storm'

Paul Loughran, director of "Against the Storm," gives up the assignment this week and goes to Transamerik, where he'll direct "Life of Mary Southern" and "Man I Married." He'll be replaced by Axel Gruenberg, currently directing "Affairs of Anthony" out of Chicago. Both "Storm" and "Anthony" are scripted by Sandra Michael. Gruenberg's successor on "Anthony" isn't set.

## Ed Foreman Reps WEED

Chicago, April 8. Ed Foreman has been appointed eastern representative for WIND by Mutual. Appointment becomes effective next week.

# KFBK Broadcasts More of the Twenty Top Rated Daytime Serials in Rural Areas Between 9 a.m. and 6 p.m. than any Other High Powered West Coast Station . . . .

Top Rating Shows in Rural Areas:	KFBK Sacramento	Station A 50,000 Watts	Station B 50,000 Watts	Station C 50,000 Watts
Mae Perkins	Mae Perkins	Mae Perkins	Mae Perkins	
Guiding Light	Guiding Light			
Bachelor's Children				
Women in White (not on coast)	Pepper Young	Pepper Young	Pepper Young	
Stella Dallas	Stella Dallas	Stella Dallas	Stella Dallas	
Backstage Wife (not on coast)				
David Harum	David Harum			
Mary Marlin	Mary Marlin	Mary Marlin	Mary Marlin	
The O'Neills	The O'Neills	The O'Neills	The O'Neills	
Hilltop House				Hilltop House
Plain Bill	Plain Bill			
Big Sister				Big Sister
Road of Life	Road of Life	Road of Life	Road of Life	
Girl Alone	Girl Alone	Girl Alone	Girl Alone	
Joyce Jordan				Joyce Jordan
Kitty Kelly				Kitty Kelly
Aunt Jenny				Aunt Jenny
John's Other Wife	John's Other Wife			Myrt and Margie
Myrt and Margie				
Vic and Sade	Vic and Sade	Vic and Sade	Vic and Sade	

KFBK BROADCASTS MORE HOURS OF STRICTLY RURAL TYPE ENTERTAINMENT THAN ANY OTHER HIGH-POWERED STATION IN THE 11 WESTERN STATES.

- Here Are Some of Them:
- THE MADDOX FAMILY AND ROSE
  - YODELLIN' JOHNNIE
  - FANEEL NICHOLSON
  - HAPPY GORDON'S RANGERS
  - TONY KOESTER

## (FACTS ABOUT BALTIMORE)

RESERVE spending power in Baltimore: One-third of the Bank Deposits of \$669,976,836.00 is in Mutual Savings Banks!

More than two hundred million dollars is lying in the savings banks of Baltimore. Those depositors can draw out their money any time they want—and they do draw it out when they want to buy something badly enough. Your advertising can turn "reserve" spending power into actual sales!

Make your advertising investment in a growing market. Be Baltimore's "first choice" radio station.

# WEAVER BALTIMORE

National Representatives  
EDWARD PETER & COMPANY

ON THE NBC NETWORK

# 'CAN'T GET THE PITCHING'

## SO SAYS TRADE ON TELEVISION

Much Pessimism as to Motivations and Objectives as Second Hearings in Three Months Open in D. C.

### FLY VS. CRAVEN

Since the Federal Communications Commission summarily struck out two weeks ago at the Radio Corporation of America over the latter's now-dropped-in-the-bud campaign to sell television sets, the trade has burned with speculations as to the motives of the leadership, the personalities of the dramatic development. Both RCA and the FCC have opened the intervention, the personalities of the dramatic development. Both RCA and the FCC have opened the intervention, the personalities of the dramatic development.

As events crystallized last week, the actual issue of the 25,000 television sets RCA had proposed to sell the public became more definite in a struggle of vastly importance. Business, as such, and Government regulations, as such, were sharply focused. Businessmen were stunned by the implications of the FCC's action. As they viewed the action this week, they were shocked. The FCC's action was one of the most drastic extensions of control ever attempted by Washington officials. Politicians, too, quickly noted that the episode had dramatic characteristics that would further irritate the Business-Government situation in an election year. It was thought that the episode would affect the volume of campaign contributions to both parties.

The position of the Columbia Broadcasting System in television politics came in for some attack. CBS has been stalling for three years on television and apparently proposes to stand until it thinks the time is ripe. CBS would like to have RCA's hand forced on any further gadgets which RCA engineers have either perfected, or may shortly be expected to perfect. With television-by-projection (well a few years ago, the same thing) thought to be the probable future trend, and with other television another future possibility, it would suit CBS to have all these refinements incorporated in the very first set on the market. The FCC could greetlight its own television protection and enter the fray eventually with RCA-NBC. It is no secret to anybody in the trade that this standing by to let RCA carry the ball and take, at now, the FCC is the cause of considerable bitterness among RCA-NBC officials.

RCA's interrupted campaign to sell television sets had been preceded by a substantial reduction in former retail prices and a decision to give an immediate cash discount equal to the price cut to anybody who had purchased a set since last April. There were also to be other guarantees. RCA evidently considered, and businessmen generally concurred, that the terms were generous. The FCC step tipped RCA officials back on their heels.

#### The Hearings Begin

Washington, April 8. Further hearings on television licensing policy got under way Monday (8), with assurances that the FCC is "not conducting a trial," and in the face of indications that the Senate may formally ask if the regulators possessed the power to suspend the recently-admitted campaign solely because a majority did not like the receiver-tuning campaign launched by RCA. Sessions are covering much of the same ground, with several days of repetitious testimony apparently inevitable.

The second quiet in three months opened while controversy still was raging about the circumstances in which Chairman James L. Fly ob-

tained time to discuss the subject on the air Tuesday (9) and in the wake of Commissioner T. A. M. Craven's assertion that the majority's course is "sound" and wholly without justification.

Chief accomplishment the first day was Fly's obtaining of an admission that RCA does not question the regulator's right to investigate any facts relating to the manufacture or sale of receivers. While there was an unmistakable conflict between the Chairman's views as reflected in his radio address six days before and his questions at the hearing, Frank Womersley and Marion Davis, counsel for RCA, opened the door for an unprecedented type of inquiry. Judge Davis said RCA is not challenging the propriety of the new hearing, so that the Commission in effect in-

stalled the chief defendant into the position of giving a green light to see what effect sales policy has on operations. Fly inquired early in the proceeding whether RCA was objecting on the grounds of jurisdiction, and drew a negative response from Womersley.

#### Dubmont on Stand

Aside from this turn of events, the other highlight was a statement by Alan B. Dubmont that since the last hearing he has virtually perfected his system so that a single set can be used to pick up both 625-line pictures and the 441-line views that would be pumped out with the system advocated by the Radio Manufacturers' Association. He claimed great progress in recent interlude, testifying he is virtually ready to

go into production with a versatile type of receiver.

Fields on which his new system can be adjusted at nominal expense to keep pace with improvements, Dubmont testified. Alterations to conform with any different standards discovered, at least until Jan. 1, 1942, can be made for around \$2 a receiver, since the upper limit of 625 lines is just inside the present band. Manually-operated switch would shift the receiver from the RMA to the Dubmont system.

While Fly assured the participants that the Commission does not even contemplate laying down sales rules, some of the observers were notified by questions shot out by Commissioner Fred L. Thompson. Particularly inquiries reflecting fears that the market may be quickly saturated,

thus placing an automatic stop on further research and freezing the art at its present level.

Dubmont received some rather rough handling from Womersley, who trotted out a year-old advertisement in which he announced that television is here. The independent in effect told the Commission it would be in accordance with public interest to lay down transmission standards now, so long as it is his standards that are placed in effect. His claims provoked sharp questioning by the RCA attorney, who also incited the Commission to accept for the record a newspaper editorial containing some oblique criticism of the regulators.

Deep-seated disagreement within the Commission came to light Saturday. (Continued on page 27)



SHERIFF BRANCH is Technical Advisor and Assistant to Mr. James D. Shuman, Vice-President in charge of Broadcasting of the Crosby Corp. Branch's wide experience and technical background have made his services invaluable in an organization where so many technical projects are continually under way.

## ...of Mikes and Men

Today's time buyer is as much concerned about the quality of a station's signal as the space buyer is about the quality of a publisher's printing. Because WLW's signal is as near 100% perfect as it is humanly possible to maintain, time buyers will be interested in the technical organization responsible for this achievement.

More than 60 highly trained engineers—each specializing in a certain phase of radio transmission—are on the WLW staff. Working in their own well-equipped research laboratory, they are constantly

alert to changes and improvements. As a result, the WLW engineers have contributed many advancements to the technical art of radio broadcasting.

Consider WLW's high technical efficiency when planning to advertise to the Middle West.



A. M. McDONALD (right), Assistant Technical Supervisor, discusses with Engineer Howard Leppel a construction drawing of development work on Crosby's new 50,000 watt international short wave transmitter, WLW-1, created in its entirety by WLW engineers.

# WLW

NATIONAL REPRESENTATIVE: TRANSMEDIA ROAD-GATING & TELEVISION COOP. — CHICAGO, NEW YORK

# Washington Attaches Significance To WRTD, Richmond, Hearings; Network Angle Seen Lurking

Washington, April 9.—Broadband attempt of the F.C.C. to establish the philosophy that government supervision of chain-affiliate relations in the public interest—without bothering to adopt the special regulations, authorized in the 1935 statute—is seen in sudden order for further hearing on the application of WRTD, the Richmond Times-Dispatch outlet, for a regional frequency. Matter that may become another 'same ole' is set for re-opening May 6.

With at least a vociferous minority antagonistic to networks, the Commission's unexpected move looked like a good many industry observers like an ingenious attack on the right of licensees to contract for web programs and a plot to stretch the public interest, convenience, and necessity clause in an unprecedented point. Most excitement resulted from one phrase in the first issue to be threatened out. While many other questions of importance were listed as due for ventilation, the most of the document appeared to be:

"Whether the license for the station, the frequency authorized to be used thereby, or any right granted therein has been transferred, assigned or in any manner disposed of, directly or indirectly, by the applicant to any person without previously securing written consent therefor from the Commission."

Great significance was attached to this part of the notice because of the attitude of Chairman James L. Fly at a recent argument on WRTD's plea for permission to boost power from 100 watts to 1 kw and shift from 1880 to 180 kc. Although the Commission leased preliminary findings that were in effect a tentative approval, Fly was horrified when he found out there was a remote relationship between the ap-

plications and the station's affiliation with NBC Blue. Stress was laid by counsel for rival attorneys on the newspaper's promise to render a sensitive local service, with the F.C.C. head indicating he felt that the Times Dispatch has duped the public and the government by signing up with the network.

Along this line, the Commission also gave as reason for additional scrutiny the necessity of finding out whether the character of the program service actually rendered conforms with the proposed program service originally represented to the Commission and of determining furthermore "what changes, if any, in program service will be undertaken if the application is granted."

The Richmond situation has been full of sharp angles for several years, while the WRTD request for better facilities has been on the grill for well over two years. Opposition to the added wattage and other changes came from WRVA and WMBG, which have been embroiled in the violent fighting over many months. At one stage, WMBG owners protested that WRVA, owned by the rival News-Leader, violated promises to produce an exceptional type of educational and cultural service and the Commission laughed that protest out of the docket.

## BOB LYLE WITH LAUX

St. Louis, April 9.—France Laux, chief gabber at KMOX, will have Bob Lyle, son of the v. p. of the Cards as his aide in the airing of major league baseball here. Lyle, who spent five years in right fielding in Texas, came to KMOX six months ago.

He replaced Cy Casper who has been shifted to his own 10 minute slot on the station's early a.m. "County Journal" program.

## NBC TOURS SALESMEN

Many Towns Visited For 'Breakfast Club' Negotiations

Chicago, April 8.—NBC has been peddling its new "Breakfast Club" show which originates in Chicago. Harry King, general sales chief here, has sent members of the staff to points east, west and south to bid local NBC stations to closing deals.

E. R. Beroff last week was in Memphis, E. King in St. Antonio and Houston, M. R. Schoenfeld in Toledo, John McCormack in Dayton, and Harry King in "Breakfast Club" sponsorship on WCTN, Minneapolis-St. Paul, has already set to Monday-ward, which is taking six full hours weekly.

## HARRY WILDER, JR. DIES IN ACCIDENT

Palm Beach, Fla., April 9.—Harry Wilder, Jr., 20, son of the head of WYFL, Syracuse, was killed while riding a motorcycle (4) on Saturday crashed into a parking truck near West Beach. Young Wilder had been recovering from a serious operation for the past several months recovering from a series of internal operations occurred early in the morning he was driving home from a visit to a friend.

Besides his parents, a sister, Nancy, 18, survives. Burial will be in Syracuse Thursday (11).

Syracuse, April 9.—Young Wilder was on route to West Beach, where he had been staying at the home of his grandfather, Mark E. Wilder, when the fatal accident occurred.

Immediately after the victim's father was notified, his uncle, Dr. Charles H. Miller left for Florida in a chartered plane. Death was instantaneous.

## Troy Start Delayed

Troy, April 9.—Death of Harry Wilder, Jr., Sunday in Florida automobile accident has caused postponement of start of WYFL WTRY.

Starts broadcasting April 18 instead of tomorrow (11).

## COURT HEARS MOTIONS

Alonso Beers Cole vs. Phil Lord Gets Pleadings

Cross motions by Alonso Beers Cole and Phillip H. Lord, Inc., will be heard in N.Y. supreme court today (Wed.). The defendant corporation has requested a writ to suppress evidence at the trial of the suit, and Cole will seek to examine the books of the inc.

The plaintiff, a writer, actor, and producer, is seeking \$25,000, claiming he was commissioned to write "Backstage" or "Mr. District Attorney," or "121 Centre Street," to the defendant who sold it to Lord & Thomas. The answer consists of a general denial, and a statement that Cole was paid all that was due him.

## CBS Production Shifts

Recent assignments at WABC, New York, bring the following announcements to CBS show:

John Red King started this week on Society Girl's five-a-week daytime serial.

King and Jack Knell handle the Sinclair Hopkins foreign news series thrice weekly.

Jackson Wheeler goes on "March of Glades" and "Purges of Hoppings," both Sunday airings.

Warren Sweeney last Sunday (7) started on 20 Years After the Victory "Muck," which moved forward to 8:30 p.m.

Bill Bacher Plans East Hollywood, April 8.—Bill Bacher is flying east today (Tuesday) on fall radio deal.

Also making production tie-up to do three operettas on Mutual network for Col. Robert McCormack of WGN, Chicago.

Paul Kennedy Hooper, writing Cincinnati, April 8.—Paul Kennedy, radio editor of the Ciney Post, was married here Saturday (4) to Martha Elizabeth Combs national publicity director for the Kappa Kappa Gamma society. They are honeymooning in New York.

## Advertising's Fees

Continued from page 23

plan, the alum rating capacity of stations and the quality of advertising qualities of Put-Put gas, the industry thinkers see a devastating challenge of sponsor money.

Syracuse College Rally

The problem was emphasized last week by the Syracuse College budding under canvasser of the Institute of Consumer Education headed by Alfred H. Sloan, the General Motors magnate. Further parades are being made with the Better Business Bureau scheduling a session to exchange views on fair, misleading and unwise advertising.

Fending Johnson bill outlawing any liquor advertising is symptomatic. While the K.A.B. is on a record as disapproving acceptance of plugs for hard liquor distillers who have been kept away from most microphones ever since prohibition disappeared even when the matter is only a question of the sponsor, it is feared that carried to a logical conclusion the issue behind the legislation would hamstring the industry.

The Stuart Chase concept is rejected by the industry because that people are led to buy things they do not need at the sacrifice of countless human lives. Also by the peddlars who retreat into a deniered veil and posture that he done about lifting the general American standard of living. The "thinkers" believe the solution to what they regard as a great economic-social problem would be to force all advertisers to state their propaganda to bare statements of contents or characteristic of the product. Blue-rooms, of course, don't want certain articles mentioned in any way, notably drinks and smokes.

## Order Warns Yeard Down

Washington, April 9.—High-sounding phrases concerning the legislative effects of "Morning"-old-time eye-drops which have been widely advertised as a cure for eyestrain, irritation and other ailments of the eyes—were condemned last week by the Federal Trade Commission in a complaint giving the respondent 30 days in which to answer the charges.

Radio and other advertising indulged in by the Murine Co., Inc., of Chicago, will have to be toned down in the future if it is to dodge a second-order from the FTC.

## 'Ideas' Camped for Summer

"Adventures in Ideas," weekly 30-minute scientific lecture series over WNBC, New York, goes off after next Sunday night's (16) broadcast. "Symphony Hall" now heard six nights a week, will fill the vacancy by going on seven nights a week.

Outside chance that "Ideas" may return in the fall for a third season.

# KEN BOICE'S LETTER TO STATIONS

Ken Boice, the new executive vice-president of the projected Transcontinental Broadcasting System, is making a new type of contract from the stations which originally affiliated themselves with the venture. Boice clearly urges the stations to give him a quick answer because the time is fast approaching when the national political campaign committees will be placing considerable political bets.

Boice stipulates that Transcontinental must have (1) a certain number of free hours to help defray line charges, (2) a rate on additional hours that will give the network a return to further cover the cost of line and operating expenses, (3) an option on a specified number of hours on (4) and (5) guarantee as to any fixed amount of sponsored or unsponsored program. In this respect, the letter states:

"While we fully realize the importance of a strong sustaining program service, and we expect to furnish satisfactory sustaining service after we get rolling, at the start it may be impossible to fill all needed time with sustainers, and we cannot guarantee it."

Boice also writes that he feels that it will be impossible either to interest new capital or to sell network time below the CBS rate purchase time from the stations on this basis.

## SAM COOK OF WFBL HEADS SYRACUSE ORG.

Syracuse, April 9.—Samuel Cook, president of WFBL, has been elected president of the Syracuse Chamber of Commerce. He's former newspaperman, having been sports editor of The Post Standard some 30 years ago.

Later he became graduate manager of athletics at Syracuse University and held the post for five years.

## Hobo Dean Located

Buffalo, April 8.—William Turner, 51, self-styled 'dean of American hobos,' stepped into Dunbar (N. Y.) police station to ask a night's lodging and get a spot on "We the People" instead. Dunbar they had been asked to watch for Turner since he last visited Dunbar months ago.

Earlier John Warren contacted the sponsor. Baid he was told the aged road knight would be spotted on the show two weeks hence.



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**W A S**

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**W A S**

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**Advertising Preparation**

**VARIETY**

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**NEW YORK CITY**



# FCC X-RAYS DETENTIONERS

## CLINICAL FNITS COMPLETE CHECK

**Commission's New Questionnaire for Would-Be Broadcasters Is 42 Pages Long and Plenty Inquisitive—\$1,000 to \$2,500 Cost of Research to Fill in Spaces**

### ON PAR WITH SEC

Washington, April 9. The glad days are over, the mad days have begun in American broadcasting so far as the Washington end is concerned. If there was any doubt about this the Federal Communications Commission has dramatized the dawn of the new era with the unveiling of its new 42-page questionnaire for would-be broadcasters. The document is exhaustively intimate. Like a doctor's X-ray investigation the FCC penetration reveals all, including bad teeth, incisions and penile blemishes.

Revised blank, which is stirring up resentment that will give a tremendous shove to the pending Logan-Walter administrative law bill, has been termed more difficult to fill out than registration papers for the Securities & Exchange Commission or any petitions to the Interstate Commerce Commission. Both of these other outlets have been re-

garded as the most inquisitive government regulatory bodies. Chief concern at the moment is whether every pending application must be re-submitted on the new form. So far the Commission has not decided whether additional data will be required from all of those who have gone through the initial stages, although the Engineering Department is calling for more information than was necessary before.

The cost angle is of great importance. Lawyers with wide experience before government bodies estimate it will cost from \$1,000 to as much as \$2,500 to comply with the Commission's demands. That is before the papers even are submitted. And since the FCC never hesitates to shoot the documents back whenever initial inspection shows they are defective in some detail, the expense may easily be a good deal more.

The time element also must be taken into consideration. Painstaking investigation and record-searching becomes unavoidable. In addition to the time that must be spent by sponsor of the application, the Commission staff naturally will have to devote far longer periods to checking the papers and seeing that they contain all the information demanded.

Most worrisome aspects of the new form is series of questions about finances, control, and identity of the promoters. The commission has delved far down the line, calling for deep details on any relative—there apparently is no limitation on the degree of kinship—and even about former associates of the applicant who have any interest in or connection with this application, the station involved therein or with any other radio-broadcasting station. More crystal ballers say the language is so

broad that applicant could be accused of perjury if he failed to mention that his third cousin is an announcer for some station hundreds of miles distant. How any prospective broadcaster is going to know what interests some business associate of years back now has in a going transmitter is beyond the imagination of the industry leaders here. Help of the F.B.I. would be necessary to check every angle touched by such a broad interrogatory.

Commission is not satisfied merely with statements about the present financial responsibility of applicants. It is mandatory now to furnish statement showing both the amount and the origin of "all yearly income" over a period of four years and to demonstrate in connection with the balance sheet "the original source of each asset, the length of time owned, and, other than cash, the basis of value therefor."

### Network Relationships

As outgrowth of the chain memorandum quit the growing concern about relations between affiliates and networks, the Commission demands far more complete disclosures about the prospective operations and the corporate set-up. Applicants must give a full statement concerning any "substantial interest"—meaning 20% or more—they now have or ever have had "in any business or financial enterprise." The FCC also wants to know in full about the "character of any other business engaged in and the nature and extent of the interest or relationship."

In connection with the commitments or understandings, the Commission wants specifically to know whether the applicant has specified that—in event he signs up with a well—he will be free to exercise "the right to determine at all times what programs shall in the public interest

be broadcast." All correspondence with words must be submitted.

Whole hole of dope is required in connection with possible litigation. If the applicant is or has been involved in a suit concerning property in the communications field, he has to go into great detail about his alleged or actual offense. Moral turpitude is considered by the FCC to be part of its concern, so that the blank calls for statements if any applicant has been convicted of a crime under this head or of any felony, no matter how far removed it may be from the business of running a radio. Apparently anybody who has been on the receiving end in court will have at least one strike against him when the Commission gets around to pondering his ability to serve "public interest, convenience, or necessity."

Similarly about his financial record. Historical research will be necessary to tell the Commission whether any parties have been defendants in bankruptcy suits, while one question asks if "any other suit or proceeding of any character" ever was brought against the applicant.

In trying to smoke out hidden owners, the Commission is digging deeply into parent corporations. It is not enough to tell that some other corporation holds a controlling interest in the applicant. Details must be supplied about "the character of business," the amount of stock outstanding, and the financial interest of each stockholder with 10% of the securities of the holding company.

The applicant corporation likewise must give the FCC far more dope about itself than ever required before. Besides the customary data about the officers and directors, the blank calls for statement of stock ownership of every individual, if there are not more than 100 ground-floor occupants; if more, disclosure

must be made about the 10% owners. Financing plans furthermore are subject to comprehensive FCC scrutiny. The questions are so far-reaching as those asked by the Securities & Exchange Commission, so that any enterprise likely to peddle stock publicly has to duplicate the whole job required under the SEC laws. He must tell "the full purpose" if he intends to market any securities, explaining how the transaction is to be handled and the returns and considerations anticipated.

With the regulators showing lively interest in debts, accounts, and program arrears, the blank contains many novel questions about business policies. Despite the statement of the United States Supreme Court that its powers are extremely limited in this regard, the FCC calls for "copies of all contracts or agreements, express or implied, and all other legal instruments existing or in contemplation which now or in the future may affect (1) ownership, (2) control, (3) operation or (4) which may grant to any party a right or interest in the station." Oral conversations must be described in great detail. This is considered so broad that an applicant who has talked with a network about possibly becoming an outlet years in the future will have to relate all of the discussion.

The engineering part of the new form is virtually twice as comprehensive as the blanks previously used. An expert engineer will be imperative, attorneys say, to give the information which the regulators demand. No lawyer with a smattering of technical knowledge or run-of-mine station operator can supply the answers. Cortly and intricate maps must be prepared—the same sort of article that would be a exhibit in a hearing-for submission along with the applicant, while aerial photographs also are desired.

**WBBM  
CHICAGO  
50,000 WATTS  
CBS**

**Unchallenged first**  
**in this ten-million-**  
**population market.**

For more information about WBBM, one of the nation's CBS 50,000 watt stations, inquire of Radio Sales: New York, Detroit, St. Louis, Charlotte, N. C., San Francisco, Los Angeles

MIDWESTERN KEY STATION OF THE COLUMBIA BROADCASTING SYSTEM

# Ohio State Radio Meetings

Columbus, April 9  
 Program for the Institute for Educational Radio sponsored by Ohio State University, will be the most comprehensive in 11 years of existence. It encompasses the new importance of the subject. Sessions will be held April 29-30 and May 1 at the Doublet Walker hotel and on the university campus. Complete program, after revision, is as follows:

## Monday Morning

8:30-9:30—*Radio in Education*. Ohio State University, Ann Weinstone of the University of Wisconsin, and one conducted by Emma Brown in the presence of the speaker.

9:30-10:30—*Radio in Education*. A series of four American Nationalities of Radio Educational Radio Program.

## Mon., Tues. Afternoons

Chairs and Work-Study Groups I

## AGRICULTURE BROADCASTS

John F. Baker, Jr. and Department of Agriculture, Columbus, Ohio  
 1. Problems of planning and scheduling.  
 2. Radio in Agriculture.  
 3. Radio in the Home.  
 4. Radio in the Classroom.  
 5. Radio in the Field.  
 6. Radio in the Community.  
 7. Radio in the State.  
 8. Radio in the Nation.  
 9. Radio in the World.

## SCHOOL BROADCASTS

Headed by Kent Decker, Radio Director of Chicago Public Schools  
 1. Radio in the Classroom.  
 2. Radio in the Home.  
 3. Radio in the Community.  
 4. Radio in the State.  
 5. Radio in the Nation.  
 6. Radio in the World.

## RESEARCH IN EDUCATIONAL BROADCASTING

H. H. Hattie, Jr., Research Manager, NBC, chairman

## IV BROADCASTS FOR GENERAL EDUCATION

Marcel H. Kappeler, national director, Bureau of Broadcasts and Education, Ohio State University, chairman  
 1. Radio in the Classroom.  
 2. Radio in the Home.  
 3. Radio in the Community.  
 4. Radio in the State.  
 5. Radio in the Nation.  
 6. Radio in the World.

## PUBLIC SERVICE BROADCASTS

Walter J. Brown, radio Director, University of Wisconsin, chairman

## CLINIC: MUSIC APPRECIATION BROADCASTS

Alton G. Stone, research associate, National Educational Broadcasters, Ohio State University, chairman

## CLINIC: SCIENCE BROADCASTS

Leslie Andrews, chairman program committee, World Broadcasting Foundation, Boston, chairman

## Monday Evening

(Sections on Special Problems)  
 1. Adult Education by Radio.  
 2. Radio in the Home.  
 3. Radio in the Classroom.  
 4. Radio in the Community.  
 5. Radio in the State.  
 6. Radio in the Nation.  
 7. Radio in the World.

## Tuesday Morning

Documentation of the utilization of a radio in the classroom.  
 Harold Alberty, director University School Ohio State University, chairman

## WHAT PUBLIC WANTS TO HEAR IS — THE MAYOR

Salt Lake City, April 9. The Mayor Report, a 15-minute program, is the first program to be put on KBYL as a result of the efforts of the KDYL Listeners Panel on advisory group recently formed to find out what the public actually wants to hear. Panel is composed of some 30 listeners made up of ministers, truck drivers, engineers, hotel managers, clubmen, school teachers, school principals, P.T.A. members and housewives.

## Additional Meetings

Monday Educational directors of 115 schools are serving in the "What Public Wants to Hear" program. Panel is composed of some 30 listeners made up of ministers, truck drivers, engineers, hotel managers, clubmen, school teachers, school principals, P.T.A. members and housewives.

## Tuesday Evening

John F. Baker, Jr. and Department of Agriculture, Columbus, Ohio  
 1. Problems of planning and scheduling.  
 2. Radio in Agriculture.  
 3. Radio in the Home.  
 4. Radio in the Classroom.  
 5. Radio in the Field.  
 6. Radio in the Community.  
 7. Radio in the State.  
 8. Radio in the Nation.  
 9. Radio in the World.

## Wednesday Morning

H. H. Hattie, Jr., Research Manager, NBC, chairman

## Wednesday Afternoon

Documentation of the utilization of a radio in the classroom.  
 Harold Alberty, director University School Ohio State University, chairman

## The Wonders of Radio

Detroit, April 9. Vivian Pollock, radio public relations officer without a hitch Saturday (8) after C. C. Bradner, WJZ's vet manager, had come to rescue of Shirley Mae Pollock, one of the bridesmaids.

Bradner appealed to listeners of his "Brides' Last Wednesday" after Shirley Mae had lost her bridesmaid gown while returning from the alteration shop. Helen Wheeler, another Groom's friend who had picked up her dress had left from Miss Pollock's car, heard Bradner's appeal and returned gown. Loss of dress had caused a problem, because it had been created by a New York shop especially for the occasion and it would have been impossible to provide a substitute to match other brides' gowns quickly enough.

## UTAH UNIVERSITY HAS NEW SERIES ON KSL

Salt Lake City, April 9. University of Utah begins (11) a series of educational half-hour over each week. Series will be under the jurisdiction of the KSL production staff.

Other educational shows on KSL are Today's Children, Tomorrow's Adults, released by the P.T.A. in conjunction with the extension division of the University of Utah and the State Department of Education; Up and Down the State, a music appreciation program sponsored by the Junior League of Salt Lake City and the Department of Public Schools; as well as Sunshine Express, a program of educational talks and interviews planned primarily for school-age children and conducted by a staff of Altan Hodgson.

## REVISED FORMAT

The Musical Cruise Becomes the Musical Flight

Cleveland, April 9. Marshall Drugg, operator of 49 chain stores in greater Cleveland, has launched new "Melody Cruise" over WCLE. The half hour show previously serving as "Melody Cruise" is now being broadcast by the Interstate Agency which is handling show has changed main theme from a musical cruise to a musical flight. The show is being broadcast in cooperation of major airline operating in Cleveland.

Alton G. Stone, WJZ-WCLE chief announcer is picked as pilot with Evelyn Sawyer of Interstate acting as stewardess. Audience will be treated to music cruise to destination via a push button radio in the robes of giant transport plane setting. Show plans to use real pilot and stewardess from time to time. "Melody Cruise" is set for 26 weeks with daily nine a.m. spot.

Beverly Williams, daytime radio chief for Burbank & Ryan, away for several weeks.

# GEORGIA AIR AWARDS A LA OHIO

Atlanta, April 9. A new plan for radio activities will be established here by the Georgia Foster Penobly award. Loubin Kay, former general manager of WJZ, has promoted the idea and the National Association of Broadcasters has endorsed. First award may be made in 1941. Ohio State University has been making educational awards several years ago but the proposal is expected to be wider in scope.

Several years ago Kay was appointed to head a committee for the NAB to investigate the possibilities of providing national educational recognition for public service radio.

According to tentative plans, the awards would be announced and bestowed publicly by the Regents of the University System of Georgia and by other outstanding Americans who have demonstrated interest in public affairs, and who also by position and achievement are prepared to evaluate the contribution of radio stations and networks.

The membership of the Advisory Board would consist of the chancellor of the University System of Georgia and 11 other outstanding Americans who have demonstrated interest in public affairs, and who also by position and achievement are prepared to evaluate the contribution of radio stations and networks.

The board would be self-perpetuating, subject to the approval of the Regents.

Nominations of candidates for awards would be made in writing to the Director of the Grady School of the University of Georgia. Each nomination, according to the proposal, would have to be accompanied by complete and self-evident data pointing out clearly the class 1 consideration for one of the awards. Program subjects, program outlines, program transcripts, recordings, letters, and other pertinent data also would have to be submitted. It is comprised an exhibit which would be a faithful record of the radio station's previous contribution to public service.

## Messer's Radio Course

Chicago, April 9. Clarence Messer, who has been in charge of the Gardner agency here, will open a radio school following that of the agency's local office and the Tom Mix show on April 26. Messer, former production manager for NBC, will run a four week course on lectures and laboratory work with student body of not more than 25.

When you think of  
**NEW ORLEANS**  
 you think of:



and  
**WJZ**  
 NEW ORLEANS  
 50,000 WATTS

The greatest selling POWER in the South's greatest city. THE GREATEST SELLING POWER IN THE SOUTH'S GREATEST CITY. AN EXP. ASSOCIATE... NATIONAL REPRESENTATIVE... THE GAGE ASSOC., INC.

## Musical Educators See Harm in Kid Programs

Los Angeles, April 9. Most radio programs for children are unhealthy from a psychological viewpoint, and healthy, according to a panel discussion held at the meeting of Music Educators National Conference. Judith Waller, of NBC, told the panel that the programs are usually trying to avoid such consequences in setting up programs for youngsters.

Miss Waller related a meeting with Parent-Teachers Association to work out a solution but nothing happened because critics couldn't get together on what constituted proper children's programs. The national conference were tried out but the kids preferred 'Orphan Annie'.

WJAZ Foods Don Nathan, Des Moines, April 9. The Sunday Game program moved in over KBO-WMT-WJAZ Sunday 7 p.m. for the Miller Cereal Mills. Program's origins at WJAZ, Peckham, N.Y.

**new!**

Schemestrady

UNDER SAME MANAGEMENT AS WJZ-TV SYRACUSE

WJZ-TV

Rich Market of 750,000 People 950 Kilocycles

# Television Hearings

(Continued from page 22)

d) when the Congressional Record carried a long letter from T. A. M. Craven, Senator Louisiana critic, who is following the course the majority is taking on the air that night to publicize the Farmer-Laborist position.

**Wheeler's Interest**  
Possibility that the Cominch may be put on the defensive itself was seen last Monday (8) when Senator Burton K. Wheeler, chairman of the Interstate Commerce Committee, called a meeting to discuss Senator Landon's views on television regulation. Both Fry and Sarnoff have been offered an opportunity to attend the session Wednesday (10) to defend his resolution a week earlier, the Minnesotaan remarked that such development in television should not be arbitrarily restricted by some bureau here in Washington.

In starting the hearing off, Chairman Fry repeated some of his broadcast statements, recalling that the action in its development of the industry of the retaining effort upon future research which would be caused by a widespread public opinion in television equipment that would lack transmission standards down to the levels of current efforts will be made here to determine the legal propriety of the industry, adding that nothing is to be taken up which was not discussed at the prior gabfest.

### Confusion

In outlining his reasons for objection to further public discussion and for suspension of the rules Craven accused the Cominch Chairman of jumping around and complained that the majority's action is inconsistent and confusing to both the industry and the public. He agreed it is desirable to keep the public informed about the status of development and that standards should be deferred, but termed the majority's fear that the art will be broken "altered" and "unjustified" and said the Commission's "artistic antics" is more liable than the industry to retard progress.

Public reaction to television cannot be measured unless sets are sold and used, Craven wrote Senator Landon, while it is within the FCC's power to permit different types of transmission, the financial burden for some time will be on wealthy individuals, the Commission disclaimer noted, so that no great damage to innocent purchasers is liable to be done if progress makes early receivers obsolete.

"In my opinion, the technique of television has advanced to the stage where an initial public trial is entirely justified," Craven wrote. "Such a trial would open television covered not only more rapidly but also more effectively than any other method."  
I agree with the majority that technical improvements are required in television and I agree that the Commission should not approve standards at this time. However, no one can forecast accurately how these technical improvements will be secured and what public reaction will be. It is already obvious that some of the technical methods suggested by the Commission in its previous report may not be the best. This is not a criticism, since the Commission has had no practical experience in technical research for television nor is it equipped to undertake such projects.

There is no need in the present state of development of television for a commission for the purpose of

substantiate its judgment for that of the public. The public is the worst judge of scientific achievement and will be the most effective in securing the technical improvements it desires.

"In this case, the Commission would have been on more logical ground had it merely made public the facts concerning observation of television receivers, rather than taking action which prevents the public from observing the development. The Commission will have performed its duty to the public, insofar as observation of the development is concerned, when it has informed the public of the facts...."

The action of the majority on March 22, coming less than a month after the encouragement given by the entire Commission to television receiver sales, is inconsistent and creates confusion, resulting in a new industry in the development as well as delays in creating a new industry with added employment."

Little attempt was made in industry circles to conceal the fact that Fry—using the implied power of his office—banned NBC from giving him access to the RCA premises to talk to the people. Even though David Sarnoff, RCA president, backed up Fry's action, the industry's general reaction here was that Fry made atrocious use of his position to gain ends.

Dispute about the way in which the chairman's talk was scheduled by NBC did not end the controversy. In addition to the daily press, while Fry indicated he was invited by NBC to address his listeners, he was not authorized that the first move was to get a hooking on the red network came from the FCC bench. Furthermore, no matter who took the initiative, industry figures felt it is a dangerous precedent for a regulator to act for commercial time, compelling a web to break contracts involving about \$10,000 worth of revenue. The same attitude was reflected in political circles, even in New York quarters.

There was a two-way denial of a rather persistent trend report that Fry—after vehemently chiding the broadcast operators recently for carrying such features—specifically requested the spot immediately after the "Pot of Gold" feature in order to insure the largest possible audience. Spokesmen for the chairman said that a word of truth is it, while NBC likewise said the give-takes-over arrangements for his talk.

Just how Fry happened to act NBC for the opportunity to use the facilities is a puzzle, with nobody willing to give sufficiently complete details. However, Fry's statement was that Fry "fully covered" all essential facts in a formal statement which was delivered to the industry and trade people here, who picked up a very much different version. Fry explained that the idea of a talk "originate" with Mutual and he added that he felt "as did the RCA officials later consulted on the arrangements, that if there was to be anything in the speech with which the RCA was not in entire agreement it would be desirable to have that speech carried over the NBC network to avoid any possible implication that any comment which might be considered adverse to the interest of RCA was made in the public through the facilities of a competing network."

This statement did not explain completely the fact that Fry was invited Lenox Lehr, NBC president, asking for the 9-20 spot. Nor did it fit with the report that he requested any 30-minute period between 8:30 and 10:30 and finally got the one immediately following "Pot of Gold."

Understanding locally is that Fry decided to go on the air at eight when he found out WOR could not carry the talk if he went ahead with original intentions of speaking at a morning meeting of the New York Advertising Club. The time subsequently was picked by the Mutual station, which had it open spot at 9 p.m.

### KSL Staff Realigned

Salt Lake City, April 9. Recent staff changes in the commercial department of KSL, headed D. H. Vincent auditor and office manager, Lenox Burdick is now general manager and Ed J. Broman sales manager.

Russell Stewart has recently been appointed chief announcer.

### Robert Gill, Former Radio Spieler, Gets Fellowship

Pittsburgh, April 9. Robert S. Gill, former radio announcer of station WCAE and for the last two seasons active in directing little theatre organizations locally, has just been awarded a \$1,000 Fellowship by National Theatre Conference, derived from a Rockefeller Foundation grant of \$25,000 covering a period of three years. Gill will go to the Cleveland Playhouse for a season to act, assist in staging and study the business and organization of the theatre. Gill is a graduate of the Carnegie high drama school and returned there couple of years ago to get his M. A. in drama, which he received last June. He's one of seven men to win the NTC Fellowships for 1940-41.

### Ogden's 2,500 Spots

Ogden, Utah, April 9. Four sponsors have contracted for more than 2,500 spot announcements during the next year over KLO, local NBC blue station. The advertisers are:

McClanahan's clothing of Ogden and Salt Lake City, 740 announcements.

Dundas clothes, of Ogden and Salt Lake City, 1,000 announcements.

Federal Building and Loan, of Ogden and Salt Lake City, 301 announcements.

Acc Photo, of Salt Lake City and Ogden, 400 announcements, a renewal for a third year.



# We gave away a "look" . . . and

## 23,000 people jammed the roads!

ONCE in a while the most biased station executives are rocked on their heels by a vibrant illustration of "the power of their own strength."

Case in hand: celebration of the week of March 3rd—"WJSV Week", by proclamation of the Washington city fathers. Occasion: WJSV's increase to 50,000 watts.

WJSV listeners were invited to visit and take first glimpse of the modern new transmitter building... twelve miles north of Washington... on Sunday, March 10th. They accepted. More than 23,000 WJSV fans jammed the roads, spread over the grounds, from dawn to dark! Several thousand got inside; others good-borededly went home, to return another day.

Of course, our "strength" has long been known to advertisers. Most of them spend more dollars and buy more hours of time on WJSV than on any other Washington station. And now 50,000 watts carry WJSV's good words farther than ever.

# WJSV 50,000 WATTS - CBS - WASHINGTON, D. C.

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

# Filter Mike Invades Politics

## A WAGAR 'Ghost' Disguises Voice to Tell Cleveland Some Inside Stuff

### TRIB ADDS 4th FLOOR TO WGN BUILDING

Chicago, April 9. Already housed in the town's only exclusive radio building, WGN is proceeding to build a fourth story to the present structure on Michigan boulevard. Addition will take care of newrooms, more office space and music department. Will cost Tribune some \$200,000 and will be ready for occupancy in about six months.

This is part of a general campaign for the further build-up of station.

### Klauber, Runyon Buying

Washington, April 9. Sizeable chunks of CBS Class A stock picked up during February by vice-presidents Edward Klauber and Clifford R. Runyon, the Securities & Exchange Commission reported last week.

New York officials went shopping on some day, Feb. 16, with Klauber investing in 420 shares and Runyon picking up 1,000 shares. Holdings of Klauber at the month's end were 5,235 shares, with the Runyon net-egg comprising 1,877 shares.

Cleveland, April 9. The Ghost of City Hall has made its debut in the first of weekly five-minute inside spot broadcasts via WGAAR. Sponsored by the Citizens' Civil Service Committee the anonymous ghost disguises his voice by means of a filter mike.

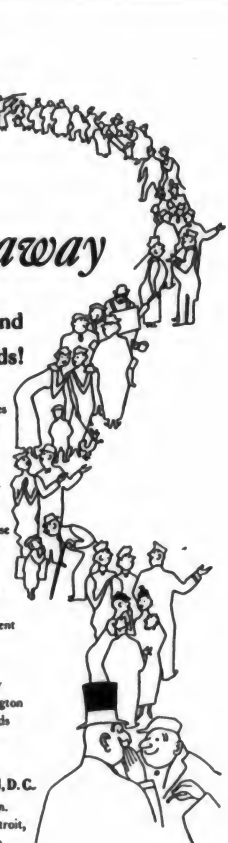
On discovery that Welfare Director Fred W. Runyon was going to introduce an ordinance to raise the pay of city relief division workers that branded action as being unwise. Newspapers carried this discovery a week ago.

Said about the Runyon: "If you wanted to give underpaid workers a living wage you should have done it long ago. You should have done it before November, 1938. The question of salary schedule is now before City Council and it is going to increase pay whether you like it or not."

This was almost ghost come to reveal something everybody didn't know. Political observers believe Council would let matter slide until next week.

Other "inside stuff" included salary figures from finance committee budget hearings and a crack or two at school board.

On hearing approach of night witchman ghost screamed until next week.



De Hartford Conn. 50,000 WATTS THE NEW WEED RADIO STATION

WEEB Radio Station



# It's Tough Enough—Novik

It's tough enough.  
 This is the summary of Morris Novik, manager of WTCN, New York City's municipally-owned station, in the remarks in Variety that the radio program from Washington airport last week was so dull and pompous that it was a sample of Government programs at their worst.  
 It seems that although WTCN carried the program from 4 to 3:15, apparently actually originated with NBC, not WTCN.  
 Correction: NBC programs at their worst.

## Follow-Up Comment

Jimmy McHugh confessed he was a Democrat and a Massachusetts cobbler, a hence his straghtening for Major Bowes on the Radio Family program last week was gibberish and more inquisitorial than the songsmith usually permits himself to be. Anyway, he gave out with a dandy melody of his, part and parcel of the first family's musical pincer, elicited with her notes. Bowes, not usual, did a smart copy, and the scripping is an intelligent job, foolproof and sturdy, despite the remote connection between Bowes and his Bureau. If the radio and radio captioned Family in CBS headquarters in New York.

"Bert Lee" Lebar, the commercial manager, and Dick Fossil, executive producer, were in the audience last Saturday night (8) in covering the "Bangs-Thomas" League hockey match over WGN, New York, from Detroit. According to the explanation, they came to see the action, but then the arena practically on the dot of the match, they were sitting on a bench high in the left of the gigantic building. There was opportunity to stand, but they squeezed onto the platform, no light in which to read their notes and various obstacles interfering with their view of the match. Nevertheless, they managed to give a satisfactory account of the contest and, judging by the amount of the crowd, they kept on the heels of the play. However, the reading of the program was rather incoherent, the staff for a Low-owned outlet.

Al and Leo Belser orchestra over NBC blue (WJZ) Sunday afternoon gave attention with distinctive arrangements of pop tunes. Both Belser play the piano, so the instrument is featured in nearly all the numbers. It's sparkling once again, and Williams' piano accompaniment has a pleasantly melodic voice without much punch.

Briefed Seballe, broadcasting Sunday (7) from Berlin, proved an addition to the war as it was a German. Her occasional Germanic pronunciation is mixed with an American style of speech. She sounds like Dorothy Thompson at moments; like she was a woman who had been in the studio pickup was so clear the pictures were taken at each hour. In the whole, she gave a picture of mounting tension and unhappiness in Germany. The broadcast ended with a smile, without explanation, undisturbed.

Raymond Foley covered the album Sunday (7) at 30 You Think You Know "Music" material in earlier (5:30 p.m.) spot on CBS. But Ethel Burnstone got the big ovation and had the most fun. This show is one of the liveliest and more erudite of the broadcast program. It was a series of birthmarks of its spiritual doctor, Dan Goldenpool.

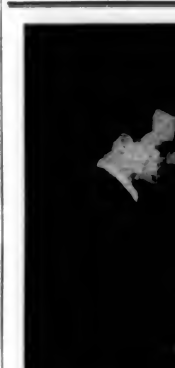
Claude Rains, like Raymond Massey, in an Empire-born actor much liked with his high-toned accent. Last week DuPont had him doing Benedek! Rains, the well-to-do. The movie, unless it's really enough, but was unsatisfactory in that the action, despite some handling, was not adequate to the enormity of the crime. What the story did not, and the second minutes probably could do, set across was the pull-out of men and women, and a sense of injustice that impelled a warm-hearted and previously loyal chap to the non-stop. Some of the tragedy of his later effort to be the broadcast. It was a piece that called for more realism and cutting through the surface. The treatment was basically romantic.

"Music Box Concert" over Mutual last Sunday (7) featured Pauline Apter piano solo in jazz of Bertie's minutes. Piece carried in traditional tempo, switched to jazz rhythm and finally returned to classic form for the last couple of bars. Was ultra-lively and might have been even more backing if the jazz portion had been played in a little slower tempo. Bob Stanter's orchestra is the mastery of the show, with Jerry Lawrence announcing, and Roger Bauer producing.

"Gang Busters" is stressing even more than formerly his "crime" theme, but the program is still apparently aimed to catch your imagination with sensational blurbs for the dramatic.

also wanted to appeal to youngsters. Last Saturday's (6) chapter dealt with the case of Louis "Lepie" Buchalter and was merely a sensationalized version of all the hard stuff that's been in the dailies. Blam-bang style of production was well handled, with Col. Schwartzkopf and Dr. Simon handling the narration and using each other's names for every speech. "Exclusive clue" on a couple of minor (but fugitive-from-the-kin) things concluded the stanza, with a warning to listeners to turn over any information to local police of G-8 Bug Busters program."

Fisher McGee and Mally guested Monday night (8) on the Lux show from Hollywood, going "dramatic" in an adaptation of the Paramount film "Mama Loves Papa." Although the broad B picture style of comedy was rather wearing over a full hour's broadcast, the two leads turned in creditable jobs. They seemed uneasy at the start, apparently waiting for laughs where some developed, but soon settled down to proper pace. Hooking curtain spell with Cecil B. DeMille in a character.



EUGENE FERAZZO, featured organist of the Novachord, with JOSEF CERNIAVSKY, Director of Music, WJW-WSAI

## "new and endless source for music with Human Appeal"

— writes Joseph Cherniavsky, Director of Music, WJW

From everyday master show men . . . give character to music for today's entertainment . . . are writing their praises of the Hammond Novachord.

And you can quickly, easily discover all for yourself the many reasons for this vigorous enthusiasm for the Novachord—the world's newest news in music for entertainment.

You'll find the Novachord in played like a piano . . . that it produces beautiful piano-like tones . . . and that, by just turning the Tone Selectors, you can bring in the amazing musical effects of 'cello, flute, guitar, French horn, and dozens of others.

Then, you'll see for yourself how the Novachord will add new appeal . . . new enthusiasm . . . to your entertainment-building ideas. And you'll know how the Novachord's vast opportunity for musical

**WINIFRED BRINT**  
 With Pat Friday, Victor Young, Sam Fuld  
 Sunday, 9 p.m.  
 WABC-CBS, New York  
 (N. W. Ager)

In half a dozen songs scattered through the Ford hour, this Detroit singer showed much warmth vocally plus a considerable versatility. Diction was snappy once or twice, but on the whole she did as well or better than most cooperative singers in sounding the words as well as the notes.

She has a likable voice, with contour and hard work behind it. Her selections were varied and intelligent.

**FRANCES LEIBERER**  
 The "Firebrand" with Alno Ditt, Bruce Hamilton, Louis Fish, Lew Waterman, Murray Forbes  
 8 p.m.  
 Sunday, 8 p.m.  
 WGBL-CBS, New York

This is one of the so-called "Fifth Row Center" series which originates through WGBL, Chicago, under Blair Walliser's direction. The talent comes out of visiting stage shows under a deal between the show and the station. Little Gerzon is an employee of the radio, it seems to work out satisfactorily from both directions. The profit is primarily publicity in the work.

The "Firebrand" was played generously by Lew Leibler and a cast that kept the relationship clear. Leibler's Cellini was his own stand, right or wrong, the Duke of Brett Morrison bore the "illy badly" treatment. It is recommended by Frank Morgan.

If anyone cares, it was frequently very neatly intended for radio. But then it's 19th century. —Lad.

**JOHN KIRBY ORCHESTRA** (4)  
 9 p.m.  
 Sunday, 8:30 p.m.  
 WABC-CBS, New York

This music comes up out of the depths of native neoteric harmony like a Yellowstone geyser, scalding hot with a wild sort of rhythm. The strident facts about the Kirby quintet are the rich, trombone-like bass (Kirby himself plays the bass fiddle) and the surprising deference to melody that shines through the steam-purge. Distinction and originality are marked throughout the program, with this praise intended to include the utility Maxine Sullivan (Mrs. Taylor) and the Golden Gate Quartet, also strictly recommended.

A good bet for fast-dating on any of the rotating talent frolics, and plenty rampant on all counts. —Lad.

effects. There was but one questionable aside about this item and that had to do with the laying of the background. It perhaps would be better for the arranger to do it than Ameeche himself.

As for the musical department, Victor Young whips out a nifty blend of instrumental pabulum. Pat Friday lends plenty of rich tone and freshness to a pop lyric and the Six Hits and a Miss account for nice kind of harmony in each of their two choruses. Miss Friday's previous alliance with the Bing Crosby show. It seems that she may have allowed a little of Ameeche to creep into her diction. Otherwise that's a neat fit for this affair.

Perhaps it would be best if Ameeche would let her do her own number at the finale. Their voices don't seem to mesh just right.

The introductory program (3) of the series was deftly paced throughout. There were two briefly shared piano and one sales point was made by each. First came the "before-you-lose-your-money" angle and then the convenience claim—with a single slip you clear away two layers of cellulosephane. —Gede.

THE COMPLETE COMPANION



CINCINNATI

A careful study and many experiments fully convinced me that the Novachord is the most important contribution to the world of music in the past century.

"In following up the wishes of Dr. James B. Stone, Vice-President in Charge of Broadcasting Activities, to give the International Novachord Series, we have now reached the VARIETY National Award."

As you are planning and developing your new musical program, I find that the ahead of time and earlier success for music with Human Appeal."

Sincerely yours,

*Josef Cherniavsky*  
 Josef Cherniavsky,  
 Director of Music,  
 WJW

**"new and endless source for music with Human Appeal"**  
 — writes Joseph Cherniavsky, Director of Music, WJW

From everyday master show men . . . give character to music for today's entertainment . . . are writing their praises of the Hammond Novachord.

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Then, you'll see for yourself how the Novachord will add new appeal . . . new enthusiasm . . . to your entertainment-building ideas. And you'll know how the Novachord's vast opportunity for musical

expression will give your artists a versatility that never grows old!

Or, if you'd like the proof in advance, write today for the Novachord's Experience in Entertainment. Address: Hammond Instrument Company, 2947 N. Western Avenue, Chicago

HAMMOND ORGAN STUDIOS: New York—50 West 57th Street  
 Los Angeles—3128 Wilshire Blvd. • Hammond Dealers in Principal Cities

As you play the Novachord, just turn the Tone Selectors. Let it add musical effects of violin, clarinet, mandolin, tuba—and actually dozens of others.

The NEW Idea in music — by the Masters of the Hammond Organ!

See...Hear...Play

THE HAMMOND

Novachord

at the Hammond Organ Studios . . . in the Hammond Building, 50 West 57th Street, New York



# RECORDING

## Once Cleaned Up, Music Payola Breaks Out Anew in England Due to BBC Cutting Band Fees

London, April 1. The old music publishers' hearts, broken and parched by the broadcasting payola—has broken out more furiously than ever.

Three years ago, when Eric Marchant was in charge of lighter entertainments at the British Broadcasting Corp., he encountered this machinery which was gradually devouring the pop music business. After some hard work, he finally got the publishers to form the Music Publishers' Association, and in order to make the band leaders feel good, he persuaded them to form a Band Leaders' Association. Both organizations worked well together for a time, especially when the BBC came through with higher broadcasting fees. Although the BBC still uses publishers who rated, the position was not dangerous.

Then came the war, when the BBC's activities were shifted to Bristol, with song pluggers, who were not allowed within the sanctum of Broadcasting House, swarming down on Bristol like a flock of locusts, and the plague broke out afresh, more virulent than ever.

Some publishers partly attack the BBC, the BBC, for its excessive broadcasting fees, as a war economy measure, with the executives almost always their own opinion. The general graft that was going on in their midst, while the rest blame each other.

Of course, most of the graft comes under the heading of "arrangements," for which the minimum is around \$50 per song. The publishers suggest a readiness to supply the special arrangement, the band leader with very few exceptions, will turn down the offer, insisting he carries his own special arranger, in his opinion who has ways and means of securing contacts beyond our control. He also objected to the provision in the union's contract which subjects a publisher to heavy penalty for giving an orchestra leader a special arrangement or any gratuity for his plug services.

George Marlin, the union's president, declared that the things that Frank objected to are the very evils that caused contactors to organize themselves into a union. Marlin said that the basis for organization was not so much a matter of bettering wages or conditions as to prevent the jobs of contactors by outlawing payola and other evils of exploitation. If a publisher can do business with a checkbook as his only need, added Marlin, of his employing professional men.

Frank's view

### HOTELS COVER-MINDED

Publicity Is Frowned on Since by Hostesses/For Matter

Since Vaanor's "Banquet at the Brandy" tabulations went, the hotels in New York have become very "cover" conscious.

Publicity now goes out listing the number of supper cover charges the different bands drew. Formerly the publicity matter was interpreted in the form of numerical attendance, in aggregate, with no distinction between the cover attendance at a dinner, and the post-10:30 concert.

## CONTACT MEN CONTINUE STRIKE

Strike called last week by the music publishers' contact employees was called off. The strike force has reached the picketing stage and there were no signs yesterday of a settlement. The contact men are in the immediate future. M. K. Frank, owner of Red Star, resigned the position in the union's contract to sign an agreement with the union.

Frank's main contention was that the union had been "principally organized for the benefit of the larger publishers who have ways and means of securing contacts beyond our control." He also objected to the provision in the union's contract which subjects a publisher to heavy penalty for giving an orchestra leader a special arrangement or any gratuity for his plug services.

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## GAYS AFM SNAGS THEATRE DAILY

Clyde McCoy Wins Jon Weber Hot Protest Against Local Doping Him Right to Be Quizzed by WKY, WWJ—Elliott Enjoyed Privilege Two Weeks Before

DETROIT, April 18. Cut off from radio interviews here, Clyde McCoy (shown here with the headline at the Colonial theatre, filed a protest with Joseph H. Weber, president of the American Federation of Musicians, terming the action un-American and a violation of his constitutional right of free speech.

Considerably wrought up over the action of the Detroit Federation of Musicians in ruling out two scheduled air interviews, McCoy charged that the program was discriminatory against him since a few weeks earlier Duke Ellington had been granted the same privilege and added that strict application of the ruling would cut all touring bands off from newspaper interviews.

Another irritant on the union's action was Dick Osgood, who does daily amusement chapter two work, and who had announced McCoy's appearance on his program. Adding to the program was Ray Schreiber, manager of the Colonial theatre, where McCoy was appearing, who revived such shows in several Detroit. He pointed out such action would be interpreted as if he were providing work for musicians both on the stage and in the pit and that it was unfair to withhold bands coming into hotels and saloons here not only play over the air but in their own gambling.

Foreman's Betting

Jack Ferns, ex-business agent for the Detroit Federation, who took over the amusement chapter two work, was the one who held that, according to local laws, McCoy could not be interviewed, and if he were, his rights could be banned. Just two weeks before Albert Lincoln, then president of the Detroit union, had given Ellington, who was appearing at the same Colonial, the right to the same interviews which were denied McCoy.

In addition to the Osgood interview, McCoy and an attorney for \$5 a m., Thursday (April 4), the leader was to be spotted in the key Detroit of the Detroit. He had a day night with a hokum gag which would have linked the maestro, Kermit (Continued on page 32)

## Stations With Lucky Strike Accts.

## Not to Use Phonograph Records Of Same Orchestras and Singers

### TUCKER-BAKER AT B.O.

York \$14,000 on Guarantees and Split at B.O.'s Chicago

Orvin Tucker orchestra-Bonnie Baker, currently at the Waldorf-Astoria, New York, proved a hot b.o. combo last week at the Balaban & Katz Chicago, Chicago. Deal called for a \$16,000 guarantee and 80% of the gross over \$44,000. Take was \$83,300, giving Tucker \$14,000 in all for the date.

Tucker-Baker opened at the Waldorf Friday (13), planning in directly from Chicago, where they closed the previous night.

American Theatre is asking radio stations carrying its new series of two- and a-half-minute transcriptions not to use Lucky Strike orchestras and singers on other programs. In particular the company wishes to avoid confusion, factor that might result if stations use ordinary phonograph recordings of Kay Kyser, Mark Warnow, Harry Wood and others as participants where various advertisements are injected between discs.

Lord & Thomas agency, on a previous matter, has been more than re-locating Lucky Strike programs not to exploit the popularity of Kay Kyser to British stations who have programs devoted to other advertisers. The new list of "not to be used" personalities includes besides Kyser, Warnow and Wood those names: Orvin Tucker-Bonnie Baker, Ginny Simm, Harry Wood, Mark Warnow, Ben Bernie of "Half 'n' Half" is not included but probably will.

WEAF, WJZ, WABC, WJMC, WOR and WRBW, New York, all use the new copy, or night, sponsored which started April 1, and must have record annunciations at some time before the day, or night, sponsored or sustaining.

## DECCA TAKES RADIO'S USE OF DISKS

After more than six months of a complete ban against the use of its records on phonograph broadcast programs, Decca has served various stations in the country with a notice that its product can again be used, with certain reservations. Mailed Friday (15) the agency states that its purpose is "to advise that for the time being and subject to withdrawal upon 90 days' written notice, no claim shall be made against reasonable use of Decca product." Forepart of the letter reviews the decision against such use rendered last fall in the United States District Court for the Southern District of New York, which decision was appealed. Until the appeal is disposed of it is okay to turntable Decca platens.

Okay is clearly in answer to the squawks registered against the ban by various bands and singers on the Decca label that they were harmed by the continued stop against using their stuff on the air. Artists complained that their drawing power was being impaired. Since the squawks were filed, and prior to the complete lifting of the ban, Decca has been okaying the use of the output of certain of its artists on the same locality in which those artists were personal-appearing. One of such is the Andrews Sisters, who started a two-hour broadcast on the air of the Grand string of theatres in New York last Thursday (16).

## KYSER PLAYS TO 8,000 IN TWO PERFORMANCES

Waverent, April 9. Kay Kyser, playing two performances here Sunday night broke the attendance record for the Municipal Auditorium, where more than 8,000 turned out. Auditorium normally normally seats 4,000, but extra chairs were brought into service and hundreds stood.

Single day's mark for Auditorium has been set by Kay Kyser, just previous to Kyser's turn, heard WTAD's broadcast of "Spreading News England's Plans" program which built up a New England City each Sunday between 8 and 8:30. Decca had the spot Sunday. The more than 11,000 entered the building in two shifts.

Kyser is suspending his road tour this week for a rest.

## Mary A. Dunne Replaces Homecoming Kit Kallen

Mary Anne Dunne will replace vocalist Kitty Kallen with the Jackson Tengerand orchestra when it reaches a one-nighter in Washington, today (Wednesday). Miss Kallen bowed out of the band last week by the booking for a future date to join her husband, Clint Gardin, sax player and former member of Tedder's orchestra, who's now playing with Francis Craig's band.

Gardin was one of those who left the band last week. He was re-hired it several months ago and when the new group was recently routed by the Lincoln Hotel, New York, until May 1, was married Sunday (7) at Peekskill, N. Y., to Barbara, who was a witness. The ceremony was performed by Johnny White, prof. mgr. of Hermit Music Co., who is Justice of Peace of Putnam Valley, nearby to Peekskill. Mrs. Marie Kramer, owner of the Lincoln Hotel, was the witness.

Savitt listed his age as 37 and Miss Stillwell 26. She had been his secretary 15 months.

## KEATING UNSHUTTERS WILLIAMSVILLE GLEN

Buffalo, April 9. Ray Keating's band will open at the Willamsville (10:30) on Thursday (11). Manager Harry Ahlman is buying four late date shots and is looking to build a new outfit, postponed from Easter Saturday because of snow.

Keating also runs a cabaret at his amusement park. Variety acts will be set there.

## Teddy Powell Served in Action by Mike Vallon

Songwriter and band leader Teddy Powell has been served with papers brought by lawyer Mike Vallon which seeks \$7,500. Vallon's own rendered Powell by Vallon since his own band had been disbanded currently at the Arcadia Ballroom, New York.

The result of a split between Powell and Vallon about four weeks ago, at which time neither could arrive at a figure that Vallon felt was in Powell's behalf. Vallon also is Wendy Herman's manager.

## Band Couldn't Restrain Its Spirits, Magician Claimed His Act Ruined

Situation probably without precedent was presented last week in a conflict between Charlie Barnett's band and magician Paul Duke, both working at the Flatbush theatre, Brooklyn, which wound up in Barnett's saying Duke off himself in order to release him from the unit, which still had another week and half to go on the Grand circuit. Barnett paid Duke out of his own pocket for two of the two and a half days of the first week at the Brooklyn house.

It seems that Barnett's men didn't behave badly the background music which Duke deemed essential to the success of his act. Instead of

playing his music the way it was written it's claimed the band played it as they wanted it, interpolating their own music. At the time Barnett is alleged to have turned over the baton to a sub conductor from the band, who was walking around in the middle of Duke's act and left the band to its own devices when they didn't follow what he written.

Because admits Barnett himself that he was the unit manager, and VARIETY reviewer commented, at the time, on the fact that a trumpet member of the band stood up and took a hot solo behind the tap set of the Four Step Bros., unusual in itself.

### SONIA'S NOVEL

London, April 3. Ray Somin, on the editorial staff of a local music trade paper and former manager of Ambrose's orchestra, has authored "The Dance Band Mystery." Wodanis is set in London before the war.

15 Best Sheet Music Sellers

(Week ending April 6, 1940)

Table listing 15 best sheet music sellers with titles like 'When You Wish Upon a Star', 'Singin' in the Rain', 'The Music of the Night', etc.

planning. Leader notes a violin, and all showing up here as satisfactory completion.

'No Interviews'

Continued from page 31

tucky barn and related, with the famed Halliday-McGoy feud. In his appeal, McGoy says up- held a final ruling, Mc Coy said: "Being a member of good standing of Levee 802, No. 10 and 11, I am writing requesting permission for my being reinterviewed over the radio in connection with my employment of the Colonel theatre here."

Local officials claim the hearing of "No Interviews" is a matter for which the case it will only be a short time before musicians will be able to work for services here. To grant you see your way clear to trust what is a constitutional right and well advised. Detroit local of men."

Schwartz's Message In his earlier message elsewhere not only pointed out that his was the sole housekeeping alive, but also pointed out that his was the sole housekeeping alive, but also pointed out that his was the sole housekeeping alive...

What with the radio stations, the theatre and band leaders plenty over the application of the union ruling, it looks like a major struggle was shaping up here with considerable interest. The gratia brothering by the nitery commission of the application of interviews of orchestra leaders over the unions.

Artie Shaw

Continued from page 1

Manero expects to use an orchestra of 50 musicians, a mixed choir and even a ballet for one of the concert numbers. The dance leader points back to the meeting of his proposed repertoire and repertoire for Leontyne Price. New York City in May to pick his musicians and get rehearsals under way.

Berkowski is scheduled to lead in the first half of the outing. Bennett and Goodman are the latter's swing band, currently located at the Coconut Grove of the joint concert. Hot Lips will take over for the second half. Goodman sextette will also get a workout.

COLLEGE RHYTHM

The second of a series of articles on college life and dances as regards dance music and dance bands. The first article in this series, on the subject of college dance music and dance bands, has been called by VARIETY to give the opinion of the student body as a whole rather than personal judgment.

Stanford has received the series to give music men and band leaders a cross-section of college undergraduates' opinion on dance music and bands, with the hope that it will be both informative and instructive. For what the college group has by its about dance music is deemed important in the trade.

STANFORD

By Marco Thorne, '39 (Editor, Stanford Chapter)

Trying to discover whether Stanford likes a definite type of rhythm or music is like trying to find out if an amoeba has a complex. Stanford is one of those isolated places, located on a farm, quite provincial and possessed of a variety of tastes. In fact, with his big campus, the university has the reputation of being a "country club." But honest Jains (Stanford Indians), they work hard in classes and when they take time out to play they're not daddies.

Stanford students love to dance. We use any occasion as an excuse to have a dance—dedication of a labo house, climax of the "Back to the Future" series, the "Big dance" at the end of the year, etc. If they can't get dancing at home, they'll go up to the city (San Francisco) which is just an hour's drive away, and in full of good dancing places for the night.

As far as dancing goes, the theme is "easy does it," and Stanford likes its music smooth, not too hot, not too cold—"just danceable and as slick as the Soor of the beachfront pavilion.

Stanford students have "gone bad." One of the first to come to the Farm was Jimmy Dorsey. They got him here about three or four years ago, and had him come down for the dance. The result was that they danced with him for a long time. Big names like Benny Goodman, Duke Ellington, etc. have been here. The Sophomore Cullinan, Junior and Senior Proms are popular dances, and the dance is a success. The result was that they danced with him for a long time.

Up in the city there is more choice than Stanford gets at the campus dances. Orrin Tucker and Freddy Martin are the most popular of the boys, and Bonnie Brawner, just about had this entire campus talking in pip squeak voices and calling each other "Johnny" synonymously with "smooth boy" and "smooth girl." Fred Harris has been here for the Senior Ball, and was smooth, yet up to a definite rhythm, and Stanford took to it like a cat takes to bird stew.

Artie Shaw's "mugger blues" complex worried them last year with his hot but smooth music. Carl Havanza comes down occasionally and gives a bit of time for benefits. Then the girls all gather round to hear his thing "Wind It." Fred Harris has been here for the Senior Ball, and was smooth, yet up to a definite rhythm, and Stanford took to it like a cat takes to bird stew.

That's dancing. But the changes whenever it comes to the platiers. That is when the fight begins, as they really collect records at Stanford. Every other Stanford "rough" and "smooth" has a turntable or knows where he can borrow one. Tastes really run the limit both ways. First there's a cult of collectors who set up Count Basie, Jimmy Luncheon, Bud Crosby and the rest of the "smooth" crowd. Then there's a group of "rough" boys who set up Benny Goodman, Duke Ellington, etc. They've got to have real rhythm to get by at Stanford.

There's quite a group of Stanford that goes for Hawaiian music. At all programs and dances Hawaiian numbers are popular, probably due to the fact that many students are from the islands. On the radio they like mostly what's playing in the city and in Los Angeles, so as to get in practice for Saturday night's date. On regular dates, they like to get in practice for Saturday night's date. On regular dates, they like to get in practice for Saturday night's date.

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Band Reviews

ELKE BOLBY ORCHESTRA (9) With Anne Lane. Work Club, New York. Ernie Holst, leader. A love at El Morocco, is now giving out with the rhythm at the equally smart El Morocco. It's a nice switch all around, and it's a nice switch all around.

of youthful dancers. Carl and Myrta Duvall, alumni of the A.F.H. Burdick school, also combine to top up with a laked in the lower range and appeared last night in a ballad type of performance. The light turn at a ballad type occasionally, but most of the time they are in the mood for dancing and not for novelty effects.

Now heavy numbers nine, three new brass lines and three new vocalists. The maestro Diado-conducting. The band is given to spry dance steps, and the soloistic nature of certain numbers, with emphasis on current tunes, and the usual assortment of old standards by Porter, Corbett, Kern, Youngberg, etc.

Local officials claim the hearing of "No Interviews" is a matter for which the case it will only be a short time before musicians will be able to work for services here. To grant you see your way clear to trust what is a constitutional right and well advised. Detroit local of men."

TED LEWIS NOW

ST. LOUIS THEATRE ST. LOUIS, MO. APRIL 12-13

JOHNNY MCGEE

AND HIS ORCHESTRA APRIL 12-13 RAYMOND BALLROOM

BEN POLLACK

AND HIS ORCHESTRA HOTEL SHERMAN, CHICAGO STARTING APRIL 12

BEN POLLACK

HOTEL SHERMAN, CHICAGO STARTING APRIL 12

Watch for THE NEW ONE

In his year and some months ago, varying from one to three hours each. In addition to the usual assortment of current tunes, and the usual assortment of old standards by Porter, Corbett, Kern, Youngberg, etc.

AL LAVELL ORCHESTRA (13) With Paul Margan. Terrace Grill, Kansas City, Mo. This is a new band led by Lawrence W. Beck, who is a very good pianist. The band is given to spry dance steps, and the soloistic nature of certain numbers, with emphasis on current tunes, and the usual assortment of old standards by Porter, Corbett, Kern, Youngberg, etc.

Special arranging for this individual notes of the saxophone section and calls for extra arranging as prizes. The band is given to spry dance steps, and the soloistic nature of certain numbers, with emphasis on current tunes, and the usual assortment of old standards by Porter, Corbett, Kern, Youngberg, etc.

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# On the Upbeat

## Band Bookings

# Connie Boswell Subs for Paul Whiteman, Ill, on Hartford Date

Foster Giblette bowed out at the Jerry Garden, Lynchburg, Va. Bill Leary followed.

George King opened industrial engagement at Bill Green's Casino, Pittsburgh, Monday, 9, replacing Charlie Astor.

Joe Smith into Stanley theatre, Pittsburgh, week of May 3.

Johnny Wilson at New York, Pittsburgh, four week stay, succeeding Ralph Allen.

Shelley Heller has rejoined Herman Middleton band at Yacht Club, Pittsburgh, after recovering from recent ailment, Lee Barrott out.

Al Fickett, of Pittsburgh had option pressed off for additional work at Club Gloria, Columbus.

Johnny Green's shift to Sunday on CBS with "Jimmie" is a new force, forces a Fitch Bandwagon shot to move up to the Sunday 11.

Georgia Auld has discarded lead in new band, John Jan Smith's addition at Lincoln hotel, New York, Saturday 11.

Luke Caspary, Bristol, Conn., substitutes Sunday 11 with Woody Herman band Tommy Dorsey comes out on April 21 and Gloria Miller May 5.

Johnny McGee one-night Sunday 11 at Ritz Ballroom, Brainerd Sammy Kaye plays from April 28.

Nick Pinal, former member of Vincent Lopez' band and now a band leader, changed his name, a third time from Nick Pinal to Nick Draper. Band play into the St. Francis hotel, San Francisco, May 3 for six weeks.

Tommy Dorsey (vacations between May 3 and the opening at the Astor hotel, New York, May 21.

Gene Krupa tries out a combo policy at the Queen on the theatre, Buffalo, New Jersey, April 17.

Bob Chester puts six six weeks weekly from the Detroit A. C. where he opens April 15. Flare Hatler hotel and Tommy Ballrooms, Cleveland, 13 and 14 before opening.

Carl Warshaw is the trumpeter sent to Jacksonville, Fla., last week to replace the sick Tommy Gonzalez with Jack Teagarden.

Joe Bonkalo replaces Bob Kital on sax with Tommy Dorsey while Cliff Daley, brother of Frank Daley, owner of Meadowbrook, Chicago, N. J., takes over the string band.

Don McComb replaces Jack Gold on clarinet with Teddy Powell. Trumpeter Max Tiff on notice. Powell band renewed for another four weeks at Arcadia Ballroom, New York.

Billy Bauer's new band organized in Los Angeles, currently at Hotel Utah, Salt Lake City, for six weeks.

Joe Sullivan, whose group is currently at the Cafe Society, New York, played the background for the scene in "The Fight for Life" film.

Ray Kayser drew 6,500 at 11.30 at a Lion's Club shindig in Providence, R. I., Friday 13, butted Gay LeComber's 5,300 mark. Date was at Rhode-on-the-Paquet.

Ray Hutson's band will open in the Rainbow Room of the New Yorker Hotel Albany, April 13. Unit succeeds Terry Rhoad's orchestra, which shifts to the Adelphi Hotel, Dallas.

Yeddy King followed Eddie Camden into Chez Ami, Buffalo, Friday 13.

Nick Draper replaced Carl Ruston at the Sir Francis Drake, San Francisco, April 8. Rayvase will take in the new night stands throughout California until he opens April 23 at Salt Lake City at Jerry Jones' Rainbow Reception.

Chuck Foster replaces Leo Nova at the Mark Hopkins, Fresno, on April 12.

Byrnie Shorter out of Tommy Dorsey's band at Paramount theatre, N. Y., for couple days last week with old band. Freddie Sals and out over

into his place and Babe Rustin returned for the stretch in Stolz's place.

Edie Lo Marx celebrated his third straight year in the Rainbow Room, New York, Thursday 11.

Norah's Continental Quartet is providing cocktail and dinner music in the Palm Court of the Palace, Fresno.

Artie Shaw Settles \$10,000 Ballroom Op Suit for \$750

Buffalo, April 9.

Suit arising out of Artie Shaw's without at a Crystal Beach, Ontario, dance last fall was settled out of court last week. Shaw's attorneys made a \$750 settlement with Carlyle Titch Smith, Buffalo promoter.

Smith asked \$10,000, but a court earlier had found out \$5,000 asked for stander and label Shaw's band left midway through the Labor Day dance at the Commodore resort after payment off. Irate fans broke windows to the tune of 800 before provincial police scattered them.

Process servers met Shaw at the Peace Bridge as he returned from playing the Toronto Exposition. Band leader's first impulse on being handed the summons was to pull out his pen and autograph it.

Bob Chester, May 8. Mayeville Park, Mt. Carmel, Pa.; 21. Valley Dale, Columbus, Ohio; 23. Palisade, N. Y.

Gene Krupa, May 8. Nutting-on-Charles, Waltham, Mass.; 9. Ricker's Garden, Portland, Me.; 10. Aud. Worcester, Mass.; 11. Buttery 51, Springfield, Mass.; 12. Grotto Park Elmira, N. Y.; 13. Sunnysbrook B. Postoffice, Pa.; 14. Castle B. New London, Conn.

Sammy Kaye, May 11. Sunnysbrook B. Postoffice, Pa.; 12. Savoy B. New York.

Glen Gray, April 24. Carbonade, Pa.; May 3. Dressel U. prom at Front A. C. Philadelphia.

Tommy Dorsey, April 27-27 U. of North Carolina; May 3-4. U. of Georgia.

Henry Busse, May 24 week E. Wood Gardens, Detroit.

George Hall, April 19. Purdue U. Lafayette, Ind.; May 17, week Green Tie Inn, Wichita, Kan.

Woody Herman, May 19. Savoy B. New York.

Claude Hopkins, May 3. Howard theatre, Washington, D. C. Larry Clinton, April 14. Trianna B. Chicago; April 26. Aud. Wichita, Kan.; May 2. Tromar B. Des Moines. Freddie Fisher, April 20. week, Tourist Inn, Cleveland.

Doc Moore, May Venuti, April 25. Tromar B. Des Moines.

Bobby Byrne, April 19. week. Empire theatre, Syracuse, N. Y.

## Billy Hinds, KDKA Spieler. Leads Hotel Schenley Band

Pittsburgh, April 9. Billy Hinds, announced at KDKA will turn maestro this week when he bats the new dance crew which will be installed at the Hotel Schenley's Continental Room for Saturday night formal dancing. KDKA serves the Schenley with music under supervision of Maurice Spitzler, station's musical director, and Hinds crew reduces Charlie Klum's KDKA other KDKA-backed outfit. Hinds is to continue regular speaker duties. For a time, Local 66 of AFM offered to Hinds until it was discovered he was once a musician, whereupon his application for membership was accepted and the agreement obeyed.

Vacillat will be Grace Mandfield, recent newcomer to KDKA, still and runner-up last fall in local Jerome L. Lasky Gateway to Hollywood auditions. Gal is without previous professional experience.

Gene Krupa drew 3,000 at Savoy Ballroom, New York, Sunday 11. B. stopped selling tickets.

Bronchitis and a general run-down condition requiring a week's rest forced Paul Whiteman out of some one-nighter and theatre dates last week. His band, conducted by Goldie, is expected to reappear, Head Goldie, it opened Friday 13, which booker Eddie Shermans (which in Connie Boswell) as a substitute name. Whiteman became too ill to continue after the first matinee on a single day theatre stand at Coliseum, New York, Tuesday 9, and returned to the city on his doctor's advice, while the multi finished the day. Band played Auburn and Erie, Pa., N. Y. Wednesday and Thursday with Goldie conducting, and then went into the state. Subsequent engagements at Onondaga, N. Y., Monday 10; Toronto, Conn., last night (Tuesday); Ogdensburg, N. Y., tonight (Wednesday); and Watertown, N. Y., were cancelled. Toronto stand was a concert and pianist Roy Barry was offered as a substitute leader. It was turned down by the promoter. Whiteman rejoins the band at the Strand theatre, Syracuse, Friday 11, a week's stay. It grew to the High Radio, the following week then works week to RKO pic commitment starting June 1.

# UNPRECEDENTED!

IN ALL AMERICA ONLY 2 SONG AWARDS  
AND BOTH WON BY


## THE ROBBINS-METRO

MUSIC PUBLISHING GROUP

### OVER THE RAINBOW

Lyric by E. Y. HARBURG  
Music by HAROLD ARLEN


Winners of the 1937 Academy Award  
Published by LEO FEIST, Inc.



## DEEP PURPLE

Lyric by MITCHELL PARISH  
Music by PETER DE ROSE

Winners of Lucky Strike's 1939 Hit Parade Award  
Published by ROBBINS MUSIC CORPORATION



## Current Hits!

from ROBBINS

THE WOODPECKER SONG  
THE STALLIT HOUR  
IT HAPPENED IN KALOMA  
from Deanna Durbin's "New Universal Picture, 'It's A Date'"  
IT'S A WONDERFUL WORLD  
SECRETS IN THE MOONLIGHT  
from the 20th Century-Fox picture "Stardust"

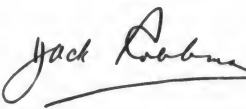

from FEIST

LITTLE CURLY HAIR  
IN A HIGH CHAIR  
from Eddie Cantor's M-G-M Picture "Forty Little Mothers"

3 HITS  
from RKO Radio's "Irene"  
IRENE  
ALICE BLUE GOWN  
CASTLE OF DREAMS  
LEANIN' ON THE OLE TOP RAIL

THANKS—to all those who made this unprecedented double honor possible.

Sincerely

from MILLER

MAKE-BELIEVE ISLAND  
Nick Kenny's New Song Hit.  
It's a "Natural!"

SO FAR, SO GOOD  
The Season's Greatest  
Rhythm Number

MOMENTS IN THE  
MOONLIGHT



Networks Weaning Their Sustainers From Dependence on ASCAP Music

Columbia and NBC have already started to apply the freeze-out treatment to musical numbers contained...

The networks will not make any attempt to dictate or influence the musical selections of commercial stations...

The web's new policy was responsible for the cancellation of an idea...

John G. Falne, ASCAP general manager, declared last week that the new master contracts for 1939...

ASCAP expects a stalemate to prevail for a long time until the contracts are made available.

ASCAP's F-M Terms

Stations using frequency modulation facilities are being licensed by the American Society of Composers, Authors and Publishers...

This fee covers sustaining membership for the usual 5% respected if the programs are commercial and the station collects for such broadcasting.

EXTRA TONK ISSUED AS OBERSTEIN BONUS

Albany, April 9. United States Record Corp., of New York, has increased its capital stock from \$11,000 to \$117,000...

The bill represents 2,000 shares (\$1 par value), all of which has been given to Eli Oberstein, v. p. and general manager...

Disks In 5-10

of the Woolworth stores for the past several years. Victor placed a record labeled as 'Electra' in 1939 which sold for 50c...

Music Notes

Comole Leo told her song 'Give Us Love With A Song' to Republic for 'Columbia Brenadette'.

Edde Ward writing original ballad numbers for 'Have It Your Own Way' at RKO.

From Waxman gets the musical recording job on 'Boom Town' at Metro.

Maarke Besslef is writing the musical score for 'The Doctor Takes a Wife' at Columbia.

Meredith Willson has composed lyrics for Sonos's 'Liberty Bell March,' soon to be published.

Richard Madigan signed to compose and conduct the musical score for the new picture, 'The Long Voyage Home'.

Quiet and Lovably

TINY OLD TOWN

A Small Ballad by Stanley Adams and Carmen Lombardo

PLAYMATES

SANTLY-JOY-SELECT, INC. 1419 BROADWAY, NEW YORK

New Jersey ASCAP Slap Off for This Session

Trenton, April 9. Indications are that the anti-ASCAP bill, which has been favorably reported by the Assembly...

One of these in Assemblyman Dun of Morris, who served it as poorly as it could be drafted for enforcement.

The bill, a carbon copy of similar measures introduced in numerous state legislatures, would require all agents for copyright owners to register their works with the secretary of state and pay a fee...

PUBS NUM ON SING PRICES

The major music publishers have adopted a policy of seriously guarding information about the prices they are charging for sync.

As for the producers of the music, they would much prefer to keep all deals under cover since composition of prices in the publisher rackets themselves are inclined to stir up the same questions that the pubs have been getting on the subject from writers.

Dorsey Alters Personnel

Personnel of Tommy Dorsey's band when it goes out on one-nighters after finishing a week at the Casino Theatre, Newark...

Band will list Joe Bushkin, piano; Cliff Dudley, brother of Frank Sinatra; Bud Thorne, alto...

18 Yrs. As ASCAP Ally. American Society of Composers, Authors and Publishers is adding New Jersey to its list of directly admitted territories...

Kenyon Halliday was the ASCAP rep in that state for 18 years. His resignation from ASCAP is a limited one, since he will serve as secretary in capacity for a year.

Bregman-Vocco-Conn Remonstrates With ASCAP on Availability Slash

British Best Sellers

Table with 2 columns: Song Title and Artist/Label. Includes 'Waterbrain' by Day After Tomorrow, 'Hoola' by Maurice, etc.

Firm of Bregman, Vocco & Conn proposes to carry its protest against the slashes in rating given it by the industry...

The partners declared that they preferred to exhaust all avenues of relief allowed them under the ASCAP laws before resorting to litigation.

Wayne King Annoyed A By-Product of Feuding Over ASCAP in Wisconsin

Milwaukee, April 9. After trailing him for 34 years, the Milwaukee Starline was caught up with Wayne King on the shores of the Riverside theatre at midnight on Tuesday (7) and served with a subpoena that brought him before United States Court Commissioner E. D. Burger...

Through an inadvertence the Paul-Fletcher Music Co., was listed as having been given a license by the authority raised for the past quarter in the American Society of Composers, Authors and Publishers.

E. K. Marks last week argued for denial of availability rating before the publishers appeal board, which consisted of Edwin H. Morris, Elliott Rosen, and Gene Low Diamond.

Horowitz, Silver Name Their Child: Mayfair

Walter Horowitz and Almer Silver have adopted 'Mayfair Almer Corp.' as the name for their firm, which contains the old Joe Davis catalog.

Charles Gordon becomes professional manager of Mayfair this Monday (15). He has been with them since 1934.

Milton Rosen and Everett Carter cleared 'where the Prarie Bells' from the 'Gypsy King' record. Universal's 'Red Man from Red Butte'.

MILLS SONG-HIT SHOW THE NATION'S NOVELTY CLICK MA! MA! MA! MA! MA! (He's Making Eyes At Me) Featured by the New UNIVERSAL PICTURE of the same title OLSEN and JOHNSON's own song the HIT of their record-breaking HELLAPOPPIN

Oh! GEE OH! GOSH Oh! GOLLY Oh! IN LOVE A National HELLAPOPPIN WEEK-April 23 Already the TALK OF TIN PAN ALLEY! BY NOEL GAY who gave you LAMBETH WALK RUN, RABBIT, DN! From the London success, 'The Little Red Lighthouse' MILLS MUSIC, Inc. J & M MLEIN Corp. 510 Broadway New York, N. Y.

# Padula, Long Knee-Deep in Labor Strife, Opening Non-Union Philly Spot

Philadelphia, April 9. Arthur H. Padula, former operator of the Arcadia-Internationals who has been at odds with unions on many occasions in the past, will inaugurate the Anchorage, formerly East River Drive roadhouse, Friday (11) with an entire non-union setup. It is a real rummer that is to be taken over by the Music Corp. of America for conversion into an all French dance spot with name bands.

Padula said he had asked the musicians union to place the Anchorage under a "C" classification during the winter because his was all during that season, but was turned down. He said he had offered to pay \$622 in back wages he owed Johnny Graff, whose orchestra played at the Anchorage last year, if the union would agree to the lower scale, but this too was rejected.

The Anchorage is in a peculiar position to withstand any attack by a union. Since it is located in Fairmount Park, any picketing in front of the spot is forbidden by law. In addition, much of the Anchorage's patronage comes from the Blue Book set, which is notoriously anti-union here. Because most big-time entertainers are members of the American Guild of Variety Artists and would refuse to play with non-union musicians, Padula admitted he would be unable to book any name acts. The opening show will be the Carole Ransom Rhumba band, plus a dance team, a line of girls and an m.c.

On Tuesday (3) the last of the 24 acts hanging over Padula since he folded the Arcadia-International in January, 1939, was settled. Judge Theodore Rosen in Common Pleas Court dismissed criminal proceedings against the youthful couple operating out of charges brought by two waiters that Padula had pocketed money which was deducted from their wages for group insurance.

Padula also settled out of court a suit against his former partner, the Society of Composers, Authors &

## Guy Perkins, Chicago Vaude Agent, Dies

Chicago, April 9. Guy Perkins, for the past 30 years a vaude agent here, died suddenly last week. He was 51. Always on the RKO and Orpheum floor, he was associated for a number of years with William Jacobs (one half of the business), but in the past few years had been operating independently.

## Saranac Lake

Saranac Lake, April 9. Happy Bevoxy was rushed to General hospital here with double pneumonia. Jack Edwards is coming along fine after several ops. Bobby Burke is back to more curing.

Eddie McDonald is leaving for home. Dorothy Meehan left for Daytona Beach, Fla. Ditta Carole Heller for Los Angeles. Dr. Rudolf Marx was tendered a farewell party on his departure for Albany, N. Y. Milton Weeks just passed another birthday.

## Miller Chorus Eyes Fair

Eddie Miller's all-male chorus (18) is angling for a spot at the New York World's Fair. One deal in negotiation is at Morris Todd's "Old New Orleans".

William Morris Electric is agitating the group.

Publishers for back income fees in addition Padula dropped his own action against ASCAP in which he sued for \$40,000 charging "conspiracy to violate the anti-trust laws."

## Unit Review Elman's Hobby Hobby (TOWERS, CAMDEN, N. J.)

Camden, N. J., April 4. Dave Elman was Jimmy Smith, Harry Whitley, Arthur Williams, Gene Harvey, Glenn Camp, Larry White, Gus Valentine, Fred Kida Furber, Large & Margery, Mack E Evans, Frank Luther, Joe Miller, George Brock, Leona Pitt (RKO).

Dave Elman took off his personal apparatus tour here with 10 of the hobby club. The hobby club is on his radio program, which folded last week after three years. It is entertaining, fun, humorous on the Major Bowes style, which should help in business to family trade. The unit is a potpourri of talented amateur vocalists, instrumentalists, comedians and a touch of the circus side-show. To put a little speed to the show Elman has added a couple of professionals.

As the curtain rises, the hobbyists are seen seated on stage under a banner marked "Petit Naphtha Chips" (the program's former hobby). Elman came on in a hurry with a script tacked under his arm which he read through the show. The (he explained later that he was in haste) was his debut.

First hobbyist to do his stuff is Jimmy Smith, Negro janitor, who works in housing out on an apartment. Using a pair of shoeless feet as a satisfaction, he sang "Oh Johnny" and brings giggles with his naive antics. Next is Arthur Williams also brings puffery with his bit—singing of success. He sang "I suppose" type to the hearty laughter of the audience. Followed by Arthur Williamson, of Camden, who got a big hand as he played several numbers to the members of the hobby despite the fact that all his fingers are missing.

Ken Harvey is mildly entertaining with his banjo, which is hooked to an amplifier. He sang "I'm an instrument of great volume. The banjo is a good bit but his singing meant leading his blind pal.

Glenn Camp has the same disability as a comic. He's a tall, lanky, doughy man whose hobby is to make "unhappy jokes." The gags and songs delivered in a slow drawl brought plenty of his laughs.

Curtis White's hobby is a Rube Goldberg type of gadget which he claims amplifies sound 100,000 fold. The sound of auto walking across a sheet of paper caused the tramping of an army in hot-soled shoes. Garden acts as a stonemason and used a light touch in what might be a dry bit of stage bit.

Little six-year-old Gina Valente is the show stopper. A cute innocent in curls she plays the piano like a veteran. With plenty of piano and stage presence, the gal possessed an "original" composition, "My Happiness" and a sippy tune called "Gina's Boring." Her encore was "Scatterbrain" on a piano accordion. Elman's stage technique needs brushing up since his style is strictly that of the broadcasting studio. The unit could also use more money. A. Outside acts on the bill were Evans, and Frank Luther, singer. Most were backed by Joe Miller's house band, working on stage Thursday night.

But fair at show caught "That Day, Miss. Tax Bill

Jackson, Miss., April 9. A heavy privilege tax on night clubs in Mississippi would be levied under a bill introduced in the state legislature at Jackson. Bill calls for a sliding scale levy, \$100 on clubs with gross income under \$2,000 a year, and jumps \$100 per club as gross income climbs each \$2,000. Maximum is \$1,200 on an income of more than \$28,000.

For those failing to make a report of their grosses, the maximum of \$1,200 would apply.

## AGVA's Pitt Local

Pittsburgh, April 9.

AGVA has granted a branch charter to a group of Pittsburgh entertainers. Thomas E. Kelly, of Philly, opened headquarters for the AFL affiliate here a few days ago. Today (Tuesday) Kelly is scheduled to meet with city agents for a preliminary discussion of unionization matters, with a general organization meeting called for Sunday (14).

## Gourain to Chi

Harry Gourain, producer of the stage shows of the Strand, N. Y., left Sunday (7) for Chicago to see Wayne King's architect, current at the Chicago theater. At the same time he will visit his father, now 81, who lives in Chi.

King plays Indianapolis before coming into the N. Y. Strand, which will be his initial appearance on Broadway.

## 15 YEARS AGO

(From VARIETY)

There were 3,000,000 bone joints throughout the U. S., compared to the 17,000 in 1925. Ineffectiveness of prohibition thus shown.

George John Nathan a bridegroom! It was unbelievable, but nevertheless the impending truth. And the critic's bride was to be Lilian Gish, the screen star.

Some unpleasant experiences that legiti had had with picture companies was behind the sale of only 14 legiti to films.

'Kick! the David Belasco stage hit, in which Lenore Ulric played on Broadway for three seasons, was bought for filming by Joseph Schenck. Connie Talmage slated for lead.

Dullfest students were responsible for plenty of headaches to theater managers in London. All the New Oxford asked the bill for crockery amounted to \$10,000.

A London photograph company closed deal whereby three shows playing in the West End would be guaranteed royalties on a total of 1,000,000 records, generally claimed to be the biggest guarantee ever made by such a concern. The three shows, musicals, were "How Maria, No, No Nuts" and "Tails."

A record history was scheduled for James Hallett, young violinist, who was leaving a two-year world tour.

# 6 NABE HOUSES IN PITTT TRY VAUDE

Pittsburgh, April 9.

Harris Amos' Co. has decided to experiment for a month with vaude in six of its local base stands. Each house will get a unit for one day, giving each of the shows a full season right in town. Two-act was being "Hollywood Doublet" shows with Emmeron's Mountebanks, Copy Barra harmonica band and Rodio Robes slated to follow in turn. Spots booked only through April, with four-week showing expected to determine future policies. Eddie Sherman being the shows from N.Y.

Harris houses scheduled for the experiment are Beechview, Monday; William Penn, Tuesday; Perry, Wednesday; Liberty, Thursday; Monro in Jeannette, Friday, and Denis, Saturday.

# Ted Elders' Boxing Kangaroo Killed In Fall; Mpls. City Seal

Minneapolis, April 9.

Mr. and Mrs. Ted Elder, owners of Peter the Great boxing kangaroo that performed at the Builders' show in the Auditorium here recently, are seeking \$75,000 from the city, claiming that the animal died as the result of a broken tail after a six-foot fall in an Auditorium elevator. Concrete set in after the tail was broken, they claimed.

The city attorneys' staff want the body examined to determine whether the broken tail actually caused death. An autopsy by a veterinary pathologist in the city, which has been suggested. The body already has been turned over to a taxidermist in the city and they don't know whether the desired examination will be possible.

Best Coffee in England  
**QUALITY INN**  
Lancaster Square  
LONDON, WEST-END

## The Theatre of the Stars

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**BOOKING AGENCY**  
GENERAL EXECUTIVE OFFICES  
**LOEW BLDG. ANNEX**  
160 WEST 46<sup>th</sup> ST. NEW YORK  
Beyond 9-7800

**J. H. LUBIN**  
GENERAL MANAGER  
**SIDNEY H. PIERMONT**  
BOOKING MANAGER

LEE TILMAY  
**LIMS and BAILEY**  
CURRENTLY SHEA'S HIPPODROME, TORONTO  
Dir. NAT KALCHEIM, WILLIAM MORRIS AGENCY



## SALICI PUPPETS

Just Completed a Year's Engagement for  
**TIVOLI CIRCUIT, AUSTRALIA**

**LOEW'S STATE, New York, Opening April 11**  
SEVENTH RETURN ENGAGEMENT

Thanks to **SIDNEY PIERMONT**

**Golden Gate International Exposition,**  
**San Francisco**

**OPENING MAY 25 TO SEPTEMBER 30**

Thanks to **G. PISANI**

Direction: **PHIL OFFIN** - - Radio City, New York





APOLLO, N. Y.

Deep River, April 8, Sister Boys, Dusty Fletcher, Axel Brooks, George Witshire, (13) ...

Here's a show that should tick, but doesn't. It has sufficient talent and good ideas to add up to one of the best, but it falls a little short in its smudgy direction, which leaves it in the faintly interesting category of a distant house line and the seeming unfamiliarity of the Coleman Hawkins quartet.

Mineral opening of this program could have been one of the best; instead, it's mighty dismal. Some applies to the camp meeting production piece midway, despite several energetic efforts by fine-line choruses.

April Brooks and Dusty Fletcher serve as emcees in the mineral opening without great distinction. ...

Deep River Boys (New Act) ... they claim to have done on radio. ...

Don Rice, Lathrop, April 7, ... Don Rice, Lathrop, April 7, ...

OLYMPIA, MIAMI

Low Parter & Co., Chic Kennedy, Charlie Frederic, Fred Meyer, ...

Miss any upper bracket name, but offering satisfactory collection of diversified acts, current bill gets a substantial amount of attention.

Show is nicely paced by Lew Feltz, marketing the bill in a series of stanzas planted in the house. ...

Chic Kennedy's impressions haven't varied a carbon since his first show on Valley Road, ...

Low Parter & Co., Chic Kennedy, Charlie Frederic, Fred Meyer, ...

CAPITOL, WASH.

Washington, April 8, Marjorie King, Kansaser Trouser, ...

House bill the bolshies with a bow, using Vilma and Buddy Zonen as vocal soloists and a vocal quartet line into two specialties capitalizing on the soloists' talents.

First of latter is annual Cherry Blossom Festival, ...

Four Kansasers, Japs, also submit their own act, ...

Smart trio make for necke opening in fourth straight week.

Don Rice, Lathrop, April 7, ... Don Rice, Lathrop, April 7, ...

Don Rice, Lathrop, April 7, ... Don Rice, Lathrop, April 7, ...

ORPHEUM, L. A.

Los Angeles, April 3, 'La Conga Fiesta' with the Theodores, ...

Once this stage show is properly marketed, it should be a highly entertaining diversion.

Miss Calhoun, a youthful, light Negro girl, does a really hot routine, ...

Tommy Trent does some clever comedy, ...

Youngman, on early to take up

CAPITOL, WASH.

Washington, April 8, Marjorie King, Kansaser Trouser, ...

House bill the bolshies with a bow, using Vilma and Buddy Zonen as vocal soloists and a vocal quartet line into two specialties capitalizing on the soloists' talents.

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FLATBUSH, B'KLYN

Andrew Sifers (3), Vic Schoen (13), ...

Though the Andrews Sisters may be doing their best to get their feet to the wickets this week, it's Henry ...

Vic Schoen hand (Band Review) is doing his best to get his feet to the wickets this week, it's Henry ...

The Kiduloers, possessing some bonafide pull through having been ...

Youngman, on early to take up

THE DE MARCOS (1)

Manhattan, N. Y. The last New Act 'notch' on American ...

Trades and standards have shifted far and fast, with the times, and here the Palace or the Hippodrome ...

The Palace and the Hippodrome ...

Shore Ladden Shows ...

Shore Ladden Shows ...

Shore Ladden Shows ...

FRANCES-ALLIS GIBBY (4)

Frances-Allis Gibby (4) ...

When caught, they clicked with a ranga number, a rumba, a Hawaiian dance and a moderate hit.

FRANCES-ALLIS GIBBY (4) ...

FRANCES-ALLIS GIBBY (4) ...

FRANCES-ALLIS GIBBY (4) ...

HOUSE REVIEWS

New Acts

CHARON CORBA ...

Miss Corda is a refugee from American appeal. Two of her songs at Town Hall clearly indicated that she also can do all right with them.

Miss Lamm is engaging looking ...

Shore Ladden Shows ...

Shore Ladden Shows ...

Shore Ladden Shows ...

LAWRENCE SMITH

Lawrence Smith ...

Lawrence Smith ...

Shore Ladden Shows ...

Shore Ladden Shows ...

Shore Ladden Shows ...

Variety Bills

THIS WEEK (April 5) NEXT WEEK (April 12)

Numerals in connection with bills below indicate opening day of show, whether full or split week

Loew

Cabaret Bills

NEW YORK CITY

Law Parlor... Washington... Broadway...

At the Lincoln... At the Lincoln... At the Lincoln...

Paramount

New York City... Broadway... Broadway...

At the Lincoln... At the Lincoln... At the Lincoln...

ROXY, NEW YORK NOW RAY WILBERT

RKO

New York City... Broadway... Broadway...

At the Lincoln... At the Lincoln... At the Lincoln...

Warner

New York City... Broadway... Broadway...

At the Lincoln... At the Lincoln... At the Lincoln...

Independent

New York City... Broadway... Broadway...

At the Lincoln... At the Lincoln... At the Lincoln...

Bill Farrell... Bob White... Various other theater listings...

LOS ANGELES

Bob White... Various other theater listings...

PHILADELPHIA

Various theater listings for Philadelphia...

DETROIT

Various theater listings for Detroit...

CHICAGO

Various theater listings for Chicago...

COLUMBIA

Various theater listings for Columbia...

PITTSBURGH

Various theater listings for Pittsburgh...

Various theater listings (continued from top right)

Various theater listings (continued from Los Angeles)

Various theater listings (continued from Philadelphia)

Various theater listings (continued from Detroit)

Various theater listings (continued from Chicago)

Various theater listings (continued from Columbia)

Various theater listings (continued from Pittsburgh)

(Continued on page 47)







# LUNTS - 'NIGHT' HOT \$21,000 IN HUB

There shall be no rights' Colonial... a side last week... "Hot Night" in Hub... "The Great"...

George M. Cohan came in Monday... "Hot Night" in Hub... "The Great"...

"Hot Night" in Hub... "The Great"...

# 7 SHOWS OFF ON 'WAY'; 2 DUE

Last Saturday (6) saw more casualties than first indicated... "The Year of the Gull"...

# EQUITY RESOLUTION SEEMS AIMED AT TAX

In one of the most drastic moves of its kind in the association's history... "The Year of the Gull"...

# 'Margin' Deal Closed For London Showing

Charles H. Allen, New York agent... "The Year of the Gull"...

'Sta. of Paris' Swings Detroit for OK \$19,500... "The Year of the Gull"...

# MR. FAVERSHAM PASSES AT 73

A maline idol in his day, William Faversham died Sunday (7) of heart failure... "The Year of the Gull"...

# Current Road Shows

'Aha Lincoln in Hines' (Raymond Mervin)... "The Year of the Gull"...

# 'Folies' Quits Philly With OKAY \$16,200

Philadelphia, April 9... "The Year of the Gull"...

# 'Margin' Deal Closed For London Showing

Charles H. Allen, New York agent... "The Year of the Gull"...

'The Merry Widow' (Lillian Gish)... "The Year of the Gull"...

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'The Merry Widow' (Lillian Gish)... "The Year of the Gull"...

# By Way Slips, Opinions Divided On Higher, Higher, 7/10, Uncertain, 'Lady,' \$12,000, 'Richard II,' \$14,500

Estimates for Last Week... "The Year of the Gull"...

# 'The Merry Widow' (Lillian Gish)

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'The Merry Widow' (Lillian Gish)... "The Year of the Gull"...

# 'The Merry Widow' (Lillian Gish)

# CH-LEGGT OFF; MUN-LIGHT 11G

Chicago, April 9... "The Year of the Gull"...

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Chicago, April 9... "The Year of the Gull"...

Plays Abroad

COME OUT TO PLAY

London, March 26. News in the past few weeks...

After a seven-week absence from the West End stage, Jennie Matthews...

Nitty continuing and dainty waver...

Male voices heard and cheerfully as...

Of the sketches the longest and best...

Wendy never intended for the West End originally...

KEEP OFF THE GRASS



EDDIE GARR... Now Playing BOWERY CAFE DETROIT

ATTENTION, LEILA ROYCE! Promoted with sketches in Philadelphia...

ELVIRE

Paris, March 26. There is a four-act comedy...

'Elvire' brings back Henry Bernstein to French light after an absence...

He has an outstanding alliance with...

He has an outstanding alliance with...

THE ROLE IS CUSTOM-MADE FOR THE...

BEYOND COMPRE

London, March 26. There is a two-act farce...

Ronald Frankau, who devised...

During this, Frankau offers an un-

Frankau is the chief star, appearing...

Finer Feathers Trapped... Noel Langley opens new stage play...

Shows in Rehearsal

The Stranger Fig—William Herz...

ASSOCIATE P.A.S WIN SOME CONCESSIONS

Press agents group in the Theatrical Managers, Agents and Treasurers...

Nominations for the annual election...

College Play

A number of holes, about that of...

REVO

Revo, a two-act farce, written and...

It was the pony ballet, which included...

Selnick - 20th

On Feb. 1, 1932, that hereafter they...

Inside Stuff—Legit

Louis Schaefer, executive director of Labor Stage...

While in Pittsburgh recently in 'Key Largo'...

Recent one-nighter of 'Taboo' head...

Plans for sending touring legit shows...

College Play

A number of holes, about that of...

REVO

Revo, a two-act farce, written and...

It was the pony ballet, which included...

Fair's Scale

For shows and around \$11 for extras...

While in Pittsburgh recently in 'Key Largo'...

Recent one-nighter of 'Taboo' head...

Plans for sending touring legit shows...

College Play

REVO

Revo, a two-act farce, written and...

Fair's Scale

Federation, which consists of all...

ANY ARBOR'S SEED

Ann Arbor Drama Festival will open...

Broadway

Jim Tully in from Hollywood.  
 Beulah Stewart, Coast agent, in from New York.  
 Joe Meisler has bought a farm in New Haven, Conn.  
 Lillian Fitzgerald recuperating from her fractured leg.  
 Milton Shoberg in from Coast for short bit.  
 Fred Young back with Return of the Vagabond.  
 Byron C. Pagan in the Coast to do a radio play.  
 Al Greenbaum recovered from compound fracture of arm.  
 Fred Robin in from Hollywood planning to team as a nitery prep act.  
 Lewis Buddy, Jr., manager of French Paramount, has moved for Paris.  
 May Hanna Lacy wife of Arthur, hospitalised at Manhattan General hospital.

Charles Washburn in the "American Jubilee" show at the World's Fair.  
 Sidney Phillips of Metro's story department, rebuilding his home at Woodstock, N. Y.  
 Fred Morgan has injured hand, injured when he ejected post from his Broadway grill.  
 Sidney Phillips' novel by Paula Gould, for April in 8th publicity, will be out April 19.  
 Mabel LaBeau, theatrical actress, played Sunday 711 to the Coast for couple weeks' vacation.  
 George Sheehan and wife, Diana Furber-Robertson, of London theatre district, sailed for Italy.  
 Connie Cole of 46th St. Theatre headlined hurt finger while closing night but returned to work.  
 Dick de Bergerheim European manager of Time-Life, back to Paris after several weeks' absence.  
 Leon Kurrer, Vienna-born in New York after smuggling himself across France-Italy border.  
 W. C. Fields' book, "Fads for Friends", published by David McKay, New York, available.

Frank Ferris loved the dramatic titles in their paper, for a World-Weekend feature one of the best.  
 Mrs. Joseph Friedman, wife of Louis, is touring the country, and is expected to be in New York City.  
 Guy Robertson and Arthur Christy are touring the country, and are expected to be in New York City.  
 Fred Young is in New York for a short bit.  
 Fred Young is in New York for a short bit.

Ben Loverson is in New York for a short bit.  
 Al Habbot returns to Hollywood April 19.  
 Al Habbot returns to Hollywood April 19.  
 Al Habbot returns to Hollywood April 19.  
 Al Habbot returns to Hollywood April 19.

Charles Howell, for many years telegraph editor of the "New York Times", has taken over the bar at the New York Club, known as the Wigwag.  
 Ray Meyer, old-time radio announcer, wrote work week called "The Meyer Column" for the "New York Times" on West 52nd street shortly.  
 May Day's "Jack Gorman" column, "The New York Times", is the music publisher, both out of the "New York Times" shortly.

Paul Kohner, Coast agent, in from New York with half-completed manuscript for "The Love of My Life" in Hollywood, talking deals on it with publishers.  
 Josephine Sprague, Hollywood, contracts, here on immigration was secured with help of Mrs. James Brown for her husband's return.  
 Ray Meyer, old-time radio announcer, wrote work week called "The Meyer Column" for the "New York Times" on West 52nd street shortly.

There shall be "No Night" starring the Lamis, will be published by "The New York Times" shortly.  
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 Ray Meyer, old-time radio announcer, wrote work week called "The Meyer Column" for the "New York Times" on West 52nd street shortly.

radio deal. Thanks to Chicago for Paul Hanson, who is in from New York.  
 Paul Hanson, who is in from New York.  
 Paul Hanson, who is in from New York.  
 Paul Hanson, who is in from New York.

Madison concert notes open June 20 and ends Aug. 14. Will include one opera, the Ballet Theatre in six performances, a joint appearance of the Metropolitan and the United Gerswin club.  
 Katherine Dunham, who danced with the Ballet Theatre in six performances, a joint appearance of the Metropolitan and the United Gerswin club.

John H. Johnson, publisher of "Ebony" magazine, is in from New York.  
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London  
 Forthall has raised \$50,000 for his charity.  
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Hollywood  
 William Keating laid up with flu.  
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Pittsburgh

By Hal Cohen

Paris

By Joseph B. Cavetto

Australia

By Arie Goerick

Night Club Reviews

(Continued from page 7)

EL MOROCCO, N. Y.

EL MOROCCO, N. Y. HOTEL PENNSYLVANIA. Jimmy Dewary Orch 15th; with Helen O'Connell, Bob Eberly.

CAFE ROUGE, N. Y.

CAFE ROUGE, N. Y. HOTEL PENNSYLVANIA. Jimmy Dewary Orch 15th; with Helen O'Connell, Bob Eberly.

Hotel Pennsylvania

Hotel Pennsylvania. Jimmy Dewary Orch 15th; with Helen O'Connell, Bob Eberly.







# VARIETY

## WROTE THIS AD FOR US!

NOT INTENTIONALLY  
MERELY REPORTING FACTS!

Wednesday, April 8, 1940  
**Spring Comes to Chi. B.O.'s Spurt;**  
**Orrin Tucker and '17 Smash \$54,000.**  
**LaMarr-Tracy, 10G, Satisfy, Ho.'s OK**

Chicago, April 8.  
Chicago (B&K) (11:00, 10-11-39)—  
Savannah (Pa.) and Orrin Tucker  
head with Bonnie Baker on stage.  
Dinner is strictly the stage show this  
week and on order performance  
daily home in long time. Last week,  
\$4,000 head in amount to aid the  
Warrent build with success. (Pa.)  
annual week of "Savannah" (Pa.)  
and help to strong \$2,500.  
Garrick (B&K) (11:00, 10-11-39)

Wednesday, March 27, 1940  
**'Chick'-Orrin Tucker-Bonnie Baker**  
**Pulling Terrific \$24,000 in Mpls.**

ORPHEUM, MPLS.  
That the Orrin Tucker-Bonnie  
Baker couple carries considerable  
audience dynamite was amply demon-  
strated when Good Friday (27)  
before were last, the Mart H. Sawyer  
stage show, starting at 7:30 p.m.  
This is something that hasn't oc-  
curred here for a stage attraction in  
several years.  
The new riot of applause which  
the Tucker and Bonnie Baker and  
their orchestra to their credit, in-  
cluding in the first...

# Orrin TUCKER

AND HIS ORCHESTRA

ALSO STARRING THE "OH JOHNNY" GIRL

# Wee Bonnie BAKER

FROM OUR 1940 DATE BOOK (As Of April 10)

- ★ Halls  
WALDORF-ASTORIA, NEW YORK  
OPENED APRIL 5  
PALMER HOUSE, CHICAGO  
11 RECORD WEEKS FROM JAN. 4
- ★ Radio  
LUCKY STRIKE'S YOUR HIT PARADE  
CBS SATURDAYS 9 P. M. EST.

- ★ Theatres  
ORPHEUM, MINNEAPOLIS  
\$24,000 ... WEEK MAR. 22  
CHICAGO, CHICAGO  
\$34,000 ... WEEK MAR. 29
- ★ One Nighters  
VARIETY CLUB, MILWAUKEE  
\$4,530.85 ... MON.. FEB. 26

★ Records  
COLUMBIA RECORDING CORP.  
NEWEST RELEASE # 35400 "ALICE BLUE GOWN"  
"IRENE"

EXCLUSIVE MANAGEMENT PERSONAL MGT. TED NICHOLAS

# MUSIC CORPORATION OF AMERICA

LONDON • NEW YORK • CHICAGO • SAN FRANCISCO • BEVERLY HILLS • CLEVELAND • DALLAS • ATLANTA

EIGHT OFFICES THROUGHOUT THE WORLD EACH OFFICE A COMPLETE UNIT IN ITSELF



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VOL. 138 NO. 6

NEW YORK, WEDNESDAY, APRIL 17, 1940

PRICE 25 CENTS

# U. S. BIZ OFF BUT RADIO UP

## Films Meticulously Neutral Today; Attitude 25 Years Ago Very Biased

By **HEB GOLDEN**  
 Study public determination to keep the United States out of war, shared by film execs along with all other Americans, has resulted in no production or importation to date of any of the inflammatory pictures which marked the first World War. However, major film companies are not unmindful of the tremendous profits turned in by war and propaganda pictures of every nature between 1915 and 1918 and, should any major incident occur to switch the public will, a deluge of war films may be expected. It is pointed out that it was the striking of the Lusitania, bringing the battle home to America, that precipitated the loss of decreasing estimated 20 years ago.

A scrupulous glance backward reveals the first part films designed to leading up to U. S. participation in World War I and makes for some strange and needless comparisons with the present situation. Study of the type of films that followed the entrance into the Europe.

(Continued on page 25)

## Opera Wants Deanna

Philadelphia, April 16. The Philadelphia-Lafayette Opera company last week moved an offer to Deanna Durbin to make her operatic debut with it next season.

The company has already engaged James Melton for several operas.

## B'WAY LEGIT B.O. BLITZKRIEGED BY TAXES

Legit business on Broadway has declined sharply. Radio slump arousing concern in managerial and ticket circles. Any number of reasons are being advanced to explain the offish going, not the least important being the war. Because of the invasion of Denmark and Norway, it was observed that many people are staying close to radio sets to obtain the latest developments.

Another factor that affected box-office last week was the approach of the New York state income tax payment deadline Monday (15), it being pointed out that the state takes a bigger income bite than the Government from moderate incomes.

Heavy rain ushered in last week, with Monday's (17) attendance away off. Bad weather again on Friday (12) also hurt business.

Indicated, too, that the Ringling circus is real opposition this season, big top setting out Saturday (13) at Madison Square Garden. Monday (15) saw improved attendance, however.

## HEPBURN, STEVENS FIND IT PAYS TO BE CELEBS

Baltimore, April 16. Driving from Baltimore to Pittsburgh for an engagement there last week in "Philadelphia Story," Katharine Hepburn and George Stevens, film director, had a slight brush with the law in nearby Bedford, Pa. Ste-

(Continued on page 3)

## Grads 'Save' Stewds Via Soda-Sans-Scotch Cafe

Philadelphia, April 16. The Russell Conwell Lanchon Club, a branch of prominent alumni of Temple University, last week raised a fund of \$4,000 to establish a club for Temple students that will sell only nonalcoholic beverages. Strongest drink will be an ice cream soda.

Spot will be open within the next three weeks.

## STAYING-WITH-IT ADVERTISING PAYS

## Present Period Provides Illustration of Radio's Great Advantage in Forcing Sponsors to Observe Sound Advertising Principle of Steady, Consistent Campaigns

## LUSH SPRING

Radio is enjoying a lush springtime this year, at a time when United States business generally is decidedly off and while other advertising media have ample occasion for complaint. In particular, evidence of this brilliant exception to the prevailing rule, the radio media are crediting the healthy condition of the radio industry's insistence upon 15-week cycles and, to the whole, the general structure of radio which practically forces advertisers to follow sound principles of advertising, namely,

(Continued on page 28)

## IN PRAISE OF THE PAY CHECK

Writing original tunes around or pertaining to the spots in which they're working is becoming popular with song heads. Latest to pen such a number is the Benny Goodman crew, currently at the Coconut Grove at Ambassador Hotel, Los Angeles, which has turned out a piece called "In the Coconut Grove." Prior to this, Glenn Miller had written a pair while at the Cafe Rouge of the Pennsylvania Hotel, New York, called "Cafe Rouge" and "Pennsylvania 6-5000," the telephone number of the hotel. While at the

(Continued on page 18)

## 22 Acts, Chorus Grand in Cleve. Theatre-Niery

Cleveland, April 16. What is probably a new high in grading live entertainment is being set by the new Regal Club, Theatre-cabaret, which is playing 22 acts on a continuous policy from evening to early morning. Besides the talent, show also includes Len Fieser's line of girls.

Their is the defect: City theatre, which was acquired by a foreign policy. Jerry Hathaway took over the house and remodelled it into a terraced alley, with tables on four elevated levels and enlarged stage for dancing and revues.

## 'More Barnuming' Is New Order For Boxoffice Exploitation of Films

## Nothing Sacred

Buffalo, April 16. Three girls captured Western New York, barbershop harmony content here last week. They won first prize.

## RCA'S NEW TELE FOR HOTELS, CAFES, ETC.

RCA will stage a trade demonstration of theatre access television within the coming month and will probably this fall start making projected television installations in cocktail bars, cafes, hotels, department stores, etc. The theatre access will be nine by 18 feet, while the smaller projector will have a screen of three by six feet. The latter installation will figure around \$1,750.

Set manufacturers report that the recent barrage of publicity that television and frequency modulation has received from Washington has raised havoc with the sale of their higher priced radio sets. While the small sets are selling well, there's a decided disinclination to invest in the more expensive receivers, with householders figuring that if television or F.M. is just around the corner they might as well hold off major set expenditures until the new contraptions are on the market.

## MUNI, GARFIELD OGLE SACCO-VANZETTI PLAY

Pittsburgh, April 16. Group Theatre has been talking to Judge M. A. Monahan about making a play from his Sacco-Vanzetti book, "After 12 Years." Both Paul Muni and John Carleton are yet to be worked out, but the arrangement in general calls for the establishment of a unit for Muni and Hart in which the pair would

(Continued on page 16)

## Three N.Y. Fair Pitchmen Bivouac at Rainbow Room

To heaven in an elevator is the motto of Al Ganz, Vince La Scola and Al Myers. Last summer they were hitchhiking in the New York World's Fair, selling and demonstrating tin kazooes. During the winter they worked their spots into an act.

Shortly they make their debut in the 60-story high Rainbow Room. N. Y. Manager John Roy hired them when an audition Saturday (12).

Hollywood, April 16. General revision of access battery is under way in major and in-the-studio, pointing toward a reduction in the number of studio writers and an increase in exploitation. Change is inspired by some office execs, who hope to offset the loss of foreign revenue by stimulating trade in the home market.

One reason for the reduction of studio handouts is the increased quantity of war and foreign news which is causing newspapers to lose out a lot of Hollywood columns and other trivia issued by the factories. Sales department chiefs have realized that P. T. Barnum had the right idea and are sending out experienced exploitation men to whup up their film news about a radio-fueled way.

Under the impending change, most majors plan to lay out more coin in newspaper and tradepaper advertising and to make more use of radio campaigns. There will be a shift toward the distribution of individual stars, and more stress on the film news about a radio-fueled way.

(Continued on page 8)

## Kaufman and Hart Set Unit Production Deal for 3 WB Films

George S. Kaufman declared yesterday (Thursday) that he has made a verbal agreement with Warner Bros. by which he and Moss Hart will make three pictures for the company within an unexpected period of time. One of them will be the pair's current Broadway smash hit, "The Man Who Came to Dinner," which will be put in production just about a year from now.

Kaufman said.

The deal was made in New York on Monday (15) from Coast contacts with WB. He said no deal was actually made and many details are yet to be worked out, but the arrangement in general calls for the establishment of a unit for Kaufman and Hart in which the pair would

(Continued on page 16)

## BYRNE SAYS NO

Thinks Broadway Will Pay More Than \$2,500 For Film to Fall

Bobby Byrne has turned down offers of \$2,500 to work for Broadway theatre engagements to be filled after he moves out of the Glen Island Casino, Pelham, N. Y. This fall he had had something of a fling at the summer spot before making any stage appearance. He figures that by the fall he may be worth more than \$100,000.

That offer itself is unusual in that the Byrne band has been organized less than a year.

## HOW UNUSUAL

Wowed While on Weekend April Day to 30 Years

Hollywood, April 16. You much California sunshine shined on production schedules in the studio, particularly in the valley, where heat waves are always and wind the mercury hit 85, and on the Warner, Universal and Republic heights. It rained up to 118, an unusual high for April in a territory usually lauded to unusual weather. By 4 o'clock it was the hottest April day in 30 years.

Suddenness of the change willed several units on the back lots and caused a heavy downpour of rain and sleet at the nearest refreshment stands.

# Bowery Assn. Woos Show Biz's Co-op. With Theatre Week's Bally Friday (19)

Parade of people from the various Broadway theatres, shows, vaudeville houses, interior, etc., on Monday (19) in connection with the opening of "Theatre Week" is the first move by H. F. Wright, new director of the Broadway Assn., to bring about close cooperation between that organization and Broadway's show business. In the past the two have been more or less openly hostile.

Wright is also the first step to try to grab some business for Broadway from the expected visitors to the World's Fair this summer. Last week Broadway's first distinction from Broadway, so the idea is to attempt various moves to reverse the effect this year. Broadway is to be plugged with the slogan, "The main entrance to the World's Fair is at Broadway." These World's Fair visitors will be present at every turn of the entertainment to be found in the midtown area. Idea of the parade is not so much to gain the attention of people in New York, who are presumably Broadway-conscious, but to get a play in the newspapers and newspaper picture service, thereby plugging Broadway's name. The parade will probably be little parade in the normal marching sense, but rather a parade of personalities. From various shows, vaude houses, etc., making a rapid tour of the World's Fair, they will appear where they can be picked up by the newspapers and picture service.

Although most of the management approached with the plan will participate, several are apparently out on the ground. One of the most stoutly dignified, that is Mr. Liberty, who is the manager of the Broadway business, or that the scheduled hour (noon) is too early for many performers to appear at Broadway Assn. sent out a publicity release containing an extensive list of names who are participating in the parade, but a check of those names (Continued on page 8)

## SCREEN CREDIT WORTH 75¢ TO SOUND SCRIBE

Los Angeles, April 16. Lawrence E. Sherwin, writer, filed \$100,000 charges out against RKO, Glick Rogers, David L. Gray and others, plotting the picture, "Bachelor Mother," was lifted from his job at the Club Babel.

Plaintiff asserts his yarn was submitted to the studio and rejected. He claims \$75,000 in lost screen credit and an equal amount for punitive damages.

## WANTED: BANDLEADER

Most Able Act—Show Says No, Orisk Binkley Dubois

Harold Ricker, producer of the projected light musical, "Speak the Truth," still hunting for a band leader to star in it. It will be produced early next season.

Ricker had worked out a deal with Artie Shaw, but Tommy Bricker, latter's agent, put a mix in Ricker's mind. Ricker is now negotiating with Eddy Duchin to play the part, which calls for an all-time band leader of the plot.

## Deeg, Jr.'s Brit. Bid

Hollywood, April 16. Douglas Fairbanks, Jr., is making a bid after from Barn Dances and to play the leads in "Major Barbara" and "The Doctor's Dilemma" in London.

Cable indicates that Pascal is re-naming British production after a two-year layoff. Film being completion of "Pygmalion." Producer has a monopoly on the filming of George Bernard Shaw's plays.

## 'UNCLE EZRA'S PAR FIC

Chicago, April 16. "Uncle Ezra" (Ful Barrett), of the WLS National Barn Dances and his own program for Alcazar, goes to the Coast for flacker with Bob Burns tagged "Coming Round the Mountain" (Richard).

Heading west with him is his personal manager, Doyle Wynn.

## Deverich, Hayward Join

Hollywood, April 16. New Hollywood agency, Hayward-Deverich, Inc., was formed by Leonard Hayward and Neil Deverich to take over the Leonard Hayward & Co. Ltd., which had been in the theatrical business for some time. Deverich had been associated with Myron Belmont.

## RECORD \$52,000 BY CIRCUS IN N.Y. DAY

Attendance at Madison Square Garden, New York, for the Ringling, Barnum & Bailey circus jumped to grand proportions over the weekend. Saturday (13) was reported to have registered the biggest gross in the history of the big top when the show netted \$52,000 for the day. Most of this coin came from the matinee, which was estimated at over \$30,000.

An inside story for children under 13 on Saturdays is full price, though half on other afternoons. Sunday afternoons was sold out early and standees were in the aisles. Earlier in the week it was claimed that Ringling was making 25% above of last year.

Shaw's gross agents get a number of favorable breaks. On two occasions births of animals were given special, a giraffe being the latest. Instead of five constructors being booked.

An inside story on the late John Ringling is slated to appear in the June issue of Cosmopolitan. It is a biography of the writer, including Richard Pucka, one-time secretary to the showman, but they were not friendly during the latter years of the latter's life. Pucka was named in the Government's action against Kelly, Kelly being Ringling attorney, who was jailed for tax evasion. Kelly drew up an elaborate plan for his payments, courts ruling it was illegal.

The Albanian, serial act, will not tour with the circus because it has been seen in many out-of-town stands.

## NEW 6TH AVE. SUBWAY OPENS THIS SUMMER

Long-hollywood comeback of Sixth avenue as a theatrical thoroughfare calculated to take the play from the Sixth Avenue line, which will shape this summer with the opening of the new Sixth avenue subway station. Line, which runs from Fourth street, will provide direct service from downtown and Brooklyn and Queens to Sixth avenue in midtown New York.

The Sixth avenue line, which cost close to \$60,000,000 to build, is probably the most expensive underground project in the city's history. Thus for the only visible improvement of Sixth has been the widening of the street and placing new curbs. It is currently being repaved.

## Benny Troupe East

Jack Benny made a stopover in Chicago en route to New York where he will do two and possibly three broadcasts from Big Top. His entire Jack troupe made the joint big top and train.

While east Benny and others of his cast in "Buck Benny Rides Again" will attend the picture premiere of Eddie Anderson (Rochester) to which he owns his showing in Harlem.

## HEISLER WINS CHEVROLS

Hollywood, April 16. Paramount signed Stuart Heisler to a director contract as a result of "Buck Benny Rides Again." Heisler as pilot of "The Banducci Ester."

Before "Buck" he had been head of the location units for Samuel Goldwyn.

## ARRIVALS

Joseph McConville, Walter Lippmann, Walter Kerr, Shura Cherkassky.

## Going Places

By Cecelia Ager

Arthur Kober and Dr. Eldorado Arthur Kober, reporting in The New Yorker the last meeting of the Eminent Society Club of the Bronx, revealed that one of its more profane members, Dr. Eldorado, was a Jew. God forbid, she would positively refuse the services of any Jew. Kildare.

Miss Kildare's youth that Miss Gertrude objects to, she admits also a vague lack of confidence in him that is a tribute to her woman's intuition. When she announced her feeling of uneasiness about Kildare's intentions, she said she was sure that Kildare's "Strange Case" Dr. Kildare would engage in the same treatment for insanity for the same story purpose that used to have Kildare's "Strange Case" Dr. Kildare. She said she was sure that Kildare's "Strange Case" Dr. Kildare would engage in the same treatment for insanity for the same story purpose that used to have Kildare's "Strange Case" Dr. Kildare. She said she was sure that Kildare's "Strange Case" Dr. Kildare would engage in the same treatment for insanity for the same story purpose that used to have Kildare's "Strange Case" Dr. Kildare.

Miss Kildare's doctor Dr. Kildare might make her a reliable friend for her estimates to have around were it not for the fact that she does approve of Dr. Gillespie. Of course she got a prejudice for the gray-haired type man, she says as herself, she is not a smart girl like Miss Gertrude ought to realize that Dr. Gillespie uses up so much through being a cute old nigger, he has none left over for the very superior diagnosis, deductions as plain as the nose on your face.

But it wasn't surprise Mr. Kober, when he goes to the next meeting of the Eminent Society Club, to hear his Miss Gertrude come out against not only Dr. Kildare, but the whole subject of the matter. When she sees what happens to the patients in Blair General Hospital in "Dr. Kildare's Strange Case," how they are treated so that Dr. Kildare may be a great detective, too, Miss Gertrude will be so afraid and indignant. Mr. Kober had just better see to it that Miss Gertrude bears her health, that's all.

## Dr. Cyclopedia's Sweet Of Thing

Though "Dr. Cyclopedia" may not be, as the Paramount theatre stoutly maintains, the strangest picture ever shown in the city, it is certainly the most Everybody who's been bewitched by the story of Tom Thumb, which is a lot of children grown up into people, will be happy to see during little more than the "Tom Thumb" picture. The picture is a very interesting, thinking, acting drama. The dwarfed actors in "Dr. Cyclopedia" are better than dolls, for they talk and move without winding, and even Dr. Cyclopedia, who is a very interesting character, is a very interesting character. He is a very interesting character, he is a very interesting character. He is a very interesting character, he is a very interesting character.

## Fun to Show 'Wm. Rankin

Every one in a while it becomes a habit of Dr. Cyclopedia to remind the picture audience that he can get along with the worst of them, that he was the original lady-killer of the film. Mark, man, he taught the picture audience everything they do, and he is a very interesting character, he is a very interesting character. He is a very interesting character, he is a very interesting character.

To assert further its rugged masculinity, "Johnny Appleby" presents in Charles Grapewin a perfect drunk who plays the part of a man who is a very interesting character, he is a very interesting character. He is a very interesting character, he is a very interesting character.

## L. A. to N.Y.

Matt Allen. Eddie Anderson. Harry Baldwin. Ed Beloin. Jack Benny. Murray Burns. Walter Catlett. Anita Colby. Dennis Day. Walter Catlett. Phil Harris. Harry Livingston. Mollie Messer. Phil Morrow. Holly Morse. Harold Russell. Andrew Stone. Don Wilson. Donald Woods.

## Cal. Theatres Collected \$108,011 for FDR's Fund

Los Angeles, April 16. Film theatres in California collected \$108,011 for the 1940 Inland Paralysis Drive, a heavy increase over last year.

Campaign was headed by Joseph M. Scheuch, with Charles P. Shuman representing the radio and Robert H. Poole the ladies.

## Hebourn

Continued from page 1

veve, anxious to avoid a crowd after having had dinner in a Bedford Hotel, he was seen to get out of a parking car, and smashed into a state police car. He was fined \$10 and his license suspended for 30 days. John Dull for not having a driver's license.

However, later in the week, the Bedford official made a special trip to Pittsburgh and returned the \$10 to Miss Heburn, who is applying for a new explanation other than it was all a mistake.

In an original story, Stevens wasn't identified as the film director. He had gone to Baltimore to drive a Heburn, but he was attending the opening of L. J. Old Sweet bond in Princeton, N. J.

THE-OPHIS STARS

With 6 Days Off for Good Behavior, Bioff May Be Released in 5 1/2 Mos.

Chicago, April 16. Harry Wood representative of the International Alliance of Theatrical Stage Employees...

Not Tipping Off

Nora Robert and Clyde Fillmore, 'Too Many Girls' protagonists...

Jessel Burns Up Press; Give Him A Little Workout

Attorneys for Governor North have two plans to try to prevent Jessel's appeal...

Jean Arthur, Krasna, Ross in Co-op Venture, Wait on B.O. for Com

Los Angeles, April 16. No one will get a bite of the benefit if the financial arrangement for 'The Richard Man in the World'...

GIELGUD-PEG ASHCROFT FORM BRITISH PIC FIRM

London, April 16. John Gielgud and Peggy Ashcroft have formed their own film production company...

Gert. Lawrence's Benefit For Allies Nets \$4,000

A benefit party and show in aid of the theatre wing of the French and British Relief Fund was successfully staged Monday (15) under the direction of Gertrude Lawrence...

IN-PERSON OGLE A BIG LETDOWN Exhibs Rant at Sloppy Get-ups on Actor Idols—Femmes Sour and Stay Away From Their Pictures

20,000 CUFFO DUCATS JACK BELLMAN Hollywood, April 16. Falling stars get the meteorological blind, have indie theatre operators worried...

REMOVES PANTS AS STUDIO SCREAMS

Cleveland, April 16. Good word yesterday and yesterday sleekly made its appearance here on Star's amateur show over WCLB...

White Wayne West broadcast a derogatory of the gang-up on the leader...

FIDLER STUDIES HALF HOUR SHOW FOR FALL

Hollywood, April 16. Jimmie Fidler may head a half-hour show when he goes under sponsorship in the fall...

Jim Tully Accepts \$750 Settlement From Howard

Solt of Jim Tully against Paramount Pictures was taken advantage of by William K. Howard at the Astoria studio last year...

N. Y. Fair, Equity, With LaGuardia As Mediator, Affect Settlement On 'Jubilee'; \$40 Minimum Wage

Start Slugging

Hollywood, April 16. Warners is paining Maie Burnheim and Elna Maxwell in 'The Lady and the Loc'...

Mpls. Cops Seek Writer Oidium On Bad-Check Charge

Minneapolis, April 16. Minneapolis police are searching for Jerome (Dink) Odlum, author of the novel 'Back Drive 1 De'...

AMECHE WALKOUT ON Par's 'Night of Jan. 16' Brings \$170,000 Suit

Los Angeles, April 16. Don Ameche is demanding a damage suit for \$170,000, filed inasmuch as Paramount as result of a violation of contract...

ORRIN TUCKER TO QUIT WALDORF FOR P.A. COIN

Orrin Tucker's orch leaves the Waldorf-Astoria hotel, New York, either May 15 or 16 to go out for six weeks of theatre diet...

WYLER DIRECTS FOUR IN WB Letter' Remake

Hollywood, April 16. William Wyler closed one-picture deal with Warners to direct Betty Davis in 'The Letter'...

9th Year for Johnson

Hollywood, April 16. Julian Johnson drew a new contract for one year as story editor at the studio...

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Damages are based, according to the Paramount contention, on the director and writer costs and the expense of building sets for the picture...

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# LOGS IN THE SINKING SHIPS

## How Shorts Shrank Past Two Years

	1938-39		1939-40	
	I-Short	S-Shorts	I-Short	S-Shorts
Columbia	94	10	76	6
Metro	89	15	67	9
Paramount	86	17	66	10
RKO	87	25	61	11
20th-Fox	78	20	60	11
Public Affairs	52	20	44	19
Universal	51	19	44	19
Warner Bros.	104	20	86	18

## THIS YEAR'S SKED MUGH UNDER '39

**Spread of Duals Also Angers Possible Extinction of Briefs — Cartoons Favored**

### 'FORCING' A FACTOR

Pointing out that the number of shorts being made this year (1939-40) represents a reduction from the total turned out the prior season (1938-39), film shrews predict that there will be still fewer briefs for the coming season (1940-41), and that ultimately they may go out of the business entirely except for cartoons. The latter state of affairs concerning shorts may not be so far away as it is made to seem.

With the spread of double bills and the tendency during the past month to get out longer features in the 'A' as well as 'B' division, the shorts are being abandoned so far as making and selling of short features is concerned. Except for a few items in the United States, notably the north and some portions of the west, virtually the entire country is playing double bills. Among other things, it is believed in some distributor circles that it is only a question of time when double bills into the few remaining territories that are single bills.

As a result of all of which sell well, plus some novelty series that are short in running time, and their own industry's tendency, there is a possibility that double-feature theatres but in some instances, some new series that haven't even seen a cartoon or novelty brief, making the market all the more unattractive for the proper bookings and profits.

The medium of sound brought on a change of shorts-making and at the beginning the one and two-reelers sold readily but with the years and with an upsurge in twin bills they have had to face an increasingly tough struggle. Whether the shorts are "forced" by distributors or not, the districts also are constantly up against complaints and troubles arising over the shorter films.

The first company to hold its sales convention, 20th-Fox, is not cutting its shorts for 1940-41, making 52 again, but others are reported making and marketing smaller quantities with reduction seriously. Some meetings are said to have been held in other districts.

## Gabe Hess, 59, Dies Suddenly; Hays Office Att'y

Gabriel Lerie Hess, general attorney for the Motion Picture Producers and Distributors of America, Inc., died Saturday (15) of coronary thrombosis at his home, 23 East 96th street, N. Y. He was 59 years old, and had been suffering from a heart ailment for some time.

Hess was preparing to retire he was stricken, and passed away before medical aid was rendered.

Hess for some months had attended to his office duties regularly, but had in the past few days been unable to do so because of a group of friends, per usual, as had been his habit for years, at the Algonquin Hotel, at 100 Broadway.

Hess played an important part in the formation of the National Motion Picture Association.

## Zanuck's Option for 100,000 20th-Fox Shares at \$13 Opposed by Stockholders

### Setting Wager for '40-41

Clarence E. Erickson, g.m. for Walter Zanuck, arrived in New York this week for confab with Murray Silverstein, United Artists chief; Harry Koster, Zanuck's eastern rep; and the UA sales and publicity departments. He brought with him final details of Zanuck's 1940-41 production plan to be included in the annual production announcement.

Proposed to permit Darryl Zanuck the right to buy 100,000 shares of 20th-Fox common stock at \$13 per share promises to be bitterly opposed by a stockholder group at the stockholders meeting set for next April 28. The proxy seeks stockholder approval for granting an option to Zanuck for this large batch of stock at only \$13 above the current market price. The option would extend from Aug. 31 of this year until March 31, 1947.

## UA's 'Rebecca' As Bellwether To Force Up Admiss

Following the success of 'Rebecca' in early dates, United Artists executives have been turning the pressure on exhibitors to up admission prices when it is shown. UA's results in this effort have been spotty.

Tri-State circuit in the midwest average the average run of films. It will be the entire exhibition field push up its b.e. top on all pictures. UA's 'Rebecca' is being advertised in these spots as an attraction that will not be shown except at upped admission prices when it is shown. UA's results in this effort have been spotty.

## CHAIN STORE COIN IN MORROS' NEW OUTFIT

Hollywood, April 16. Boris Morros' new production, out-National Pictures Corp., has been furnished by John Stillman, retired restaurateur and department store owner. New lineup lists Morros as president, J. H. R. as vice president, J. H. R. as secretary, and the elder Stillman as treasurer.

Robert Stillman, formerly associated with Selznick International, withdrew from Morros' new outfit, 'The Flying Dutchman,' and drew up a pro-union production credit on the new outfit. Pathe picture by National will be 'Second Chorus,' slated to roll about June 18 at General Service theatres. Stillman is still negotiating for a major release.

H. C. Putter gets the director job of 'Second Chorus.' Morros' production for RKO, Sigurd, for the picture are Paul Whitman and Franck Tonne.

## Loach a Mono V. P.

Thomas D. Loach has been elected vice president of Monogram. At present treasurer and a director of the company, he will continue in those capacities as well.

Coming into the outfit from Pathe Laboratories, Loach will resign as vice president of Pathe on May 1, devoting his full time to Mono-Pathe provides laboratory credit to Loach but has none on director's behalf, the last loan having come from a group of banks.

## K-A-O's Buy-Back of \$2,000,000 Pfd. Shares Preliminary to Recap Plan

One of the first moves in the continuation and recapitalization of Keith-Albee-Orphanum Corp. likely will be a deal with Milne Meahan for the purchase of 200,000 shares of \$100 or more worth of preferred shares he now holds.

George J. Schneider, president of KAO, outlines a plan for the repurchase of outstanding preferred stock in a letter to the current operators.

At the present time RKO holds about \$1,700,000 worth of the KAO preferred out of approximately \$2,000,000 worth outstanding. Meahan had been reported as holding the bulk of the shares not held by RKO.

Return of these KAO shares to the RKO treasury is preliminarily a reaction for Keith-Albee-Orphanum, it was intimated earlier this month. By getting the preferred shares back into RKO treasury some sort of recapitalization step might be worked out whereby RKO would receive back the shares of RKO.

## K-A-O Votes \$1.75 Dividend And Reelects Officers

Boasting voting another \$1.75 dividend on its preferred shares, Keith-Albee-Orphanum Corp. directors last week re-elected the same slate of officers. George J. Schneider, president and chairman; L. W. Goldberg, treasurer; and Leon Whitman, secretary. O. R. McMahon, H. E. Newcomb, W. J. Kerton and William Murray were elected assistant treasurers, while Louis Jaffe and Harry Finsland are assistant vice presidents named for B. F. Keith Corp.

## Rapf Back to H'wood After Fortnight East

Harry Rapf, Metro exec producer, returns from New York to the Coast tomorrow (Thursday) after two weeks of vacationing. Fortnight was to be spent fishing at Boca Grande, Florida, but after five days there without a bite Rapf gave up and returned to Manhattan to catch some plays instead.

He is staying over in New York for a meeting at the Barker Hotel, presiding (Thursday) over Eddie Cantor's '40 Little Mothers,' on which he handled the show.

## CAL. TO BATTLE DAYLIGHT CAL. TO HATFIELD DAYLIGHT

Hollywood, April 16. California theatre operators are preparing a campaign to fight daylight saving legislation on the November 12 election.

It was voted down 10 years ago by a narrow margin.

## Franklin's 24, If—

Hollywood, April 16. RKO is making a selection to Harold B. Franklin's 'And the Winner Still Pursued Her' before making a deal for a second picture.

Franklin is set on Christopher Morley's 'Heaven on Wheels' if new contract is proffered.

## Atlas Would Accept 100,000 Shares of RKO

The Atlas Corp. proponents of RKO's plan of reorganization, has requested 100,000 shares of RKO's common stock in connection with putting through the reorganization. In its original application, Atlas did not request more than \$275,000 as actual expenses involved. It had then asked the court to set aside a specified amount.

From the petition it can be gathered that Federal Judge William Hendy requested a specified amount.

Atlas, in making its request, stated its willingness to accept the entire amount in stock. RKO stock worth approximately \$3 a share, making Atlas's total request \$1,775,000. Hearing on this request and others is expected to be held shortly in N. Y. federal court.

## LINCOLN 'EHRlich' DUAL VEXES COLUMBIA

Columbus, April 16. Dual bill at the Palace opening Friday (16) has 'Abe Lincoln in Illinois' (RKO) and 'Dr. Ehrlich's Magic Bullet' (WB). The first time locally, the picture has been a success. In the four big-run districts, two top-breaker pictures have been used. Local exhibitors are already up in arms over the RKO house using two top-breaker pictures on the same bill.

P. J. Wood, secretary of the Ohio JTO, is writing a letter to Will Hays, asking the general's attention to the dual. Wood stated that it was quite obvious that the makers (operating theatres) were not planning to take Hays' advice to conserve on product. It was the contention of Wood that independent, subsequent runs will be behind the eight-ball if the practice of using two percentage pictures becomes general.

The point was also raised that it would be impossible to conserve on product if the lead at the majors is to be continued.

ASC Slate Relected  
Hollywood, April 16. John Arnold, president, and all other officers of the American Society of Cinematographers have been re-elected.

Victor Milner declined reelection to the board of governors and post went to Arthur Edson.









Chi B.O. Holds Own; Va. C.'s Vaude Fairish \$30,000, Clyde McRoy Plus Diamonds' Fine 18G, Date' OK 14G

Variable strength of week, Missouri' (Pa.) went up 31-day run, very unusual, at \$10,000.
Depression (RKO) (1,500; 15-30-40)
Prizecup (Pa.) (RKO) and Dan-...
Towel (Lobby) (1,110; 15-30-40)
Lansauer's hand-organ on stage...

ing strong play; \$2,500 and holds...
Depression (RKO) (1,500; 15-30-40)
Prizecup (Pa.) (RKO) and Dan-...
Towel (Lobby) (1,110; 15-30-40)
Lansauer's hand-organ on stage...

'CARGO', \$1,000, BIG IN TWO HUB SPOTS

'Cargo', playing two spots, with arena with the top two hits...
'Virgin' (WB) and stage show...

'Cargo', playing two spots, with arena with the top two hits...
'Virgin' (WB) and stage show...

'Cargo', playing two spots, with arena with the top two hits...
'Virgin' (WB) and stage show...

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'Virgin' (WB) and stage show...

'Cargo', playing two spots, with arena with the top two hits...
'Virgin' (WB) and stage show...

First Runs on Broadway (Subject to Change)

Week of April 15
Admission With the Wind (M-G) (10th wk.)
Cognac-'90 Little Mother' (M-G) (Current Issue)
'Admission-'Parole Pals' (Par) (17)

(Reopened in Vanny, Pa.)
Glads 'The Sinner' (V) (4th wk.)
Hunts Hall-'Rebecca' (RKO) (10th wk.)
Fellow-'Curtain Call' (RKO) (Reopened in Vanny, Pa.) (15th wk.)
'Admission-'Parole Pals' (Par) (17th wk.)
'Admission-'Parole Pals' (Par) (17th wk.)

Week of April 15
Admission With the Wind (M-G) (10th wk.)
Cognac-'90 Little Mother' (M-G) (10th wk.)
'Admission-'Parole Pals' (Par) (17th wk.)
'Admission-'Parole Pals' (Par) (17th wk.)

Week of April 15
Admission With the Wind (M-G) (10th wk.)
Cognac-'90 Little Mother' (M-G) (10th wk.)
'Admission-'Parole Pals' (Par) (17th wk.)
'Admission-'Parole Pals' (Par) (17th wk.)

Week of April 15
Admission With the Wind (M-G) (10th wk.)
Cognac-'90 Little Mother' (M-G) (10th wk.)
'Admission-'Parole Pals' (Par) (17th wk.)
'Admission-'Parole Pals' (Par) (17th wk.)

Week of April 15
Admission With the Wind (M-G) (10th wk.)
Cognac-'90 Little Mother' (M-G) (10th wk.)
'Admission-'Parole Pals' (Par) (17th wk.)
'Admission-'Parole Pals' (Par) (17th wk.)

Week of April 15
Admission With the Wind (M-G) (10th wk.)
Cognac-'90 Little Mother' (M-G) (10th wk.)
'Admission-'Parole Pals' (Par) (17th wk.)
'Admission-'Parole Pals' (Par) (17th wk.)

Week of April 15
Admission With the Wind (M-G) (10th wk.)
Cognac-'90 Little Mother' (M-G) (10th wk.)
'Admission-'Parole Pals' (Par) (17th wk.)
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Cognac-'90 Little Mother' (M-G) (10th wk.)
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Week of April 15
Admission With the Wind (M-G) (10th wk.)
Cognac-'90 Little Mother' (M-G) (10th wk.)
'Admission-'Parole Pals' (Par) (17th wk.)
'Admission-'Parole Pals' (Par) (17th wk.)

Week of April 15
Admission With the Wind (M-G) (10th wk.)
Cognac-'90 Little Mother' (M-G) (10th wk.)
'Admission-'Parole Pals' (Par) (17th wk.)
'Admission-'Parole Pals' (Par) (17th wk.)

'Apollo' Big \$50,000 in Spotty N.Y.; Cyclops - Velez - Ayres - Skelton OK At 40G, Take Woman 'DeMarco 20G

(Both Engagements Paramount)
'Apollonia' (Paramount) (1,500; 15-30-40)
'Apollonia' (Paramount) (1,500; 15-30-40)
'Apollonia' (Paramount) (1,500; 15-30-40)
'Apollonia' (Paramount) (1,500; 15-30-40)

(First 'A'). Opens here today 'Apollonia' (1,500; 15-30-40) and 'Apollonia' (1,500; 15-30-40)
'Apollonia' (1,500; 15-30-40)
'Apollonia' (1,500; 15-30-40)

The change to machine ticket and lowered admissions at the tracks may mean appreciable box office this season.
'Apollonia' (1,500; 15-30-40)
'Apollonia' (1,500; 15-30-40)

'Apollonia' (1,500; 15-30-40)
'Apollonia' (1,500; 15-30-40)
'Apollonia' (1,500; 15-30-40)
'Apollonia' (1,500; 15-30-40)

Nothing short of phenomenal is being done by the theatre and its first seven days should get \$20,000 or more.
'Apollonia' (1,500; 15-30-40)
'Apollonia' (1,500; 15-30-40)

'Apollonia' (1,500; 15-30-40)
'Apollonia' (1,500; 15-30-40)
'Apollonia' (1,500; 15-30-40)
'Apollonia' (1,500; 15-30-40)

'Edison', \$8,500, Lights Up L'ville; 'Abie' Nice \$3,000
'Edison' (M-G) (1,500; 15-30-40)
'Edison' (M-G) (1,500; 15-30-40)

'Edison' (M-G) (1,500; 15-30-40)
'Edison' (M-G) (1,500; 15-30-40)
'Edison' (M-G) (1,500; 15-30-40)
'Edison' (M-G) (1,500; 15-30-40)

Va. C.'s \$9,500, K.C. TOPPER

'Virginia City' (M-G) (1,500; 15-30-40)
'Virginia City' (M-G) (1,500; 15-30-40)
'Virginia City' (M-G) (1,500; 15-30-40)
'Virginia City' (M-G) (1,500; 15-30-40)

'Virginia City' (M-G) (1,500; 15-30-40)
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'Virginia City' (M-G) (1,500; 15-30-40)
'Virginia City' (M-G) (1,500; 15-30-40)
'Virginia City' (M-G) (1,500; 15-30-40)
'Virginia City' (M-G) (1,500; 15-30-40)

B'KLYN H.O.'S 3 DUALS: 'NICE' BRIGHT \$15,000

Three holdovers among the downtown deliveries, Steinhack's 'Grapes' (M-G) (1,500; 15-30-40)
'Grapes' (M-G) (1,500; 15-30-40)
'Grapes' (M-G) (1,500; 15-30-40)

'Grapes' (M-G) (1,500; 15-30-40)
'Grapes' (M-G) (1,500; 15-30-40)
'Grapes' (M-G) (1,500; 15-30-40)
'Grapes' (M-G) (1,500; 15-30-40)

Business looks pretty good in a couple of situations here currently, with best returns going to 'Young Tom Blahns' at Loew's State, and 'Abie Lincoln' at Strand.
'Abie Lincoln' (M-G) (1,500; 15-30-40)
'Abie Lincoln' (M-G) (1,500; 15-30-40)

'Abie Lincoln' (M-G) (1,500; 15-30-40)
'Abie Lincoln' (M-G) (1,500; 15-30-40)
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'Abie Lincoln' (M-G) (1,500; 15-30-40)





# THE BIGGEST SHOWMANSHIP SHOW SINCE BARNUM!

write in for: The Full Page Color Ad in The American Weekly ... Read by 20,000,000 People ... Paid in Directly With Local Engagements!

write in for: Details of how to win a 1940 Buick Automobile for the best exploitation campaign submitted!

write in for: The Gigantic National Tie-Up With Sinclair Oil and How To Work With Their Local Dealers!

write in for: The Big Merchandising Promotion with "Coca Cola" Fabrics!

write in for: The Special Pressbook With Its Extra 24-Scene and Other Ticket-Selling Accessories!

write in for: Particulars on a Score of Big Tie-Ups Including Lingerie & Mammal Dresses; Ladies' Millinery; Calcraft Swimsuits; Silken Slippers; Hollywood Novelty Fashions; Florists' Associations; Hampton's Cosmetics, etc.

write in for: Great Stage Work Social Strip in Eighteen Minutes!

write in for: The Sensational Full Page Newspaper Feature!

write in for: All the Help United Artists is Prepared to Give You!

Hal Roach PRESENTS  
**ONE MILLION B.C.**

featuring

Victor Carole Leon  
**MATURE · LANDIS · CHANEY Jr.**  
Directed by HAL ROACH and HAL ROACH, Jr.  
Actual Living Animals of a Bygone Age Re-created and Filmed by a New Secret Process!

RELEASED THRU UNITED ARTISTS

THESE ARE THE SMASH-  
HIT RESULTS OF BARNUM  
BALLYWOOD IN THE FIRST  
ENGAGEMENTS . . . . .

**SAN DIEGO,**  
*California Theaters:*

An all-time record for the  
house . . . topping all pic-  
tures ever to play there.

**LOUISVILLE,**

*Loew's State:*

Biggest opening day of  
any U.A. picture in more  
than two years . . . finishing  
week to 16% average.

OPENING FRIDAY, APRIL 26<sup>th</sup>, at the ROXY, NEW YORK CITY

40 LITTLE MOTHERS (ONE SONG)

Hollywood, April 13. Paramount Pictures presents "40 Little Mothers" (one song) starring Helen Broderick, Johnnie Johnston, and a chorus of 40 little mothers...

Edna Cantor's Best provides for Eddie-Goldwyn's Mary... with a straight dramatic role... and a more dramatic role...

"Fury" Little Mother... of "The Charm School" of two decades ago in basic formula... and a more dramatic role...

They will have to battle it out through the bay run for nominal but no small prize... and a more dramatic role...

They are not too well constructed, and bends in many spots... and a more dramatic role...

Center provides a broad interpretation... and a more dramatic role...

Baby Quantaville holds the spotlight... and a more dramatic role...

Picture has been provided with good production background... and a more dramatic role...

Buck Benny Rides Again (WITH SONGS)

Hollywood, April 11. Paramount Pictures presents "Buck Benny Rides Again" (with songs) starring William Powell, Joan Blondell, and a chorus of 40 little mothers...

Jack Benny's western ambitions... and a more dramatic role...

Picture will play a merry tune at the variety... and a more dramatic role...

"Man About Town," in which the radio personality... and a more dramatic role...

The radio setting is tipped off in the opening... and a more dramatic role...

Devic, recalled to William Powell... and a more dramatic role...

Trying to make good his boast as a radio personality... and a more dramatic role...

Conedy, in both dialog lines and situations... and a more dramatic role...

Benny's typical radio personality in a role made familiar... and a more dramatic role...

Four little mothers... and a more dramatic role...

Production value is inserted with an adagio... and a more dramatic role...

JOHNNY APOLLO (WITH SONGS)

Hollywood, April 11. Paramount Pictures presents "Johnny Apollo" (with songs) starring Johnnie Johnston, and a chorus of 40 little mothers...

With Tyrone Power and Dorothy Lamour... and a more dramatic role...

With Tyrone Power and Dorothy Lamour... and a more dramatic role...

Miniature Reviews

"40 Little Mothers" (M-G). Edna Cantor and a baby fail to lift meretricious story... and a more dramatic role...

"Buck Benny Rides Again" (Par). Jack Benny and his radio personality... and a more dramatic role...

"Man About Town" (WB). Slow buildup to standard runaway train... and a more dramatic role...

"George and Margaret" (WB-British). Amusing comedy for British audiences only... and a more dramatic role...

"George Washington Carver" (By). Biographical story of the Negro... and a more dramatic role...

"Murder on the Yohan" (Cris). Another of the James Neill... and a more dramatic role...

"Baby's Family Traits" (WB). Freely interpreted... and a more dramatic role...

"Monkey Like Man" (British). Documentary attempts to subliminally... and a more dramatic role...

"Contraband" (British). Movie... and a more dramatic role...

Grapewin, in this comb-overworld picture... and a more dramatic role...

Basic premise is an embarrassing... and a more dramatic role...

Melodramatic evolution is one... and a more dramatic role...

Charley Grapewin in their acrobatic... and a more dramatic role...

One other song, more or less... and a more dramatic role...

Murder with an innkeeper plotting... and a more dramatic role...

With Tyrone Power and Dorothy Lamour... and a more dramatic role...

With Tyrone Power and Dorothy Lamour... and a more dramatic role...

With Tyrone Power and Dorothy Lamour... and a more dramatic role...

Dr. Kildare's Strange Case: King of the Lumberjacks

Hollywood, April 10. Warner Bros. presents "Dr. Kildare's Strange Case" (King of the Lumberjacks) starring George Brent, and a chorus of 40 little mothers...

Warner Bros. production and release... and a more dramatic role...

Latest of the Kildare series... and a more dramatic role...

Story continues the medical ad... and a more dramatic role...

Story continues the medical ad... and a more dramatic role...

Story continues the medical ad... and a more dramatic role...

Story continues the medical ad... and a more dramatic role...

Story continues the medical ad... and a more dramatic role...

Story continues the medical ad... and a more dramatic role...

Story continues the medical ad... and a more dramatic role...

Story continues the medical ad... and a more dramatic role...

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Story continues the medical ad... and a more dramatic role...

Story continues the medical ad... and a more dramatic role...

Story continues the medical ad... and a more dramatic role...

Story continues the medical ad... and a more dramatic role...

Story continues the medical ad... and a more dramatic role...

Warner Bros. production and release... and a more dramatic role...

Warner Bros. production and release... and a more dramatic role...

Warner Bros. production and release... and a more dramatic role...

Warner Bros. production and release... and a more dramatic role...

Warner Bros. production and release... and a more dramatic role...

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Warner Bros. production and release... and a more dramatic role...

Warner Bros. production and release... and a more dramatic role...

ADDITIONAL FILM REVIEWS Will be found on page 16

# "MY SON, MY SON!" JOINS THE PROCESSION OF GREAT PICTURES FROM GREAT BOOKS...



**Ed Sullivan,**  
of the New York Daily  
News Syndicate, says:

"It is the public that determines what novels are hits, and by the same token, indicates what pictures they wish screened. The fans not only select their pictures, but they support them... 'MY SON, MY SON!' is doing great business!"

**Yes, MR. SULLIVAN, YOU WERE RIGHT!**

**NEW ORLEANS, Loew's State:** Biggest opening of any United Artists' picture in more than ten months. The third day was \$800 better than opening.

**CLEVELAND, Loew's State:** After smash opening, the second day was \$1,200 better than the first, and the third day was still \$400 bigger than the second.

**MIAMI BEACH, Lincoln and Surf Theatres:** Double opening. Overflow crowds give biggest out-of-season gross in history of both theatres.

**COLUMBUS, Ohio Theatre:** In three days gross receipts almost equalled full week's average.

**BUFFALO, Buffalo Theatre:** After smash opening week, moves over to Hippodrome for continuous first run.

**WORCESTER, Poli:** Beat "Iron Mask" sensational gross by 50%, with each day topping gross of the preceding day.

EDWARD SMALL presents

# "MY SON, MY SON!"

FROM THE BEST-SELLING NOVEL BY HOWARD SPRING

starring **MADELEINE CARROLL · BRIAN AHERNE · LOUIS HAYWARD**

with LARAINÉ DAY · HENRY HULL · JOSEPHINE HUTCHINSON · SOPHIE STEWART · BRUCE LESTER

Directed by Charles Vidor... Released thru UNITED ARTISTS

And watch for "MY SON, MY SON", THE NEXT ATTRACTION AT RADIO CITY MUSIC HALL!



George and Margaret (BRITISH-MADE)

London, April 2. Warner Bros. presents George and Margaret... starring George and Margaret... directed by Frank Capra...

Left original had been laughing... record run here, thanks to the impending visit of a couple who were usually about as far from the version makes even more of a feat, streaming and utilizing it as a prop for all the situations... however, is not alone a sufficient strength to hold the movie together... Otherwise, film packs a host of riches in the dialog, which however, in the added scenes, lack the polish of the legit original.

It is MacLean's picture, acting as the record run here, thanks to the impending visit of a couple who were usually about as far from the version makes even more of a feat, streaming and utilizing it as a prop for all the situations... however, is not alone a sufficient strength to hold the movie together... Otherwise, film packs a host of riches in the dialog, which however, in the added scenes, lack the polish of the legit original.

George King directed his play... into a comedy... starring George and Margaret... directed by Frank Capra...

Providing a kaleidoscopic sympathy... of the outstanding patterns and personalities that have been remnants of Academy awards since 1929... and fashioning an extended montage of the recent affair for display in the form of a three-reeler falls into the novelty class.

His explanation possibilities... of the award... and fashioning an extended montage of the recent affair for display in the form of a three-reeler falls into the novelty class.

Paraded along the line a large... of the award... and fashioning an extended montage of the recent affair for display in the form of a three-reeler falls into the novelty class.

As one will find out, Sam Lendeman's 1937 'Pinto Oil'... of the award... and fashioning an extended montage of the recent affair for display in the form of a three-reeler falls into the novelty class.

HI-YO SILVER

Requiem, episode of 'Hi-Yo Silver'... starring... directed by...

A 'Lone Ranger' feature to end all... of the award... and fashioning an extended montage of the recent affair for display in the form of a three-reeler falls into the novelty class.

Miss Frouthers... of the award... and fashioning an extended montage of the recent affair for display in the form of a three-reeler falls into the novelty class.

MURDER ON YUKON (WITH SONGS) Criterion picture release of 'Murder on the Yukon'... starring... directed by...

In the 'Review of the Royal Mounted' series James Newell has... of the award... and fashioning an extended montage of the recent affair for display in the form of a three-reeler falls into the novelty class.

Production stacks up favorably... of the award... and fashioning an extended montage of the recent affair for display in the form of a three-reeler falls into the novelty class.

SANS LENDEMAN (Without Yarrow) (FRANCE-MADE) One Alliance release of 'Sans Lendeman'... starring... directed by...

As one will find out, Sam Lendeman's 1937 'Pinto Oil'... of the award... and fashioning an extended montage of the recent affair for display in the form of a three-reeler falls into the novelty class.

Optimistic, the director, is a heartlander... of the award... and fashioning an extended montage of the recent affair for display in the form of a three-reeler falls into the novelty class.

The result is a thoroughly convincing... of the award... and fashioning an extended montage of the recent affair for display in the form of a three-reeler falls into the novelty class.

Miss Frouthers... of the award... and fashioning an extended montage of the recent affair for display in the form of a three-reeler falls into the novelty class.

MURDER ON YUKON (WITH SONGS) Criterion picture release of 'Murder on the Yukon'... starring... directed by...

In the 'Review of the Royal Mounted' series James Newell has... of the award... and fashioning an extended montage of the recent affair for display in the form of a three-reeler falls into the novelty class.

Production stacks up favorably... of the award... and fashioning an extended montage of the recent affair for display in the form of a three-reeler falls into the novelty class.

SANS LENDEMAN (Without Yarrow) (FRANCE-MADE) One Alliance release of 'Sans Lendeman'... starring... directed by...

As one will find out, Sam Lendeman's 1937 'Pinto Oil'... of the award... and fashioning an extended montage of the recent affair for display in the form of a three-reeler falls into the novelty class.

As one will find out, Sam Lendeman's 1937 'Pinto Oil'... of the award... and fashioning an extended montage of the recent affair for display in the form of a three-reeler falls into the novelty class.

Clark, is credited with being the wrong's cheap young cowboy, if that means anything even to the most... of the award... and fashioning an extended montage of the recent affair for display in the form of a three-reeler falls into the novelty class.

The Sagerbrush Family Trail... of the award... and fashioning an extended montage of the recent affair for display in the form of a three-reeler falls into the novelty class.

Picture is hardly lighted except on... of the award... and fashioning an extended montage of the recent affair for display in the form of a three-reeler falls into the novelty class.

SECRET OF A MODEL... of the award... and fashioning an extended montage of the recent affair for display in the form of a three-reeler falls into the novelty class.

MURDER ON YUKON (WITH SONGS) Criterion picture release of 'Murder on the Yukon'... starring... directed by...

In the 'Review of the Royal Mounted' series James Newell has... of the award... and fashioning an extended montage of the recent affair for display in the form of a three-reeler falls into the novelty class.

Production stacks up favorably... of the award... and fashioning an extended montage of the recent affair for display in the form of a three-reeler falls into the novelty class.

MONKEY INTO MAN (BRITISH-MADE) World released Criterion picture... starring... directed by...

As one will find out, Sam Lendeman's 1937 'Pinto Oil'... of the award... and fashioning an extended montage of the recent affair for display in the form of a three-reeler falls into the novelty class.

revelation generally is interest-adding... of the award... and fashioning an extended montage of the recent affair for display in the form of a three-reeler falls into the novelty class.

Direction is sparkling for a picture... of the award... and fashioning an extended montage of the recent affair for display in the form of a three-reeler falls into the novelty class.

CONTRABAND (BRITISH-MADE) Another American film episode of British... starring... directed by...

As a diversion in 91 minutes on how... of the award... and fashioning an extended montage of the recent affair for display in the form of a three-reeler falls into the novelty class.

'Contraband' is bolstered with by... of the award... and fashioning an extended montage of the recent affair for display in the form of a three-reeler falls into the novelty class.

Michael Powell's direction is ex... of the award... and fashioning an extended montage of the recent affair for display in the form of a three-reeler falls into the novelty class.

Kaufman-Hart (Continued from page 1) serve as producers-writers-directors... of the award... and fashioning an extended montage of the recent affair for display in the form of a three-reeler falls into the novelty class.

Whether Warners would completely... of the award... and fashioning an extended montage of the recent affair for display in the form of a three-reeler falls into the novelty class.

There has been nothing art as to... of the award... and fashioning an extended montage of the recent affair for display in the form of a three-reeler falls into the novelty class.



# AFTER THE PREVIEW!

*"Hollywood Reporter says you 'stole the show'!"*



*"The Los Angeles Examiner says 'it was a tie'."*



Everybody says: "It will steal the heart of America!"

## "40 LITTLE MOTHERS" IS YOUR NEW M-G-M WOW!

*(Flash Reviews by wire from California)*

"Nothing could prevent it from being a popular success: Surefire hit!"—*Hollywood Reporter*

"It can't miss!"—*Daily (Coast) Variety*

"It well deserves to score a large hit."—*Los Angeles Times*

"M-G-M has a surefire hit."—*Los Angeles Herald-Examiner*

---

EDDIE CANTOR in the Story of "FORTY LITTLE MOTHERS" with JUDITH ANDERSON  
 Rita Johnson · Bonita Granville · Ralph Morgan · Diana Lewis · Nydia Westman · Screen Play by  
 Dorothy Yost and Ernest Pagano · Directed by Busby Berkeley · Produced by Harry Rapf.





**TRAILERS... LOBBY DISPLAYS AND  
ACCESSORIES TO GET THEM IN  
AND BRING THEM BACK!**

**IF YOU'RE A SHOWMAN SHOW THEM! USE ALL THREE!  
MAKE YOUR THEATRE YOUR SHOW-WINDOW  
WITH THE BEST TICKET SELLERS IN THE BUSINESS!**

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

Advance Production Chart

(Continued from page 18)

Brett, Alan Ladd, Gaylord Pennington, James Flavin, Stanley Blystone, Luz ...

"HIDDEN GOLD," formerly titled "THE MAN FROM BARB'S," western; ...

"BENE ALDRICH NO. 1," comedy-drama; produced and directed by ...

"A DATE WITH DEBILITY," formerly titled "DEBILITY," drama; producer, ...

"THE GREAT BREAKERS," comedy-mystery; producer, Arthur Horowitz; ...

"QUEEN OF THE MOON," formerly titled "THE WOMAN FROM HELL," ...

"THE ADVENTURES OF RED BIRD," 15-chapter serial; producer, H. ...

"DOCTORS DON'T TELL," drama; producer, Carl S. Siegel; director, John ...

"CAGERS WESTWARD," western drama; produced by Armand Schaefer; ...

"I WANT A WIFE," drama; producer, George Arthur; director, Ralph ...

"THE VILLAIN WILL PURSUE ME," comedy-mystery; Harold R. ...

"YOU CAN'T FOOL YOUR WIFE," comedy; producer, Cliff Reid; director, ...

"THE SAINT TAKES OVER," mystery-melodrama; produced by Howard ...

"THE VILLAIN WILL PURSUE ME," comedy-mystery; Harold R. ...

"YOU CAN'T FOOL YOUR WIFE," comedy; producer, Cliff Reid; director, ...

"THE SAINT TAKES OVER," mystery-melodrama; produced by Howard ...

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"THE SAINT TAKES OVER," mystery-melodrama; produced by Howard ...

"THE VILLAIN WILL PURSUE ME," comedy-mystery; Harold R. ...

bert, Louis Beland, Eddy Connor, Lucille Glendon, Ott Howard, Lloyd ...

Republic

Table with 6 columns: Title, No. of Pts., No. Completed, No. Released, No. In Progress, No. On Hold.

Pictures now in the cutting rooms or awaiting release are:

"WOMEN IN WAR," drama; producer, Sol M. Wurtzel; director, John H. ...

"THE CROOKED SHAG," mystery; producer, Robert North; director, Arthur ...

"GANGS OF CHICAGO," melo-drama; producer, Robert North; director, Arthur ...

"GAUCHO SEBASTIAN," western with song; producer, William Breen; ...

"THE ADVENTURES OF RED BIRD," 15-chapter serial; producer, H. ...

"DOCTORS DON'T TELL," drama; producer, Carl S. Siegel; director, John ...

"CAGERS WESTWARD," western drama; produced by Armand Schaefer; ...

"I WANT A WIFE," drama; producer, George Arthur; director, Ralph ...

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"THE SAINT TAKES OVER," mystery-melodrama; produced by Howard ...

"THE VILLAIN WILL PURSUE ME," comedy-mystery; Harold R. ...

Gate Hiss Dies

(Continued from page 2)

The establishment of certain legal fundamentals in the application of Federal copyright laws to motion ...

In 1935, he testified before the House Committee on Patents ...

"Because of modern inventions such as radio, motion pictures and ...

In the practical operation of film distribution, the picture industry ...

He was a native New Yorker and ...

His writings and other work were ...

He had courage and had been ...

Surviving are his present wife, ...

Private services were held Tuesday.

Neely's Latest

(Continued from page 6)

Integrated copyright a monopoly in all ...

Positive provisions of the measure ...

Law would be operative in 16 months, ...

Law would be operative in 16 months, ...

Law would be operative in 16 months, ...

Law would be operative in 16 months, ...

Law would be operative in 16 months, ...

Law would be operative in 16 months, ...

Law would be operative in 16 months, ...

Law would be operative in 16 months, ...

Law would be operative in 16 months, ...

20th Century-Fox

Table with 6 columns: Title, No. of Pts., No. Completed, No. Released, No. In Progress, No. On Hold.

Pictures now in the cutting rooms or awaiting release are:

"I WAS AN ADVENTURER," drama; produced by Humboldt Johnson; ...

"WALTON'S LADY," drama; producer, Sol M. Wurtzel; director, Alan ...

"WARTBURG," drama; producer, Sol M. Wurtzel; director, Irving ...

"CHARLIE CRAN'S NURSE CHARGE," formerly titled "CHARLIE ...

"GIRL IN SIA," formerly titled "MILLION DOLLAR MAMBOO," drama; ...

"HARLAN," drama in Technicolor; producer, George Mackenzie; ...

"LUCKY CIGEO KID," western; produced by John Stone; director by H. ...

"THE GREAT ESCAPE," western; producer, John Stone; director by ...

"TONGUE PEOPLE," 1940-41 film with music; producer, Harry Joe ...

"RAIN OR SHINE" (re-titles of "BAD GIRLS") (1940-41 release); ...

"THE GREAT ESCAPE," western; producer, John Stone; director by ...

"ELSA BIG WILLOW'S PUBLIC DEB NO. 1," comedy-drama (1940-41 ...

"THE BEAT," comedy-drama (1940-41 release); produced by Sol M. ...



"I point with pride to Walter Winchell!"  
"How Yorckish to 'The Biscuit Eater'... man's best friend about man's best friend!"  
Walter Winchell, famous newspaper and radio columnist

THANKS FOR  
THE BOUQUETS  
FELLERS... I'M  
SO EXCITED  
I DON'T KNOW  
WHICH WAY  
TO POINT!



hoff



"I point with pride to M.R. Rudy!"  
"Professional reviewer audience on... I laughed... I sobbed... I applauded. But one picture in 20 makes a Hollywood reviewer audience do all three of these things!"  
—M. R. Rudy



"I point with pride to Film Daily!"  
"Plunges into the very core of the theater's heart, and in the end to be found on one of the great human interest situations, not usually of the common variety, but in motion picture words to cheer!"  
—Film Daily



"I point with pride to Harry Maud!"  
"Made up of a fresh approach in cutting and plot layout. One of the year's best!"  
—Harry Maud, Los Angeles Daily News



"I point with pride to Shannon's Trade Editor!"  
"One of those 'whoppers' that come more favorable comments than most highly rated articles. Will have a thoroughly complete and authoritative treatment!"  
—Shannon's Trade Editor



"I point with pride to Jim Crow!"  
"It is precisely the sort of the nation's work—precisely the way it pleased previous critics, the return on the investment is well known!"  
—Jim Crow, Hollywood Citizen News



"I point with pride to Daily Variety!"  
"Banks on one of the outstanding features to come out of Paramount to any other studio in a long time!"  
—Daily Variety



"I point with pride to Jimmy Stern!"  
"Hard-headed chronic critic whose compliment can be paid this around story!"  
—Jimmy Stern, Los Angeles Evening Herald and Express



"I point with pride to Los Angeles Examiner!"  
"Will serve a niche in Hollywood history. It impressed the audience... 'The Biscuit Eater' rates high!"  
—Los Angeles Examiner



"I point with pride to Gary Cooper!"  
"It is just what... I know the truth to my own backyard!"  
—Gary Cooper



"I point with pride to Hollywood Reporter!"  
"One of the prime entertainments of the year. Audiences will love it. Exhibitor can have a written guarantee to his customer for enjoyment!"  
—Hollywood Reporter



"I point with pride to Los Angeles Times!"  
"Everyway, whether an avid dog lover or not, cannot help but find a definite bag of the old hand-slings when viewing the new film!"  
—Los Angeles Times



Paramount's THE BISCUIT EATER

Starring: M. J. Connelley, M. J. Connelley, Richard Dix, Lester Matthews, J. W. Johnston, and others.

Produced by: A. J. Seligman & Co. Based on the story by...



FILM BOOKING CHART

5 Albany Exchanges Unionized; News of the Keys and Theatres

(For information of theatre and film exchange bookers Variety presents a complete chart of feature releases of all the American distributing companies for the current period. Date of release as given in VARIETY and the running time of prints are included.)

OFFENSIVE, IND. BY VARIETY, INC. ALL RIGHTS RESERVED. R.—Running Time. Rev. in Var.—Revised in Variety. Key to Key Abbreviations: M—Motion Picture; C—Country; CD—Country Drama; W—Western; D—Drama; HD—Historical Drama; HD—Historical

Table with columns: WEEK OF RELEASE, Rev. in Var., TITLE AND COMPANY, TYPE, TALENT, R. T. Rows include titles like 'MAN FROM DAKOTA', 'NUMBER ON THE FURON', 'YOUNG AND DAUNTLESS', 'SWISS FAMILY ROBINSON', 'YOUNG AND DAUNTLESS', 'THE GREAT ESCAPE', 'BLONDIE ON A BUDGET', 'KNOCKS OUT THE RANGE', 'THEY GAVE BY NIGHT', 'BULLETS FOR BUTLERS', 'SEVENTEEN PAR', 'MILWAUKEE (M-G)', 'LITTLE DEVIL', 'SARABAND', 'CHARLIE CHAN IN PANAMA', 'DOUBLE ALIBI', 'BOYSIE ACHRON THE BAY', 'DE BELSHAZZAR MAGIC BULLET', 'OUTSIDE A MILL LANE', 'GHOST COMES HOME', 'HUMAN MONSTER', 'SPOOKY', 'ISLE OF DESTINY', 'KAMBAHA', 'WINE WITHOUT DOUBT', 'MONEY WITHOUT LIMITS', 'MOMENTS WITHOUT HARM', 'MELANIE (M-G)', 'FOOTLIGHTS OF THE WEST', 'GRATEFUL WELFARE', 'MAKING WITS AT HIS (Rep)', 'BECCA', '1000 FEET FROM IRISH', '20 MANY HUSBANDS', 'FRENCH PALE (M-G)', 'FUGGOTT (M-G)', 'THE BAILEY (M-G)', 'IT'S A DREAM (WB)', 'SON OF THE HAVY (M-G)', 'THE LARKS (M-G)', 'GIRTY VALLEY RAINERS', 'DANCING IN THE RAIN', 'PINK BLONDE AND I', 'EVALES THE MOON (A)', 'MARRIED MEN WITHOUT TEARS', 'FRENCH WITHOUT TEARS', 'COLORADO TRAILS', 'THE WAY OF ALL FLESH', 'JOHNIE APOLLO', 'SAFE AS A BANK', 'SIX PATROL', 'THEY WERE AGAIN', 'OLD MAN RAY', 'DOCTOR TAKES A WIFE', 'FORTY LITTLE MOTHERS', 'MISSING PEOPLE', 'THE HUNCHBACK OF NOTRE DAME', 'CUSTAIN CAIL (M-G)', 'COVERED WAGON TRAILS', 'SHOOTING HIGH', 'I DID MY WAY (U)', 'IN ANGLES (M-G)', 'GRANDPA GOES TO TOWN', 'BLACK 'N' RIDES TONIGHT', 'COWBOY FROM BONDON', 'THE WAY OF ALL FLESH', 'IRISH (M-G)', 'SMITH AGAIN', 'THIS IS BONDON', 'FLOSIAN', 'MR. KILDEAR'S STRANGE CASE', 'OPENED BY MISTAKE', 'THE BOND BOYS', 'THE COOKED ROAD', 'I WAS AN ADVENTURER', 'BLACK HANGOVER', 'WATERLOO BRIDGE', 'MY FAVORITE WIFE', 'IN THIS OWN MIND', 'TURNABOUT (U)', 'SANDY IS A LADY']

Albany, N. Y., April 16. Five Albany exchanges, Universal, Columbia, Fox, United Artists, public, are reported to have been unionized by the Staff-Union within the past two weeks. Negotiations with the home office in New York are said to be under way for contract. Several organization meetings have been held at the local home office to bring other exchanges into the union.

Although they will have their own local affiliation with the home office, the Albany exchanges will remain independent of the Staff-Union. The Albany exchanges, including the local home office employees, independent and dependent have been unionized since 1934. They are tied in with the operator's union.

A majority are understood to have signed up in each of the five exchanges mentioned.

Gilts Get For April 16. Herb Gilbert has been appointed here to fill the vacancy created by the recent death of Gilbert Fitzgerald.

Los Angeles, April 16. Les Jeffrey, assistant manager of Fox's sifting at the Protheater home office, has been named as assistant director of the new branch of the burr last week.

St. Louis, N. Y. New Casino, Wildwood, N. Y., has been named as the old theatre which was destroyed by fire on April 15.

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operation of the Lane to replace it. Will be 600-seat.

Charles Goldman, St. Louis, has taken over the Blue-Deck-Lane, owned by the E. P. Lane, E. P. Lane, Inc., and remodeled it to be managed by J. J. O'Tallan, III. State is operating, but O'Tallan has been held by the State.

James B. White, formerly associated with the Blue-Deck-Lane, has joined Louis Sarna in the operation of the Lane, 1600-17th St., Mo.

New N. Y. Goes Broadway. New cinema on New York occupied by George H. Cohen left behind will be operated by Harry Frank April 23. New 600-seat house probably will have a shorts and secretaries policy.

Nathan Heeds A to Pittsburgh, April 16. Perry Nathan has been named director for NBC new affiliate, Advertising Associates, Inc. He was formerly with Theatre Display Corp.

Los Angeles, April 16. Los Angeles, assistant manager of Fox's sifting at the Protheater home office, has been named as assistant director of the new branch of the burr last week.

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## SET FOR A 2nd SOCK WEEK AT THE ROXY...!

...after opening to the best business on Broadway ... jamming in a week-end audience of 50,000 ... smashing every Sunday record of the year!

## PACING THE BIGGEST IN MIAMI!

...where it's beating the marks of such sensational money-makers as "Jesse James", "Alexander's Ragtime Band"!

# JOHNNY APOLLO

"A  
BOXOFFICE  
CLEAN-UP!"

—Daily  
Variety

"A  
HIT!"

—The News,  
Los Angeles

"ONE OF THE MOST  
UNUSUAL PICTURES  
THAT HAS COME  
FROM 20TH-FOX IN  
RECENT YEARS!"

—Hollywood Reporter

"A GINCH TO SPELL  
OUT BIG MONEY AT  
THE BOXOFFICES!"

—Jimmy Starr,  
Los Angeles Evening Herald and Express

"TWO-FISTED, NAT-  
URAL, BELIEVABLE,  
SUPERBLY PLAYED  
AND DIRECTED!"

N. Y. World-Telegram



# Films Very Neutral

(Continued from page 1)

been drawn by America in 1931 may give a hint of things to come.

Only significant counterparts so far in the role of the neutralist are played partly to U. S. participation have been Alexander Korda's "The Wind" (Metro), the Indian war film "The Boat of Berlin," and a few documentaries such as Julien Bryan's "Spain" and Herbert Kline's "Light of Europe."

**Hitler vs. the Kaiser**  
Acting, the picture is an analogy is in "Hitler, Boss of Berlin," for one of the biggest film producers of the United States, the picture is "The Kaiser, Boss of Berlin," released in March, 1938. It is merely a case of peeling the villain, although U. S. pictures get no such opposition from Europe heads as "Hitler, Boss of Berlin" is, for then the U. S. was actually at war with Germany and the terms of law could be applied to the leaves held responsible, while now a plea of impartiality, including a neutral must be maintained.

On the other hand, "The Lion Has Wings" is a thinly veiled propaganda promotion piece on the progress of the Royal Air Force, brings to mind the early stages of the World War that can hardly be conceived under any conditions. "The Lion Has Wings" in America during the past few months would be unadvised for a similar picture in the plot for the Reich. Yet, starting in 1934 and running all the way into 1938, four pictures have been imported from Germany enjoyed considerable popularity. They were "The Cruise of the King of the U. S.," "Behind the German Lines," and "The German Side of the War." At the same time, British pictures similar to "Lion," but more in the neutralist category, were also being widely accepted by exhibitors and public. Most important among them were "The Fighting British," "The Kaiser's Challenge," "The Great War in Europe," "Germany's England's Menace."

While up to the present, even with the strong anti-war attitude prevalent, there have been no openly propagandistic pictures in the cause of neutrality, peace, pacifism or internationalism, such as not seen in 1914-1918. While films such as Kline's and Bryan's are influential propaganda in the sense of peace through revealing the horrors of war a quarter of a century ago numerous neutralist or neutralist films issued, of which all but one were heavy growers. Among the earliest was "Neutrality," the story of a Frenchman and German living peacefully and happily side-by-side in the U. S. Other strong ones for America to stay out of the conflict were "Civilization, or He Who Served," made by Thomas Ince, and "War Brides," starting Al Nazareno and produced by Herbert Brenson in 1918. "War Brides" was approved when the U. S. entered the war the following year.

One of the "Isolationism" or "Hitler's" propaganda pictures which did not make money was an early relative to "Come With the Wind." It was "Isolationism," made by D. W. Griffith with Lillian Gish, a cut of the same story as thousands of extras. It ran three

hours and broke Griffith. He did not directly tie the picture, but traced the dire results of isolationism to the "Isolationist."

Coming widespread distribution in the pre-war period was "Defenceman," an American film by Norman Maclean of the arms manufacturing family. It urged preparation to the "Isolationist" and "Isolationist." Ford he took full-page newspaper ads to denounce it.

Later there was a shift to add vilification of the Kaiser and Germany, beginning for the first time in where "The Kaiser, Boss of Berlin" came in. There was also "The Prussian Czar" (Fox) and "To Hell With the Kaiser" (Metro). Wreaking hatred on Germany as a whole were "Taine the Lion" (World), "The Spy" (Fox), "Daughters of Destiny" (Fox), and "Lion of Plattsburg" (Columbia).

William J. Flynn, chief of the U. S. Secret Service, compiled a film that was a collection of the latter "Isolationist" recent "Confessions of a Nazi Spy." This was called "The Evil Eye" (Fox) and "The Evil Eye" was a close machination of the Kaiser's representatives in America.

Films also played a large part in promoting the public opinion on both action and a state of mind. For instance, matters quickly were taken in an even more noticeable position than they already were treated in such pictures as "The Man Who Was Afraid" (Rumney), "The Devil" (Edison-Kieser), "The Devil of the Man Without a Country" (Fox).

Working on the Franco-American play a big part in the thinking of their men, as they were appearing in "Southwest of the Border" (Metro), "Mystery of an Alan Emory" (Paralla) and "Wombhood" (Vanguard), "Honesty" (Fox), "The Man Without a Country" (Fox), and "The Man Without a Country" (Fox).

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and "Paris," nature of which was not readily discussed in the titles. "Paris" was a serial financed by William Randolph Hearst.

But as hardly any picture, but sympathetic to the Allies in their stories were pictures like "Victoria Crowned with Thorns" (Metro), "The King" (Vanguard), "An Enemy to the King" (Walt), "Warrior of a Spy" (Metro), "The Woman" (Metro), "The King" (Vanguard), "An Enemy to the King" (Walt), "Warrior of a Spy" (Metro), "The Woman" (Metro).

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Bob Wilby, who, with H. K. Kinsey, operates a chain of 140 theaters in Georgia, Alabama, North and South Carolina, and Tennessee, believes that he inspired the 70-70 terms under which "Come With the Wind" was sold. He told Metro, he says, that no matter what they asked him, he would play the picture, even if it was 100% of the gross or nothing to him. Attention was that he had to give it to his public regardless and couldn't buy anybody else's money on the picture.

Wilby-Kinsey did an extremely good business on "Come With the Wind," but Wilby says that business right now is no better than it was at this time last year.

After getting 24-sheet billing as next picture at the Rivoli, N. Y. Universal's "House of Seven Gables" was sold into the Rivoli on Saturday (13). Ads were up for "Cabin" for better part of a week before being replaced by those for "French Without Tears," now set to succeed current "It's a Date."

It's understood that inability of U and the U. S. management to get together on terms after the billing went up caused the switch. At U it was said, however, that cause of the change was the fact that release date is long-gone past on "Cabin" and it was desired to give it a first-run as quickly as possible to get it into the circuits.

Optimism by Alexander Korda last week of "The Laboratory Way," novel by Graham Green, has occasioned considerable surprise in other studios. All had previously read it and passed it by as virtually impossible to film. It's the story of a priest in Berlin who turns cowardly and ungracious in every respect. He is given one possible treatment that could evade Catholic opposition to it. Korda's option is for three months.

Short story by Green, an English writer, in "This Week may End Sunday" (14) has been made into a film. He is a British pilot called "The English" and based on broadcasts from Germany of "Lord Haw-Haw."

Justin Johnson Wagner, former wife of Walter Wagner and a Ringfield "Tulsa" beauty, figured in a distinctive manner in the public prints during the war. She is now in London, where she has a full share of the publicity for participation with two doctors, Harold T. Hyman and Samuel Hirschfeld, in discovery of a mysterious two-day cure for syphilis at Mt. Sinai hospital. N. Y. Mrs. Wagner has been active in medical research for more than 10 years, having become interested through her family physician.

Pre-require for the receiptment of Metro's foreign department in N. Y. is that she be able to make a good pot of tea. That's because of a long-established custom inaugurated by Arthur M. Low—that of serving tea every day at 4 p.m.

Head of Metro foreign department always contends that a hull in the office is not at the picture, but the afternoon makes for greater efficiency. Low himself gets for the stage.

War abroad will result in three new foreign versions of Walt Disney's "Pinocchio" than were made for "Snow White."

Cartoon in three versions in Swedish, Portuguese, Spanish, Russian, French and Dutch. Eliminated are German, Polish and Czech. Won't be shown in those three regions as Reich exchange policy prohibits exhibition of coin, making exhibition useless.

Adjudged meeting of Hays office directors, originally scheduled for this week, may be postponed until sometime next week because of the death of Catherine Cramer, legal attorney of the Motion Picture Producers and Distributors Assn. Will Hays now is planning to leave for the Coast on his annual spring visit as soon as this session is held.

From 1939 to the La Crosse (N.Y.) nitary and 1939 in "Too Many Girls" stage musical, Bill Arns set \$4,000 a week from RKO when he starts "The Great Dictator." It will undoubtedly be RKO, depending on her screen tests, if Dime Casino will also seek her original role.

**... Pack them their shooin' Irons, pardner, on g'it on g'it!**

**NATIONAL CONVENTION**

**DALLAS, TEX., APR. 16-19-20**

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**VARIETY CLUBS OF AMERICA**



**Bookish European locale**  
Hollywood, April 16.  
Stories with European background and atmosphere are being sold in the studio in favor of domestic locales. Inasmuch as it is impossible to tell the war from the war, the studio producers don't want to be left on a limb.

Producers have been instructed to steer clear of war-ridden countries in treatments.

**Solomon's New One**  
Hudson, O., April 16.  
Loren Hedgren plans to open the new Hudson April 21. He operates the Falk Chogram Falls, O.

**New York Theatres**

**GONE WITH THE WIND**

**ASTOR**

**STARTING SATURDAY, APRIL 29**

**"IT'S A DATE"**

**PARAMOUNT**

**"Dr. Cyclops"**

**Capitol**

**State**

**MUSIC HALL**

**"REBECCA"**

# RCA-NBC Sets Toscanini S.A. Tour; Stoki Option on Ship Charter Lapses

Coincidental with the announcement by NBC that it had closed all details of the tour of Arturo Toscanini and the NBC symphony orchestra in South America, the United States Lines disclosed yesterday (Tuesday) that the sponsors of Leopold Stokowski's tour of the same area were unable to obtain the option which had been taken on the S. S. Washington. Later ship was to sail July 5 with the Stokowski entourage plus whatever music-loving excursionists that would take of the trip through the American Express Co. It is reported that the sale of tourist tickets for the round trip at \$750 and up had been very slow.

**Swimming in Milk**

Green Bay, Wis., April 16. Members of the local Y.M.C.A. introduced a new twist to their annual Big Cherry Festival. A swimming contest will be staged with milk and a marathon swimming contest will be carried on in it until the milk has turned to butter. Last year they conducted a wedding with the bridegroom and padre standing in a bathtub of dairy juice. WYAQ may carry the butter-churning event.

**WTRV**

**AL PARKER**

Chief Announcer Parker, brings to WTRV, York, Pa., seven thousand watt outlet in the successful WTRV group, a rich background of advertising and entertainment experience.

Graduate of R.P.I. of York, WTRV started at WGY, later with Wlier's WYMK and WTRV, Parker supports new setup of plans for programming, with accent on local showmanship.

# Esty Agency to Keep Five Shows On Webs During Summer Span

## De-Oomph Stars

Continued from page 2

as essential to his celluloid appeal, are missing. There he stands, a nature and in the Bush. He probably figured Crayley gets away with it, why not me?

When his picture comes to the theatre, it will be the one that the members how he looked at the broadcast. She can't get him out of her mind. It wouldn't be so had it he kept him there; but she's a woman, and she's got to tell other's who she's been with.

That's what is hurting him more than any other factor, say the local rabble. The remedy: if other men've done up or do their broadcast in private.

Kahbi well bring to mind a story that is a legend here. Lady from the Midwest was being lovingly entertained at a Boston restaurant before her departure was asked if there was any other wish she would like to have. The man said: "I'd like to meet a film star. It was arranged. She was then asked, "How do you expect to get it?" "I'm curried up, "More than that. I'm curried."

William Esty agency expects to keep five network shows going through the summer. Most of these will be newcomers, a replacement for Camel on the NBC-red Saturday night spot and an inexpensive half-hour stanza for Lifesaver. The indications are that "Lambshead" and "The House of Blue" will be another show substituted in July. Burns and Allen went up for steady money of \$100,000 a week at the end of May and the account may meanwhile be held on keeping something for the spot for the summer.

The payroll for the Lifesaver event will be kept under the \$200,000 mark. The network will pay for the studio money of \$100,000 a week.

Besides the newcomers, Al Parker, Camel this summer will carry Bob Crayley on the network. Crayley makes program on the networks during the summer. There there is the story-by-the-account of the Glavin and Yankus group on WABC, N. Y., and seven night Glavin games on WFCA, N. Y., starting May 15. Prince Albert's "Grand Guy House" will continue on its southern NBC hookup.

## ORGANIZE CHICAGO BULL SESSION FEEDS

Chicago, April 16.

Weekly meetings of advertising agencies, public relations firms, and radio stations, are being organized in Chicago. The committee, headed by George Durkin, of Durkan has sent out a book of letters of invitation for the first meeting. The committee is also looking for a place to hold its bi-weekly meetings. Durkan has sent out a book of letters of invitation for the first meeting. The committee is also looking for a place to hold its bi-weekly meetings.

## 'Big Town' Crusade Yarn Off for Final 6 Weeks; Test Stage Adaptations

Mt. Vernon, April 16.

Change of dramatic formula on "Big Town" will be announced on the first week of the waning season. It is in the nature of a test to hear how the dialists prefer this type of program to the "Steve Wilson" newspaper crusades.

## POLICE END STREET BROADCAST OF WSPA

Sparksburg, S. C., April 16.

Virgil V. Evans, owner-manager of WSPA, has announced that he will discontinue street broadcasts conducted for several years, following two instances of police complaints, but of which resulted in Gredy Newman, station's program director, being taken into custody by police lieutenant Joseph Holt on charges of violating pedestrian traffic.

## Perry Lafferty to CBS

New Haven, April 16.

Perry Lafferty, who's been studying at Yale mosque school while directing most of WBBY's New Haven branch, leaves next week to join CBS New York staff as assistant director.

Later, the plan is to get one key man for each station and to get the assembly the low-down on various advertising and radio phases. For this end, the chief engineer for WBBY-CBS here, is scheduled to into the meeting next week on the agency program committee.

It is agreed that the local agency men have failed to fraternize satisfactorily in the past, and that the agency has been locked in its own ivory tower without any communication with other agencies.

This built custom hookup (similar to New York) is designed to break down the barriers between the roads of clear cooperation and cooperation among people in the allied lines.

## City officials dropped charges laid against a condormer at city hall when the station agreed to discontinue the street broadcasts.

## Screen Guild's Finale

Hollywood, April 16.

Grid calls it a season with Screen Guild Center Monday (21) with a dramatization of "Niutichki," starring Spencer Tracy and Ronald Reagan.

"Klary Queen" takes over for the summer April 21.

## Blister Bug to KGBA

Pittsburgh, April 16.

Blisterbug has been transcribed Richard Blister, most shows here from WCAE, NBC-red, KGBA, the series really Chinese took place just west and will continue under present set-up through May 31.

Blister is heard six evenings weekly for 15 minutes, with Bebe, and C. Conroyham handling the account.

## N.Y. Health Dept. Delays Ad Inspection

Officials of New York City's health department have postponed the advertising of a regulation which would make the dissemination of a misleading food or drug advertisement a misdemeanor in that matter, however, it does to come up in amended form whenever department officials elect to hold another hearing.

Proposed regulation met a stiff trial from spokesmen for radio, newspaper and magazine interests at a hearing in the health department, on Tuesday (9), 1940. The measure a broadcaster who had failed to check his food or drug ads against the local health authorities could, upon being found guilty, be subject to a fine of \$500 or a year jail or both.

An old statute permits the health department to use its own discretion in the issuance of regulations for the city's health code. As a result of this situation five doctors function in a legislative body, free from any outside veto powers.

## GETS HIS FIGURE

G. W. Johnston joins Democrats as Radio Director on May 1

## Strong Protests Bring Postponement of Proposed Censorship of Advertising Copy

Charles Richardson of the Democratic National Committee on Monday (15) informed G. W. Johnston, chief national director of WOR, New York, that the Democrats would meet Johnston's price. The job had been Johnston's a fortnight and more ago but the committee threatened for a time to prevent the show from going through.

Three days ago with WOR Johnston joins the Democrats May 1. He will not disturb his Long Island residence but will be in Washington of the time until the campaign ends under way after which the radio division will probably operate largely from New York City.

His successor at WOR has not been picked. Dew Driscoll was said to have the role position.

Cincinnati is booked for 14 concerts in South America, with each date given on a guaranteed NBC exposure to pick up some of the concerts, with the network relaya depending on the available time of the week and its orchestra sails May 31 and arrives in Rio de Janeiro June 13 and are due back in New York July 15. Leopold Stokowski and Sam Chateaufort will accompany.

Showing are the bookings: Rio de Janeiro.....June 13, 13 San Paulo.....June 14, 15 Buenos Aires.....June 16, 17 (Eight concerts) Montevideo.....July 2, 4 Montevideo.....July 3, 4 Rio.....July 5, 10

# NBC PACIFIC RED WEB AIRS E. T.'S

With the switch to daylight saving time the NBC Pacific red web airs for the first time broadcast recorded program. The program will originate from the circumstances that "Proctor & Gamble's" series, "The Electric Light and Sound Series," originating from New York between 11:30-11:35 a.m., would otherwise reach Coast stations at 7:30 and 8 a.m. The program will be recorded of the line and rebroadcast over the NBC network both between 2:30 and 3 p.m.

The matter will be treated as a delayed broadcast and will not be necessary to pay any rebroadcast fee to stations.

# NU-MYST DRAWS AN FTC CEASE-AND-DESIST

Bushington, April 16.

Radio bulletin of a cold-war-tapped "Nu-Myst" was banned by the Federal Trade Commission Sunday (14) in a cease and desist order ordering the New York City of Fernan Laboratories, Inc., to quit misrepresenting its products.

Seize-chance, used as a vapor, will not destroy or prevent the growth of bacteria, Communist doctors claim that it will bring relief to those things as head, fever, fever, asthma, etc. are mislead and true.

The disease named, it was pointed out, are "grouped under the so-called "allergies," the causes of which are manifold, and it is impossible for a formula such as "Nu-Myst" to bring relief from "any of these conditions."

## Erik Barnow's Play

Erik Barnow, writer on the CBS staff in New York, has a new stage play, "Every City," which the Hatcher Hughes Memorial Players will do in May at Columbia University for a benefit. Barnow also conducts a radio class at Columbia.

At CBS he does "Turn of Hopefulness."

## KIRO, Seattle, Sets F.&P.

Seattle, April 16.

Free & Peters station rep outfit has now appointed advertising representative for KIRO, Seattle.

Appointment, effective immediately, was made by manager H. J. Quinn.

# THREE HOURS OF SPONSORED DISCS

Chicago, April 16.

Brown & Williamson has started a Saturday night phonograph program on the Don Lee Network which runs for two hours and 15 minutes. The starting time for this series is 9:15 p.m. The use of phonograph discs over a stretch of time for a single account is without precedent. National Records Co. had a three-hour Saturday night show six years ago but it consisted entirely of live dance bands and was on NBC.

Brown & Williamson's program will feature the Russell M. Sells Co. placed the Charles M. Sells Co. if the thing clicks, it will be expanded elsewhere.

# FORD DEALERS JINGLING IN NEW ENGLAND AREA

Ford dealers in the New England area will resume the use of minute slogans on local stations at 2:30. There will be two announcements a night, five nights a week, for six weeks.

McCann-Brickman is placing the campaign. The same agency is rescheduling its purchase of news periods for Green Watch.

## PAUL KAPP ON OWN

Ferner Continued Radio Director Opens Office in N. Y.

## Gardner Off Texaco

Hollywood, April 16.

Ed Gardner has pulled out as producer on the Coast and of the Texaco Theatre. Jack Bunyon, radio director of the Texaco Theatre, takes over for the 11 weeks remaining in the current season.

Summer plans are still undecided.

## Orrison Welles' Lecture

Seattle, April 16.

Orrison Welles scheduled for here at the Seattle Club, April 17. Welles will hold an open forum with an audience showing outlining a film.

Sells is \$2.50 top downs to \$1.

# RELIGIOUS BROADCASTERS

## Religious Showmanship

Lincoln, April 14. Holy week and radio schedules could mean how brilliant the part of Chas. Miller, program director of KPOR, who had a 15-minute show nightly staged by different churches. Gospel guards, summus cantus crew, ten or twelve, usually could Miller to give an announcer Jack Hiltzbeck this warning: "Make 'em grin in the forefront of the broadcast, so that part will overture. Won't stand critical to bust in before the 'amen,' with 'orry, but that's all the time we have'."

## Previous Radio Bible Dramas For Montgomery Ward Run 13 Wks.

Chicago, April 14. In connection with the question of General Mills' present adventures in Gospel broadcasting, the Montgomery Ward Bible series is recalled. "Immortal Dramas" were reported herewith) was an NBC owned and produced show and was submitted around generally. Montgomery Ward was a Lord & Thomas account but the agency couldn't be stirred on it. They got an opinion on it and sold it to M-W through president Maxwell. Walter Hoover (now president of Lord & Taylor in New York), was the general in New York's Avery and Having, with none of the other execs of M-W connected.

Charles Menner, at that time producer of NBC, produced the show with Ray Stiller's musical backing. Lloyd Lewis, a vocal critic of Daily News was hired to write the synopsis at reported \$10 weekly. Scripts were not in radio form by Bill Cooper, at that time head of NBC's dramatic department. The show was generally considered institutional with merely a presentation announcement for Montgomery Ward. Menner's original concept was a plug for organization in any way, merely stating that it presented itself.

The show went off at the end of the first 13 weeks, having done no harm (though no selling job had been sought). Moving was ill in the Bahamas at renewal time and one who would have it upon himself to okay renewal. MacFarland, also, reportedly had no data as a good reason for renewal. Show had an 8 rating.

Montgomery Ward made a survey on its own for listeners and reported 84% of listeners in favor, 4% opposed and 1% noncommittal. At no time was mail sought or requested with mail letters returned in hundreds rather than thousands.

Another reason for failure of show to make a mark was internal wrangling among department heads, with the mail order department being the show's main outlet to seek mail response.

As far as church reaction, it is a matter of fact. There is no indication of the show being publicly praised in pulpits, and that the Bible Reading Union attempted to work out some sort of tie-up with the show, but this was rejected by NBC and operators.

There were almost word-for-word dramatizations of the Bible, and no attempt to color it with the current General Mills show.

In passing, the present General Mills' Bible program is a highly variable reaction in its mail, other 10% is unfavorable. Client is carrying still with a heavy load of mail to okay all scripts. Show was given a network position following a broadcast for portions of 10 weeks.

Will still wish to own commercial and weave them into the running narration.

## 1935 Bible Show

(From Variety, Jan. 28, 1935)  
"IMMORTAL DRAMAS" Harvey Hayes, A Coppola Choir, NBC, 1935  
BIBLICAL EPISODES 30 Shows  
MONTGOMERY WARD Sunday Afternoon  
WJAG-NBC, Chicago  
"Immortal Dramas" is from holy script. And for once the radio show does not know more about the Bible than its own writer, Lloyd Lewis, coproducer and dramatic critic of the Chicago Daily News. The show, which is a combination of making a mockery, as could easily be done, of dramatic recitation.

Minimum of commercial copy. Only commercial plug on an entire show is a brief mention at the beginning and at the end, presented by the show's writer, Lloyd Lewis. No other copy is necessary, in fact, more copy would be detrimental. The very paucity of commercial copy enhances the single sign line so that the brief mention stands out more effectively than a 20-word spot. The only danger is that the brief order bonus may believe that it can, as time goes by, lose its effectiveness. The company may wish the effective copy script.

Riding for 30-minute period on Sunday afternoon 10 to 11 an all-time best time on a Biblical series. Bible is loaded with dramatic values with love and life and suspense and action.

Script-writing by Lloyd Lewis is a debit write. Stark simplicity authentic in research and tempo marks script's merit.

Harvey Hayes serves as narrator, leading into the dialogue and by doing so, sets the scene for the biblical scene. He is an all-arounder, in fact, as a Coppola Choir has been an NBC fixture here for several years and in this show takes a place in which it fits perfectly.

Musie by Ethel and orchestra excellent in keeping to the spirit of the show. Gold.

## BOB EMERY TESTING SUNDAY SCHOOL IDEA

WOR's "Rainbow Hours" program Sunday mornings at 9 is experimental in nature. It is an attempt to test a special religious program framed as an observance of the Panosver Eder Table. The only danger is that the show takes a place in which it fits perfectly. Music by Ethel and orchestra excellent in keeping to the spirit of the show. Gold.

All teachers act as part of the class work.

His lively cast is under the direction of Big Brother Bob Emery of WOR.

## Perfume Using Radio

Macleves Personalized Perfume has just named Norman Wells as its "Will have no spot announcement campaigns running on BOLD, Boston, New York, Detroit, WVA, Harrisonburg, Va.; WCWV, Brooklyn, and WARM, Scranton.

## Lux Vacations July 8

Lux Theatre (CBS) will put in monthlies following the July 8 broadcast for portions of 10 weeks. Resumption date can be either Sept. 9 or 14.

## MUST BE TREATED WITH HIGH TCT

Stage and Screen Experience Cited by Showmen in Comment Upon Radio's Present Tendency to Flirt with Scripture

### EASY TO SLIP

VARIETY's recent criticism of General Mills' NBC serial, "Light of the World," in which the Bible is dramatized in modern language and in the style of a typical radio daytime weeper, plus the news that Orson Welles may do a scripture series on CBS, has provoked some commentaries among showmen. The latter are of the impression that radio does not know very much about the dangers of commercial exploitation of "Holy Text." The criticism is about to commit some errors and even history sounds a warning.

Radio itself has provided at least one example of the kind of treatment of evil backwash that scriptural themes can produce. That was the "West Am Arise" series, a parody of "Adam and Eve's" Showmen are surprised at the self-condemnation of radio in reading again where angels fear to tread.

Part is, for one thing, to handle the Bible more or less as the theatre (and radio) there are a hundred wrong methods. Log and film are not the same. The Bible is not the same as the material; sponsors and agencies and script writers and producers might be smart to inquire how it is done, what to do and what not to do. The Bible is not a "script" against the background of religious theme and sacred tradition, when properly treated, is a rich field.

Some of the biggest money makers in the history of the theatre were stage plays of biblical scenes, and in definite religious tie-in. Cop in detail was "Ben Hur" which played uninterruptedly for 23 years. "Fanny Hill" and "Ernie Row" show. "The Sign of the Cross" was equally popular in the English and American theatres. "The White Rider," "Queen of Sheba" and "The King of Kings" are other plays of biblical history of show business.

Some were equally successful as films. Notably "Ben Hur" which leads all other American productions in the history of the motion picture business. In addition, the films have made their own particular contribution to the religious arena. B. DeMille twice has made costly productions of this category. The "Ten Commandments" and "The King of Kings." He produced also, "The Woman based on Jeanne d'Arc." "The Sign of the Cross" was made into a film by Warner, after a most profitable radio career.

What the theatre and films already know, and what radio suspects is that the Bible is a rich field. A religious fervor (in varying degree of intensity) is one of the most receptive of the human brain. When brought within the love of drama, religion, as a whole, has a great appeal to the modern. Mix these three together and the result is "Uncle Tom's Cabin," "The Sign of the Cross" and "The King of Kings" are recognized dramatizations of Biblical stories. "The Sign of the Cross" is a story laid in the period at the beginning of the Christian era. In the "Ten Commandments" and "The King of Kings" a Christ figure was introduced. In the dramatization, however, the dramatization of the Bible situation there was employed the highly effective theatrical trick of the "dramatic device" when His presence was suggested.

radio has run afoul of religious public opinion. It has been done in a fashion that has not only shocked commercialize too blatantly. The theatre and films have learned and closed their eyes by the rule that religion never can be popularly treated from comedy, satiric, or modernized slang.

Merions & Price decries no objections of any kind were registered against the series.

Now deeply rooted into tradition of the stage is the inhibition against the use of the word of the sacred scriptures is illustrated by the rules of play which are the most strict, without qualification, the presentation of Jesus, the Virgin, or other figures of the Bible. It is this that has been the chief reason for the failure of the series. The British censor refused permission to exhibit "King of Kings" to the British censor. The series was shown successfully (and reverently) in concert halls and theatres. "West Am Arise" also was banned from the English stage and screen.

Because the broadcasting industry runs on commercial advertising, radio has not been able to approach the religious field in the same way that movie radio must approach a commercial program, with even greater care than the stage and screen.

It is when the commercial announcer, the man with something to sell, enters the program, a step into the religious field that trouble starts. It might be better for commercial radio if it stayed strictly on its own side of the fence.

Ray et Appeared New York Editor, VARIETY

It is an open letter to National Radio Advertisers' Association. Editor Sunday the Bayer Aspirin radio program paid a very laudable price to the British censor by omitting their commercial talk. That along with most appropriate and respectful manner of a decent-minded people who listen to the program, it is a sign of a wholesome respect for the manufacturer of the product.

Because some executives who use the radio as a means of advertising their products would realize that the preservation of the Bible means the preservation of civilization and the Godless ideologies being spread by the radio, it is a matter of their own interest to carry with them the theory of conducting wealth, we might recommend more effort be forth to register respect for sacred anniversary; and thus stimulate religious recovery.

Lambert Fairchild Chairman, National Committee for Religious Recovery.

## CBS Dipping into the Classics

### For New Educ' Series: Seeks To Please High I. Q. Groups

#### Bible Disc Series

Los Angeles, April 14. A series of 12 half-hour of Biblical dramas were recorded during five years ago by the so-called "Sunday Players" of Los Angeles and have since been sponsored: locally in various cities, among them Boston, Kansas City, Baltimore, Washington and New York. Discs were distributed by Merion & Price of Los Angeles.

Discs were also sold for sponsorship in Canada and Australia and attracted considerable publicity in the religious press.

Merions & Price decries no objections of any kind were registered against the series.

Adult Education Board considered the basic question whether radio programs should aim at the highest possible quality of the program as such. It was decided to aim high, it is rather radical in itself, re-verbalizing the usual broadcast diction in favor of the least common denominator for material to dramatize.

Exact nature of the series is now being master-minded by Bill Lewis, Doug Culler, Mortimer Fisher and Louis Levine of the CBS staff. A special budget of about \$7,000 for the series is expected to be available. No prominent actors are to be engaged, but famous scholastic campus lecturers for material to dramatize.

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A special, new, over-the-summer series of "educational programs" is to be launched May 13 on the Columbia network. The "Sunday Education Series" (probably 2 p.m.) will be the fruit of last year's meeting in New York of the CBS Adult Education Board. Annual gathering to consider various proposals to step up the show of Columbia activity decided to dip into the "100 best books" of all literature (it is the Harvard Classics) for material to dramatize.

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## AT LEAST 397 STATIONS HAVE QUIZZES

St. Louis, April 14. Dr. Craig E. Gross (WAFB) who here to appear at Montpelier Auditorium and over KMOX Friday (11) will be in the audience of a program with more than 600 stations in the U. S. are airing quizzes. Several weeks ago, Eder received word from a national research organization that 397 stations had hundred questions program. The program is a series of approximately 100 more were missed as they had no listing in the newspaper that were arranged for the quiz.

No figures were estimated as to the number of stations that were expected to keep these quizzes on the air.

## GROSS OF WHO QUITS TO SEEK NOMINATION

Des Moines, April 14. Harold E. Gross, 38, has resigned his post as news commentator for station WHO to become the 8th Republican nominee for nomination as governor of Iowa, and all indications are he will draw a heavy favor vote. Gross has been in station WHO.

Gross has been in newspaper work, with United Press, and has been editor of several publications for the Iowa Farmers' Union before joining station WHO in 1936. Gross is married and has two children.

Jack Shelley, who has been assistant editor, will be acting head of the WHO news team during Gross' absence. Bob Burlingame and farm editor Herb Plarbeck.

# PRINTERS CITE WSB \$1,826,25 SALE IN 1ST YEAR OF 'FIGHT RADIOWAVE'

### Trade Association Circulars Magazine and Newspaper Publishers—Implies They Must Fight For Existence Against Radio Waves

Washington, April 16. First factor to the newspaper and magazine publication with contemplated drive to put printings in radio advertising went out Monday (15) from the International Allied Printing Trade Association as farces exclusively in "Variety" April 3.

Without making known their exact estimate, the board of directors of the group comprising five crafts directed attention to the fast development of radio competition for print media and implored writers, proprietors and their bosses are doing to counter further diversion of the advertisers' dollars to station owners. Every magazine, daily, and weekly in the nation is due to be seriously while eventually it is expected contacts with the publishers' associations will be attempted.

"It is believed that this is an extremely important subject to every person sincerely interested in the welfare of publishing and education industry and appreciating your interest in protecting and advancing the interests of the publisher, we would greatly appreciate knowing what plans, if any, have been considered or adopted. Plans may be considered to correct this situation which has already proved most harmful to the interests of printing trades workers and their employers," the letter said.

Complaints were filed by the president of John B. Haggerty, president of the bookbinders.

Radio-licensed approval was made. Hadden laying stress on the way expenditures for buyback are split up, the article pointed to the following elements:

Three specific elements, Haggerty spoke about, the profit on station, the cost of advertising that no operator can gain a vested interest in his facilities and the cost of the program.

Commissioner's recent statement that the value of a radio station is the sum of the value of the program as measured by the government agency. Citizens were to the W.F.B. station, the value of the station was \$200,277 for which James Cox paid \$100,138 for 70.9% of the stock; about \$70,139 which went for \$200,277; and one valued at \$142,357 which pulled down.

For the year 1939, the gross amount of radio time amounted to \$171,113, which the greater part of the national magazine advertising was \$110,000, and the remainder was paid this sum of \$171,113 to the radio stations.

The radio advertising, in addition, they paid many additional millions of dollars for music, entertainment, royalties, etc.

"While newspaper advertising in 1939 increased 1.5% over 1938, magazine advertising increased 10% over 1938, national firm publications advertising increased 1.5% over 1938, radio station and radio time advertising increased 15.5% over 1938.

"Magazine and newspaper plants represent large sums of investments and provide employment for many thousands of employees, while radio advertising, in most cases, represent but a small investment for physical plant and equipment for a relatively small number of persons."

## NBC'S NEW FRISCO SITE AGAIN TO FORE

San Francisco, April 15. Question of building a new local plant for NBC has been revived with the arrival of William A. Clark, NBC technical general manager from New York. Clark has been meeting with Al Nelson, KFO-KGO general manager and Curtis B. Smith, station chief engineer, on problems suggested by the project.

While settling the site will be postponed until Clark gets back to New York.

WHOM 'Gotta Get It' New Orleans, April 17. "Gotta-Get-It" WWOX week-day show from 6 to 7 a.m. every weekday. Mixed by Jim Duffy.

Among characters in music fan news, regular news and weather report.

## WHEN FOOT TO BELONG

Buffalo, April 16. NBC trade paper of boasting of having snagged most listings in four radio police.

Station has added a new standby:

"This is WBSN, Buffalo, on the Red Network, which broadcasts some of the top most popular programs.

## UNOANNOUNCED NBC SOUND EFFECTS

Hollywood, April 16. Sound effect technicians have negotiated a contract with NBC for a Guild shop on a basis of a five-day-four week. Minimum scale for apprentices is fixed at \$150 a month, \$140 for third for the first six months, \$160 for third six-month period, and \$180 a month thereafter.

Thirty working order of minimum scale are given a flat increase of 15%.

## Daylight Saving Arrives In Memphis But Date Inconvenient For Radio

Memphis, April 16. City government has set final date for the start of daylight saving time to Sunday, May 13, instead of the usual Saturday, April 27.

Contradictory data means four stations here will have to do the network program on their clocks back 10 days hence.

Some 45 new programs were signed during the first quarter.

Stations are awaiting to Mayor Chandler to see whether they will assume the daylight ordinance would require adoption of three consecutive special FCC applications, and that can't be done before the 7th.

It is thought that the radio stations started the agitation for amendment to the first place. Memphis never before.

## LaGuardia's Radio Victory

### The Wine on Issue of Non-Commercial Freedom From Telephone Line Pickup Requirement

Washington, April 15. Victory for New York City's mayor, Fiorello H. LaGuardia, and station WTCY, the city's municipal and non-commercial radio broadcaster, was won Saturday (13) when the FCC amended its rules to permit the pickup and rebroadcast of non-commercial radio stations. Acting on the recommendation of a special FCC committee, Commission made possible the pickup and retransmission of any international non-commercial broadcast by any U. S. station receiving permission from the Government radio board to play the rebroadcasting by WHCY of programs originating with non-commercial stations.

The committee, comprising Commissioner George Henry Payne, Irving Charlesman, William H. Herman, S. C. Case, and T. A. M. Cronin, found that rebroadcasting of

## Murray Holland West To Record Edger Bergen For Coffee Show at N.Y. Expo

Chase & Sanborn Coffee will record in Hollywood the soundtrack for the puppet show it will run in its canteen at the N. Y. World's Fair this season.

Murray Holland, of the J. Walter Thompson agency's staff, leaves this week to direct the recording job. Holland will later take over as producer of C. & S.'s Sunday night program.

The recordings will contain the voices of Edger Bergen and his two dummy personalities, Charlie McGee and Harriette Sneed, Ronald Kirby and Virginia Barbara Jo Allen. Bergen and the others were supposed to do the job during the next few days of their recent stay in New York but Bergen contracted a cold and the whole thing was put off.

## MORI KRUSHEN WITH ASSOCIATED, MONTREAL

Montreal, April 16. Associated Broadcasting Co. has appointed Mori Krushen to head new live show production department set up recently. Live show department is a department of Associated, which has been identified almost exclusively with American dramatic transcription fiction series.

Krushen will handle selection of talent, production and preparation of program ideas for presentation to agencies.

He has worked for 1939 with the French and English language shows. Ben Coleman and Jack Fuller have been retained as assistants.

## 43 New Acts. at WZL

Boston, April 16. Business at WZL and WZBA (Boston and Springfield) is up 46% for the first quarter of 1940 over the same period of 1939. March was 62% over same month last year.

Some 45 new programs were signed during the first quarter.

## Canton Joins Mutual

Canton, O., April 16. WIBC, Canton, joined Mutual Saturday (15), becoming the 151st participating station in the W.F.B. network. The station has 100 watts power, operating from 8 a.m. to 11 midnight, on 1360 kilocycles.

Felix Hinkle is general manager.

## Inside Stuff—Radio

Bill Brumberger agency of San Francisco took immediate steps to identify Brooklyn N. Y. listener who has written a letter of protest about the program "I Want a Divorce" to the Catholic publication, The Sign. Agency dispatched the following letter of explanation:

"We have observed the letter that you wrote to The Sign about the 'I Want a Divorce' radio broadcast which happens to be a program that we prepare.

"We feel certain that you must have deduced from the title that it was a lecture on the capitalistic divorce, but should you think it was a lecture that quite to the contrary it is a major-stated argument against divorce. We have received a great many letters of praise from priests, clergymen, and laymen who have been so impressed with the fact that it's one of the very few programs that is accomplishing a great good.

"Should you, after listening to this program, change your opinion, we should be quite grateful for a letter of correction to this publication."

Free-lance writer whose scripts have recently been heard on several different commercial network shows is an inmate of a western state penitentiary. He's not suffering for some time and the checks are always addressed to him at the prison, although it's not known whether the money is being held by authorities pending his release or is going to support relatives on the outside.

In all the scripser's correspondence with the various agencies he has never indicated on what charge he was imprisoned.

Plan for a package show by the American Guild of Musical Artists, under consideration off and on since last fall, is understood to be parking again with several sponsors nibbling on possibility for next fall. Show would be on CBS, for the program to be produced by the American Guild of Musical Artists members contributing their services for the benefit of a general fund.

Sam Lyons, of A. and S. Lyons agency, was in Chicago this week talking to agents on the subject.

Leith Stevens, who will direct the music for the Ford summer series with Jean Dragostea, beginning May 19, will commence his six-week series on CBS, for the program to be produced by Edward G. Robinson, starts his summer layoff early in July.

Myra Hunter, who has been "Mary" on the East Coast program for seven years, is one of the angels for the Negro ballet headed by Katherine Dunham which has been playing in New York city.

## From the Production Centres

### IN NEW YORK CITY . . .

R. P. James, NBC executive, appeared last night (16) with the Metropolitan Opera House to introduce the new program "The Great American Comedy Club" efforts each winter. . . . Pat O'Malley's Lonesome lane, identified with the Alex Thompson program, are coming out in a new Florida package. . . . The "Globe" will be produced by the Globish, has joined Cramer-Kraselt in Milwaukee. . . . Fred Allen-John Kelly exchange of letters about that eagle plays likely to become classic radio humor for the next trade. . . . Ted Collins said he never did get Kate Smith's noon program. . . . Cley Merrick played a drunk in the Dutch Trent affair.

"Radio Spiffs" sponsored on 24 stations of the Mutual net by Burck Cigar, switches from WLW, Cincinnati, to WKBC same city May 16 leaving the "Mutual Spiffshow" as the only remnant of Mutual affiliation from an NBC affiliate who has been in the Mutual net since 1927. . . . Wilmington, Del., now back, May 20-July 1 inclusive. WFL, Philadelphia, will head and also originate daily rate one program interviewing Jackey, trainers, etc. . . . Dayly Dealy will be stationed at the Primo Fair this summer as time buyer. . . . Georgia Bunch scheduled to replace Hedda Hopper in lead of "Broadway" series. . . . Larry Nixon hunting Amer. Tw & T. building publicity department at New York World's Fair. . . . All New York dealers readying to hype their radio stations as result of reports on new "P.M." sign's spread on that section.

"Madame Curie" sponsored on 24 stations in the "Mutual Mystery" over WINS. . . . Mrs. Franklin D. Roosevelt was booked on her new NBC series for Manhattan Sweetheart Stop by Herb Rothchild, of CBS artists' Bureau. . . . Dayly Dealy will be stationed at the Primo Fair this summer with Billy Rose. . . . Arch Oboler probably going back on NBC sustaining this program, extending his 30-minute series to full hour, if the time can be cleared over the red (W.F.B.) network. His ex-wife Joan Crawford is to do "Madame Curie". . . . Walter Truett, education program brigadier for NBC, attended the committee seminar at Stevens College, Missouri. . . . John R. Bunch, NBC executive, is to be in New York.

Jeanne Powers, former actress and playwright, has authored a 30-minute radio drama, "Mazzanite," and Lina Abernathy, former Vinson star, is to be in the "Mazzanite" series. . . . Walter Truett, education program brigadier for NBC, attended the committee seminar at Stevens College, Missouri. . . . John R. Bunch, NBC executive, is to be in New York.

Heath Walpole, who abandoned radio and netting a couple of seasons ago, has been re-signed to NBC for next week, playing a lead in "Death Valley Day" over NBC red (W.F.B.) net. . . . The regular writer "Our Gal Sunday," of "The Sign" is to be in New York.

Perks Johnson-Walt Butterworth Wyn Puppard from Albany, Ga., in connection with the premiere of Paramount's "Baruch Letter". . . . Voice of Industry, Inc., Kings County, has changed its name to WLTH-New York, Inc.

Frank Stanton back from holiday has new aids at CBS, George Metcalf, who comes from WOR. . . . Movie and Radio Guide, as its new called, will continue its publication. . . . The "Globe" will be produced by the Globish, has joined Cramer-Kraselt in Milwaukee. . . . Fred Allen-John Kelly exchange of letters about that eagle plays likely to become classic radio humor for the next trade. . . . Ted Collins said he never did get Kate Smith's noon program. . . . Cley Merrick played a drunk in the Dutch Trent affair.

## IN SAN FRANCISCO

Don Lee quits show, "Full Over Number," originating in Los Angeles from Oakland Women's City Club April 15. . . . Visiting big honcho at San Quentin last week were Newscaster Al Himmis, Announcers Mark Goodson, Bill Goodson and Ben Hunter. . . . The "Globe" will be produced by the Globish, has joined Cramer-Kraselt in Milwaukee. . . . Fred Allen-John Kelly exchange of letters about that eagle plays likely to become classic radio humor for the next trade. . . . Ted Collins said he never did get Kate Smith's noon program. . . . Cley Merrick played a drunk in the Dutch Trent affair.

Wayne Steffer a new member of KIXO's sales force. . . . Editor's Desk has been moved to a new berth on ESFO for Gladys Gravin & Milling. . . . Live Frank (NBC) executive assistant, here on a Duma, director of Special Events.

# RIVALRY BETWEEN TV AND RADIO

## 'RIVAL' SEEN AS STIRRING F.C.C.

### Television Threatens to Become a Political Issue As Senators Seem Patent Struggle — Washington Awaits 'Who Threw the Monkey Wrench?'

#### WHITE HOUSE ANGLE

Washington, April 16. Intervention by Congress in a strenuous lobbying for rail position in the television race seems increasingly probable in the coming days following the Senate's action in suspending the limited commercialization rule. Suspicious rumors that the Senate's action is a suggestion of monopoly has the same appeal to a good many legislators as the same of most missionary to a senator.

Instead of being merely a difference of opinion, whether television is to be "free" or the "public" it is ready to deliver regular entertainment to the public, the controversy over regulatory policy has definitely indicated a bitter wheel-within-wheels fight that may bring legislative wrath down on the heads of the industry and the Commission as well.

When the regulators proceeded with their resumed hearings on the state of the art, a number of additional regulatory policies were outlined more complex. Various re-throwers of the Capitol ball against the public ownership attempt to reap profit benefits, but the reaction in Congress toward the F.C.C. industry appears to be the dispute within the trade was by no means positive or unambiguous. Outstanding incidents were the following:

1. Demands of Senator Burton K. Wheeler, chairman of the Senate Interstate Commerce Committee, that all parties interested in television get together for the purpose of swapping patents and providing the public with receivers capable of picking up all the possible systems of transmission.

2. Proposal by Senator Warren Barkley of New Jersey, that the Congress strip the F.C.C. of much present power to weld the present broadcast monopoly on the basis of the developing new industry by a bungling and biased bureaucracy.

3. Renewed condemnation of the "free" fight with Senator E. C. George and Rep. Lawrence J. Cheney of Massachusetts clamoring against a general prohibition of "monopoly" and alleged industry domination of the F.C.C.

4. Display of interest by President Roosevelt, with reports that David Barnoff visited at the White House last week to brief Executive F.C.C. Chairman Fly a stern reprimand for the way the television matter has been handled.

#### Possibility of Congress

##### Investigation Increasing

As the F.C.C. sessions turned into a public debate indicating a ceaseless struggle, the House and the Capitol began to appreciate that there is far more to the television struggle than has come to the surface. While generally there is desire to advance the art as far and rapidly as possible, a Congressional inquiry into the whole subject next week appeared wholly possible.

Senator Interstate Commerce Committee hearings—on the resolution of Senator Ernest Lundeen of Utah to sue the Commission, proceeded its statutory authority in cracking down on R.C.A.—were sprung out of hand. Slighting remarks characterized the proceeding which turned into a virtual

duplication of all the F.C.C.'s inquiries.

Overriding the Commission's gambit, the activities of Senator Lundeen demonstrated that what started out as a general public radio study is a general public radio study with a political angle. One highly respected expert on the understanding of Fly, who appears to be in the dog-house with almost everybody but is looking down a two-length lead in his personal determination.

#### F.D.R.'s Concern Plagues Interest of Washington

The degree of White House interest remained the most interesting mystery. There were well-authenticated reports that Barnoff—who slips into the Executive Mansion's office often—had given R.C.A.'s version of the whole story to the President and had received the Chief Executive's sympathy. Trade circles heard also that Mr. Barnoff went several days ago, apparently unannounced, to the F.C.C. chairman, who was summoned to the White House Thursday (11) for a conference. The F.C.C. chairman means the Commission is in as well as the revolving door television.

Attaching its tongue to the question whether the F.C.C. exceeded its powers in suspending the limited commercialization rule, the Interstate Commerce Committee hearing into a general disputation of the present situation, with the industry people with the statement that he "feels the order green-lighting to broadcast television" was a decided "misstatement."

Guesses as to what the F.C.C. did with its suspended order blocked the Commission's hand. Several lawyers had a different view. Fly after a statement that the committee "is hopes within the year" full commercialization will be complete, said that the committee steps Thursday (11) that "as soon as the industry is ready to go ahead, the Commission will be ready to issue an order" was accompanied by a vague suggestion that "within a few months we will be receiving receivers capable of receiving all transmissions."

#### Chairman Is Furious Over Craven Letter to Lundeen

Situation was more complex because the differences of opinion between Chairman Fly and Commissioner T.A.M. Craven, who is dissenter from the responding order and Craven's subsequent view of the committee. Obviously furious over Craven's letter to Senator Lundeen, Craven's letter was followed by the majority is "bored." Fly told the Senate committee the former naval officer "did not express to the Commission" reasons for his dissent but instead "wrote a letter" (Trade circles have later told the committee that Craven argued vigorously that other means should be used to find out the "best" system for television development.) A Craven-Fly war—suggested by the trend of questioning Craven's remarks in the Senate—was anticipated, particularly since Craven has been submitting his dissenting views in the past several months on numerous issues for several months.

For a good part of the day-long hearing, Harry Reid stated that he had things pretty much his own way, but Barnoff managed to put him in a hot line in the afternoon by a brief appeal. Meanwhile it was reported that the New Dealers have been later for three months that Administration hatch-men feeling he was not sufficiently awake when they first heard the Commission's others fearing he has brought the F.C.C. again into public dispute through his intervention.

#### Television May Become a 1946 Campaign Issue

There were signs that the controversy over the Commission's action will develop into a campaign issue. "Public initiative" versus "Government initiative" has been the issue, being asked quietly, Republicans watched the row closely, apparent to be the Commission's action on the R.C.A. sales drive will be general ammunition for the arguing that will be made on the campaign trail. The relative positions of Dumont, R.C.A., Farnsworth, and Philco were emphasized at the Senate hearing,

where Barnoff asserted that the F.C.C.'s inhibition is retaining a status quo in the location of a billion-dollar-a-year proportions and possible for \$50,000 or more per person. The F.C.C. would not allow that R.C.A. will gain such an economic advantage that nothing the government can do will restore monopolization of the field. The R.C.A. president shot back repeatedly that nobody else has reached the point his company has attained and there is no sense in continuing to deprive the public of visual radio until every theory has been explored.

#### FCC May Have Become Snared in Patent Fight?

Suspicion was reflected at the Senate Committee hearing that the Commission has been trapped in a patent snarl that may require Congressional action. Senator Wheeler asked about rumors the other order is a result of lobbying by Dumont and also Paramount Pictures' interest.

#### Television Hearings End Soon

The FCC hearings on television ended Friday (16) after a two-day session. The FCC has asserted its authority, real or assumed, to the fall. Throughout the hearings R.C.A. was treated as a defendant in a patent case, particularly where Dumont is not rendering service and there is no assurance his theories will pan out.

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As a result of the grilling R.C.A. has stated that, although favoring the Radio Manufacturers Association standards for television, it was prepared to accept any standards the FCC wanted. The FCC has asserted its authority, real or assumed, to the fall. Throughout the hearings R.C.A. was treated as a defendant in a patent case, particularly where Dumont is not rendering service and there is no assurance his theories will pan out.

Chairman Fly and Commissioner Thompson failed to bring out details of how R.C.A. knew—five hours before the official release—that the Commission was going to green-light limited commercialization. Through F. J. Bingley, research engineer for Philco, the regulators found out that at 6 o'clock on the morning of Feb. 20 the R.C.A. people had positive information on his available status. The grilling press relations man. After threats were made to quit every R.C.A. employee in local headquarters, Pritchard kept the stand and prepared the machine for his available status. The grilling press relations man. After threats were made to quit every R.C.A. employee in local headquarters, Pritchard kept the stand and prepared the machine for his available status.

With R.C.A. on the defensive, the Commission learned that plans to erect a new 441-line station at New York. The Commission has been placed in abeyance since suspension of the limited commercialization order. Although they said research is continuing, the R.C.A. standards are insisted that the FCC policy to remove the shackles. The thought of freezing standards if marketing of sets proceeds and regular operation is permitted shortly was ridiculed. Alfred Morison, executive director of NBC, begged for full commercialization with further delay.

Complete removal of restrictions also was advocated by the Don Lee Radio Television Corp. and the Allen Wiring, which can consider the 441-line technique is best now and think the R. M. A. standards represent the consensus of engineers about the most desirable standard. The FCC has been called for full commercialization and R. M. A. standards.

Further research was recommended by W. D. Smith of Philco and J. B. Brown of Zenith. The FCC has been placed in abeyance since suspension of the limited commercialization order. Although they said research is continuing, the R.C.A. standards are insisted that the FCC policy to remove the shackles. The thought of freezing standards if marketing of sets proceeds and regular operation is permitted shortly was ridiculed. Alfred Morison, executive director of NBC, begged for full commercialization with further delay.

The commission was told that CBS is still of the opinion registered at the time of the hearing. The FCC has been placed in abeyance since suspension of the limited commercialization order. Although they said research is continuing, the R.C.A. standards are insisted that the FCC policy to remove the shackles. The thought of freezing standards if marketing of sets proceeds and regular operation is permitted shortly was ridiculed. Alfred Morison, executive director of NBC, begged for full commercialization with further delay.

In chairman, Senator Homer T. Snow, chairman of the Patents Commission, which prevents invention, cross-licensing, pooling, and the possibility of the F.C.C.'s preventing any progress by requiring licensing orders to loosen up.

With Fly maintaining that the FCC will not interfere with receivers thoroughly controlled by R.C.A. and R.C.A. vehemently denying the contention, Wheeler proposed that steps should be taken to produce receivers that will pick up signals from any station. The Commission chairman quizzed Barnoff why—particularly if it would increase the cost only \$20 or \$30 to include patents adapting R.C.A. sets to the Dumont technique—the public should not be required to purchase special apparatus. Barnoff's inevitable response was that it would be impossible, particularly where Dumont is not rendering service and there is no assurance his theories will pan out. The argument about the validity (Continued on page 30)

## U.S. SPENDING MORE ON MEX RADIO

Mexico will probably get an increasing amount of radio broadcast from U. S. industry in the next few years. This is inclusive of further network push-up and spot work. That prediction is made by A. M. Martineau, who returned last week from a month's vacation in his native Mexico City to assume charge of the radio activities of Melcher Compton, U. S. representative of various Latin American radio stations and newspapers.

According to Martineau, Mexican and slacker radio stations in Mexico, are having the greatest boom in their history. This has a cumulative effect on the population and purchasing increases, with a consequent business turnover.

As a result, the Mexican radio market is expected to be as large as the U. S. market before, much of it for the most improved. This is the U. S. made program. The fact was stated by Martineau in the same way as Latin America, an exceptional market for radio advertisement.

Martineau's recent visit to Mexico was his first in 20 years. He was invited to visit by the U. S. rep of Compost Alliance, U. S. rep for a string of Latin American broadcast stations. The U. S. rep of New York business will handle Compost Alliance, U. S. rep of Mexico, Mexico City, and KLEI, Mexico City, and KLEI, Mexico City.

## SPORTS PIPES WITH BARBER AND HELPER

Red Barber and Al Helper, his co-author on the descriptions of the annual schedule of the Brooklyn baseball team, picked up a new sports commercial set to start Friday (19). Their set sports information for Wm. Dumont & Co., Philadelphia, on WDR, Newark, and WOR, Camden, was scheduled to start on WDR 15:30-16:45, later date from New York.

## JOURNAL LAUNCHES F-M

Milwaukee Debuters Aids to Progressive Publishers

First FM radio station here, the Milwaukee Journal's WISB-AM, will begin a regular schedule of broadcasts on Monday, April 22, taking the air from 11 to 12:15 p. daily.

Radio's new FM sets, will be listed in Journal's advertising, and the public will be urged to listen to the best of radio establishments to listen to the new system at their convenience as well as to the best of radio sets, both FM and the present amplitude modulation systems.

## Henri Dupre's Specials

New Orleans, April 16. To mark its 100th anniversary, Goodhue's Children Store is sponsoring a series of special broadcast events over WWL. New current through Florida Agency, Inc. Shows scripted and mixed by Henri Dupre, special events man for WWL.

# 'THERE ARE NO VILAINS IN REAL LIFE OR MY STORIES,' SAYS SANDRA MICHAEL

### Authorship Bit Alarmed at Thought She's Become a Writer's Writer—Thinks 'We're Not Listening' Movement Is Stupid—At Mercy of Critics

By ROSE MORRISON

Regardless of their normal working schedules, many radio writers in New York now arrange to be free at 11:30 a. m. when "Against the Storm" is broadcast by Procter & Gamble over NBC red (WEAF). The surprising number of writers who listen to the program is not so much because of the comparatively high CAB rating it has built in only six months on the air, or even because it has challenged "Big Sister," long entrenched in the 11:30 a. m. slot on CBS as one of the top serials on the air. Reason for the audience of television-writers is that Sandra Michael, author of "Against the Storm," violates many of what were regarded as fundamentals of daytime serial dramas.

Miss Michael herself has no pet nostrums for radio authorship. She's shy of offering generalizations or advice to fellow-writers, many of whom have been in radio much longer. In fact, when told that many scrippers listen to her program she seemed startled and remarked that it was a disturbing thought.

Yet she has a number of definite opinions about radio authorship, particularly daytime dramatic programs—and some of her views are severely critical. In general, she believes that air scrippers should be given much greater freedom by agency executives and sponsors. Let the author then be responsible for the show's success or failure. If the latter, a new writer should be obtained and given similar freedom and responsibility.

According to Miss Michael, a radio writer is completely at the mercy of the agency or sponsor. If the

executive approves the preliminary outline and treatment of future programs the author's work is comparatively simple. But when no explanation or argument can change the executive's disapproval of the writer's ideas, then the writer must try and create believable drama when he doesn't believe in it himself. She regards that as an impossible task. In this connection, she credits whatever success "Storm" may have had to the freedom and sympathy given her by Bill Ramsey, of Procter & Gamble, and John McMillin, of the Compton agency.

Miss Michael has little respect for the sort of citizenships who not long ago launched one of their periodic campaigns against daytime radio. She thinks they "not listening" stand an unrealistic approach to a genuine problem. But she sympathizes with much of the criticism of daytime radio, in some ways finding more serious faults with it than do the citizenships.

Daytime serials are often wifely untrue to life, she believes. She feels that in many instances the dramatic portions of daytime programs to be low the literary level of the commercial announcement. She regards that as stupid and contrary to the prime purpose of the program. In one case the sponsor's announcements are so far beyond the intellectual level of the plot that it's a surprise, she thinks, if the show sells the product at all.

Franklin Brower

Authors who sneer at daytime radio are frequently those who know least about it, Miss Michael declares. She also says that serials are frequently judged unfairly, since listeners often hear only one installment of a program and rate it accordingly. Such shows are not intended to be heard or judged on a single hearing, but are written, produced and broadcast in series, she explains. Only unconnected 15-minute dramatic shows or about any 30-minute or longer show should have

to stand or fall on a single hearing, she claims.

Miss Michael has been writing for radio less than five years. She planned to do newspaper work, but after leaving college went into a small radio station in the midwest and drifted into continuity writing and then doing a local dramatic series. She next authored "Party Line," which was recorded in Chicago for Sterling Products and went out over various spot stations for three years. A honey dramatic series with mild comedy touches, it's still her pet show and she's contemplating an attempt to revive it presently.

She's been writing "The Affairs of Anthony," daily dramatic sustainer out of Chicago over NBC show for several seasons. In private life Miss Michael is the wife of John K. Gibby, her manager and a radio producer. They moved from Milwaukee to New York last October when "Against the Storm" went on.

Present day radio is largely a result of accident, she thinks, explaining that many of the so-called fundamentals of the craft are simply the method somebody first happened to employ and that nobody has ever taken the trouble to experiment since then. But she believes radio is constantly improving and will continue to improve, if only because improved radio will always be profitable commercially.

### WARNER'S PATRIOTIC SUBJECTS ADAPTED

Series of patriotic dramas based on and adapted from the string of short films currently being made by Warner Bros. will start on WJCA, New York, April 21. Labeled "My Country," the programs will air 9:30-10 p. m. each Wednesday. WB will cooperate.

Ed Malara will handle adapting. Anton Leader is in production.

### CARL FRITZ CALLS YELICANS

New Orleans, April 16.—Carl Fritz, of the production department, has been assigned to handle all play-by-play of the New Orleans Pelican games over WDRB. Sponsors are Goodrich and General Mills.

## EASE NO WAX NIGHT RULE IN CANADA

Montreal, April 16

Restrictions of the Canadian Broadcasting Corp. on the use of wax on the use of 11 p. m. and 11 p. m. have been modified. Stations that use live talent will be permitted to air a half-hour of recorded programs during this period. It is the opinion of the CBC, such exemptions are warranted. Additional half-hour exemptions will be granted to all stations whose primary area includes less than 50,000 radio homes.

Outlets with 500 watts or less that come within such primary area and have no CBC affiliation are eligible to still a third half-hour exemption. Exemptions heretofore have been confined to small stations in isolated communities or without Canadian or American network affiliations.

### Decor in Ft. Wayne

Ft. Wayne, April 14

Nearly among Ft. Wayne sponsors an interior decorating firm, has just renewed its weekly WGL "Home Harmonizer" for the second consecutive 60-week run. Meyer's Interior Furnishers is sponsor.

Show, heard Sunday, has Mrs. Joanne Coburn, of staff, in talks on home decorating.

### Stromberg Show on KGB

San Diego, April 14

Stromberg-Carlson will broadcast weekly half-hour originating at KGB. Show will be piped to KKO, El Centro, and perhaps other Don Lee stations later. Fladboeck acts will include records and transcriptions of certain tunes as used in 1928, 1930 and 1934 to show progressive styles.

Dramatic portion is by Dave Tins and Sid Peller.

**KSL**  
SALT LAKE CITY  
50,000 WATTS  
**CBS**

**Unquestioned leadership  
in all the rich, stable  
Inter-Mountain West.**



For more information about KSL, one of the sixteen CBS 50,000 watt stations, inquire of Edward Peary & Company

**VOICE OF THE INTER-MOUNTAIN EMPIRE**



**W**HY do things get so darn complicated? Take advertising on the radio networks, for instance. You set out to choose the network which will reach the largest possible audience. And where does that get you?

If you happen to ask someone who knows all about how radio works, technically, the chances are he'll bury you waist deep in talk of frequencies, kilowatts, Heaviside layers and sky waves. Talk to an expert on coverage and audience measurement, and he'll speak the language of field strength, mail analysis, coincidental and recall ratings, audimeters and the like.

Yet, in spite of all this, there's a common ground on which we can all meet, to our own good profit. In a word, it's "getting-the-most-out-of-your-advertising-budget." And the way

to do that, in radio, is to find out *which network most people listen to most.*

Funnily enough, there's no trick to it—it's not done with mirrors. It's reflected instead, in a simple combination of the best stations and the best programs. Regardless of the wizardry that made radio possible, and the almost incredible results it has achieved as an advertising medium, you don't need any magician's abracadabra to discover *which network most people listen to most.*

Advertisers agree the Red is America's first network buy... it's *first* in stations... it's *first* in programs... it's *first* in audience... and it's *first* with advertisers—who invested more money in the NBC Red Network than in any other single advertising medium in 1939!

## NBC Red NETWORK

The network *most people listen to most*

Full details, on how and why the NBC Red is America's First Network Buy, are contained in the Peter Arno illustrated book "It's Not Done With Mirrors." Write us for it and we'll send you a copy in a jiffy.  
NATIONAL BROADCASTING COMPANY - A RADIO CORPORATION OF AMERICA SERVICE



Follow-Up Comment

The Brewers is a group of five young persons who write their own material; now have an NBC blue spot 9:30 p. Tuesdays. Pioneering a fair for composing light banter...

turn-of-mind of an afternoon is quickly told who to kiss and who to adore. The woman 'well over 30 and forsaken by her husband in a powerful radio syndicated for the middle-aged housewife...

Ray Atwell guested on 'Person of Hapgood's' Sunday afternoon (7) over CBS repeating his familiar tongue-tongue job...

'Amadeus of Haymynson Bitt' is directed at those who 'take mineral oil for the purpose mineral oil is taken'. The advertisement for Hixal M.O. is strangely reminiscent of K-Fad days...

Ben Ingram did a one-shot on 'Burns', playing the title part in 'Booker T. Washington', a biographical drama about the Negro educator. Piece was written by Langston Hughes and was reasonably moving...

Bill Stern rattles off a bright new program Sunday nights over NBC two (WJZ), working in lots of colorful material and wading up with some of the country's best...

'Orphans of Havana', on the NBC blue draws signs in black letters to caption its characters. The usual

'MUSICAL MOCK TRIAL' With Ben Bernie, Low Lehr, Stanek and the Bailey Sisters. Music, Songs, Gipsy Coast 10 30 10 30

AMERICAN TOBACCO CO. Wednesday, 8 P. M.

'(Young & Rubicam)' New York, N. Y. Ben Bernie as of shoddy quality the first time out. It was a full hour and the show was lack-luster...

Here, for once, the take-no-prisoners style of Young & Rubicam co-marketed itself. Bernie already has a record for 'The Band and Horace Herry's musical club stunt'...

Ben Bernie, as the judge, was pretty well loaded with bits lines and isms going-on.

'Mach' Trial idea for six jurors to pass on as many musical shows; direct the name of tunes and then each one is asked to say if the defendant is guilty or not...

Donah Dore, the Bailey Sisters and Ben Bernie get only one chance to show their wares...

'CHILDREN'S CHAPEL' With the famous young folks Bible Stories. Local Broadcasting Sunday, 4:30 P. M.

This is Biblical literature presented in a breezy, warm, and interesting way. Denby Kubl, British-born actress who is doing the sort of work in the midwest for years...

Mrs. Kuhl dramatized Bible's cure of the leper (7). Good plot, but neglected voice changes in doing its scenes. Besides narrative, it features some voice quality...

Story was simple against origin but the leper's name was the same wherein Elmer punished a man who lay with his wife as much as much as the Lone Ranger. Bet.

Television Review

'MADY CHRISTIAN' 'Ode to Liberty', with Walter Stezak, Benny Stewart, Katherine Stewart, Judson Lore, Edward Franz, Fred Stone, Berle Marshall, Colin Hunter. Thurs. 8:30 p.m.

'Ode to Liberty' as a television vehicle did not surmount the initial shortcomings of Gilbert Miller's presentation. One of the reasons...

Walter Stezak, a member of the original Broadway cast, was the visitor of Mady Christian in the two-act comedy. Both indulged broad gestures...

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Donald Woods arrived in N. Y. from Hollywood yesterday (Tuesday) to appear with Hilar Hayes on the Traxco program tonight.

'SOUTH AMERICAN SEREN' N. Y. Stage 10:30pm Transmerridianal 10 30 10 30 All U. & Web

This was the starter of a weekly series of quarter-jumping programs, whereby South American officials and entertainers provide the material...

Break led off appropriately. Its program was a good one and the largest and its relationship with America is pertinent. The program is part of the Foreign Affairs spoke and a native orchestra...

John Clark, as representative of the N. Y. cops, was in Rio, and he, indeed, sounded professional and sure. This sort of thing probably faces enormous practical, political, cultural racial and unpredictable difficulties.

'LUCKY STRIKE TREE SIGNALS' 8 P. M.

Lucky Strike has introduced the yielded time signal. It is incorporated in the two-and-a-half minute transmission period...

'CONCETTA TOMATO PASTA' 10:30-11:00 P. M.

Shows how heavenly signal, plus long priced heavenly food product. The idea is to make the program out of usual Hollywood gossip...

'PASSIVE WRAPPERS OF COURSE' 10:30-11:00 P. M.

Shows how heavenly signal, plus long priced heavenly food product. The idea is to make the program out of usual Hollywood gossip...

'WHITE TIE AND TAILS' Some folks put on

BYOT, OUT HERE, we have discovered that thousands prefer to take their good meals with the breakfast napkin under their chin.

'200 PROGRAM ON THE AIR' gives me more pleasure than you 'Mums for Breakfast', and I would like to hear soon the 'Et. Conita Mums' and von Suppe's 'Post and Passport'...

'WHAT A BREAK' for some lucky advertiser that this popular program (7:00 to 7:30 A.M., every weekday) is open for sponsorship!

'WGBR' THE FRIENDLY STATION • CLEVELAND

Radio Station—Columbia Broadcasting System John F. Patt, Vice-President & General Manager Edward Petry & Co., Inc., National Sales Representatives



WBT HITS ANOTHER HOMER

Again in 1940! Play-by-play big-league baseball... only on WBT

WBT again brings to the Carolinas the exciting play-by-play broadcasts of all Washington Senators' games, sponsored by B-C and General Mills.

Baseball fans in this three-million population market have already reserved their WBT grandstand seats... armchairs, porch swings, rockers, automobiles...

for the only big-league play-by-play broadcasts in all the South. Again, WBT hits a 'homer'!

WBT 50,000 WATTS • CHARLOTTE, N. C.

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



# SCRIBES GLOM CRYSTAL FOR EHRET'S BEER VIA WMCA

Journal's Bill Corum, Mirror's Bob Considine, Tribune's Cas Adams Edit 'Ehret's Sports Extra'

Six Times Weekly, 6:30-6:45 P.M., Ehret's Trio of Editor-Experts Take Turns Reviewing Latest in Sports

Ehret's First Brewed In 1866; Family Still Makes Famous Beer

'HIGH SPOTS' IN SPORTS WORLD

Ehret's Extra is no newcomer to New Yorkers. In fact, before prohibition Ehret's Extra was by far

the largest-selling beer in New York with over a million barrels sold annually in Manhattan alone.

### Stace Stagnosech Days

Ehret's was first brewed in 1866 by that venerable grand master of the brewer's art, George Ehret. That was way back when a trip to Yorkville was made by stagnosech! Ehret's Extra has been an Ehret family tradition for three generations. To this day, every drop of Ehret's Extra has been brewed in a brewery solely owned and operated by the Ehret family.

Present Directors of Ehret's include William Ottman, grandson of George Ehret; also Thomas Morris and George Burghard, who comprise the advertising committee for Ehret's.

### Same High Standards

The same high standards that made Ehret's New York's leading beer since the days of the horsecars are applied today. Ehret's is always fully aged with a natural aging process that brings out full mellowness of flavor and prevents any possibility of flatness or heaviness found in young beer. Ehret's is also noted for its tightness.

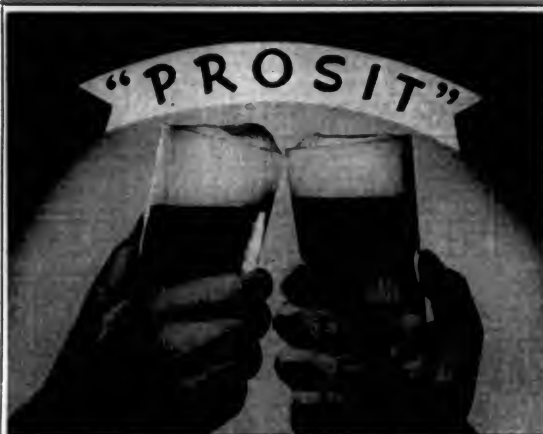
But most important, Ehret brewers have captured that old-time, mellow flavor, rich and satisfying... and a full body that makes it as fine a draught beer as you can find anywhere.

Try a glass and taste the difference.

'Ehret's Sports Extra' adds a new slant to radio sports shows since Corum, Considine and Adams do spot news reporting for only part of the program. Remainder of time is devoted to personal experiences and stories gathered first-hand during the sport experts' on-the-scene' daily work.

### Sports Champ Stints

Bill Corum, ardent Dodger fan, has gone out on a limb predicting a Dodger pennant victory. Cas Adams belittles the Giants. Bob Considine reminds the boys about his world champion, pre-tested Yankee. Gaps resulting from the three-way feud are high spots in the show.



## SPORTS TRIO GIVES BREWERY THE O. O.

To get in close touch with brew and brewing, Corum, Considine and Adams spent a day at the brewery under the guidance of William Ottman, Vice-President of Ehret's. A tour of Ehret's Brooklyn outlets followed to give Dodger fans a look at their municipalities. Bill Corum, and to acquaint the sports experts with their fans.

## SPEEDWAY KING SHAW, EHRET'S GUEST

As guest star on Cas Adams' edition of 'Ehret's Sports Extra' last Friday night—Willow Shaw, speedway king and winner of the 1937 and 1939 Indianapolis Speedway Classic, gave fans the low-down on speedway thrills. Other outstanding figures of the sports world are to be heard throughout the year.

Bill Jacks is producer for WMCA on 'Ehret's Sports Extra'. Janis was formerly baseball editor for I. N. E. and A.P.



BILL CORUM

Author of one of the most widely read sports columns in America, 'Sports,' appearing in the N. Y. Journal-American. A veteran of 30 years' experience. Bill Corum's anecdotes and colorful racing yarns are tops in sports feature writing. 'Bill Corum's doing fine for WMCA at 6:30,' says Walter Winchell.

### Newspaper Tie-ins

'Ehret's Sports Extra' is being supported by newspaper ads appearing on the sports pages that carry the experts' columns. Truck posters, 'giant telegrams' and winter cards featuring the program are also used.

### CAS ADAMS

Brilliant N. Y. Herald-Tribune expert in boxing, basketball and football coverage. Brings perfect 'balance' to 'Ehret's Sports Extra' with his breezy, informal spicing of news beats and feature stories.

## BOB CARTER SPIELS EHRET COMMERCIALS

Bob Carter, ex-newspaperman, introduces 'Ehret's Sports Extra' and handles the Ehret commercials. Right at home on a sports program, with 10 years before the mike. Carter has voiced sports newscasts and has done blow-by-blow fight broadcasts as well as football and baseball descriptions.

Bob Goldstein of WMCA also staff, ex-head of Superior Radio Artists, engineered sale of 'Sports Extra' for WMCA.



### BOB CONSIDINE

Recognized specialist in Baseball, Tennis and Golf. Author of 'On the Line', N. Y. Daily Mirror column syndicated by International News Service—Considine has dramatic 'human interest' punch gained in seven years of covering such widely varying stories as the 1939 Spy Trial, the Hines case, etc.

## SAVINGTON CRAMPTON RETURNS TO RADIO

Savington Crampton, who resigned an associate editorship on Fortune to return to advertising as v.p. of Ferry-Hanly Co., is back in the radio end, handling the new George Ehret beer show which premiered Monday (15) over WMCA, N. Y.

When with J. Walter Thompson and Estel Crampton was on the Lux and Canal accounts (radio).

'EHRET'S SPORTS EXTRA'

is a production of

# FERRY-HANLY COMPANY

500 Fifth Avenue, New York

NEW YORK CHICAGO KANSAS CITY

That Winner Must Answer Telephone Not Construed as 'Consideration' As Tums Pot o' Gold Escapes Law

Washington, April 16. Carefully prepared give-away programs are legal so long as the artists... not constrained as 'consideration'...

With five other big-type broadcasts scheduled this week, the Justice Department... 'Tums' program have been pigeon-holed...

Decision to waste-backed the complaints about the Tums novelty... which originated complaint was left by the telephone company... not a general ruling about radio raffish...

Consideration The Justice Department attorneys agreed with NBC legal talent that the 'Pot O' Gold' technique does not include all of the general elements...

The FCC originally returned the complaints to the Justice Department primarily in self-defense... if removal hearings had been called, the airways regulators would have invited more criticism...

The FCC also wanted to move in the management and marketing... that an independent referee should be invited to pass judgment... This is the first instance in which the FCC has invited another Government outfit to scrutinize the program...

grams of any broadcasting station before the Commission raised the question whether the creator was serving public interest... mark a major victory for the station...

CBS STATIONS ACCEPT COIN GAMES

While the network itself maintains a taboo on money giveaway shows with chance or game-playing angles, it's now okay for Columbia managed and operated stations to take them...

Chicago-Charles Gates added to the staff of WGN. Moved over from the advertising staff of the Chicago Tribune which covers the station...

St. Louis-Edgar G. sponsor signing to each on the Beauvoir's baseball mascot popularity when he broadcasts play-by-play accounts of Prater games...

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Payroll Traffic

New Orleans-J. D. Lehler is new chief engineer of WDSU, succeeding Ken Irvin, resigned. New engineer at double of Jack Smith...

New York-Pick Mooney, formerly with Earl Ferris, now with DeVon, Inc.

San Antonio-Merchandising division of WOAI has added Virginia Tyle.

Akron-W.F.W. following recent shift in management, lopped off announcer Jerry McKinley and Chief Phillips and Harriet McConagie of bureau dept.

Los Angeles-Due of new announcer joined KFAB-EPOR this week. Don Both, late of KWOP, Jefferson City, Mo., and Halvard Swenson, from KBOO, Sioux Falls, S. D.

Chicago-Charles Gates added to the staff of WGN. Moved over from the advertising staff of the Chicago Tribune which covers the station.

Phila.-Jack Driftler, long on WJZ, Akron, now airing over WFRR, Sharon, Pa.

New York-William A. Ripke is coming to WTR, New Rochelle, 1,800-watts as sales manager. He's from WFEL, Reading, Pa.

Seattle-Pete Lyman, former script writer for KOMO-KJR, Seattle, is station relations head in succession to Sam Arney, Jr., now with NAB, as Ed Ramon's successor.

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Pittsburgh Giveaway Move Pittsburgh, April 15. Colonial Broadcast has shifted its weekly 'Waterworks' child giveaway from Pittsburgh to the new station from WWF to KDKA and also changed the site of Thursday site broadcast from Senator to Mayor Alvin Thayer. With switch, A. K. (Ray) Rowell becomes permanent...

Con Men Pinched in Philadelphia For Promising to Make Radio Stars of Kids

'Nother Radio First

Norman Corwin, CBS writer-director, thinks he has brought about a revolution in radio station. At his suggestion, the innovation will be implemented in the new CBS studios on 32nd Street, New York.

Philadelphia, April 16. A 'radio appeal' racket, which police said had nation-wide ramifications, was smashed last week with the arrest of three men, charged with enticing and kidnapping children and their mothers. The alleged ringleaders were arrested after promising children entrance on WCAE after completion of 20 lessons at \$3 per lesson on any instrument they were loaned. In addition, the men promised to give their offspring would receive the personal attention of Henry Goodson on the clarinet... Buddy Dushin for the piano... Henry Dushin for the trombone...

AFTER CONTEST COMES THE GRIEF

(Do contestants do more harm than good? Advertisers have asked that question for years. 'Vassar crowd' know the answer, any more than it knows the runner-up in 'Kirkland's' and Walker-Dorning agency seems to be from deep down. As a procedure, impossible to contest, it seems worthy of praise.)

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Crooked Bango Charge Pending Against Spicler

New Rochelle, N. Y., April 16. Lovers Fule Jr., former WBAY announcer brought back from Florida after fighting extradition three weeks ago, was held in custody in connection of a lottery, denied the charge when he appeared in Circuit Court here last week. He was released on \$2,500 bail and the case adjourned to April 23.

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WWL's Midnight Beer

New Orleans, April 16. A new show, 'Midnight Party,' conducted on WWL by Walker Beer, has been a good success story. On this program, the writer expected that a winning contestant could create a name for itself given his baby that would be unique enough to be a suitable gift name... yet not so common as that thing which Peppend had been trying to get over. And so after spending a little time here doing quite a little research in delving back into some of Peppend's advertising, thinking that there might be a clue in what his own advertising which they wanted to impress on their readers.

MAKE A HIT TO USE



By planning and producing another outstanding live talent show, WKY has become chief sponsor for one of Oklahoma's largest independent producing circuits and marketing shows. It has featured another merchandising success in the Oklahoma City market.

WKY - OKLAHOMA CITY
NBC Affiliate - 900 Kilbourne St - OWNED AND OPERATED BY THE OKLAHOMA PUBLISHERS CO. REPRESENTED BY THE KATZ Agency, Inc.

I LIKE WKY BECAUSE
It has proved most effective and economical in strengthening our position with jobbers and dealers in Oklahoma by increasing their sales of products such as
NAME: Mrs. A. M. Brown
Address: Oklahoma City, Okla.

# GRUMBLING ON BASEBALL

## N.A.B. Encourages 'Radio Festivals' And Issues Manual of Suggestions

Washington, April 16. Bulletin for the National Association of Broadcasters newest whipper-upper for the radio industry—the National Radio Festival—was launched last week with plentiful suggestions shipped out to station managers throughout the country.

Aiming for June 9 to June 8 as the week for the festival (but pointing out that the promotion start can be started on "any date you select," N.A.B. distributed a yellow folder filled with exploitation ideas designed to stimulate interest in its 1940 prize essay contest which will be open to school kids from the sixth grade up.

Entitled "A Salute to the Boys and Girls, Young Men and Women of our School system," the booklet contained the following proposals:

Radio Festival can be held here in advance through a proclamation by the mayor—or, better still, the governor—in the locality observing the educational program. Announcement of the essay contest (subject: "The American System of Broadcasting—Why It Is Best for Americans") and of prizes, deans, judges, etc., and publicity concerning Miss and Mr. America, in your school system, who will participate later in special broadcasts over your station."

Tie-up with local Chamber of Commerce on "broadcast-search for jobs for several deserving high school seniors who will not go to college" was also advocated, plus selection of one of the students chosen to appear at the "big civic opening" of the festival as the representative of all girls and boys in

the city. Daily feature broadcasts by students, daily awards to several essay prize winners, studio visits and various pep talks on the radio week also advised.

Pop shows, auto radio parades, police demonstrations and cooperation with local daily papers were other attention-getters listed by NAB promotion director Arthur Stronger. A sample radio script—titled out by Edward A. Allen, president of WJVA, Lynchburg, Va.—was enclosed with the booklet—riders as the type of talk to be given to interest and acquaint knob-twiddlers with the mysteries of radio and the purposes of the campaign.

## OCCUPATIONAL HAZARD FOR RADIO AUDITORS

Sperry Flour, a subsidiary of General Mills, is through with baseball play-by-play broadcasts after this season. The overall manufacturer has become fed up with the mounting prices asked for rights by the Coast League team. The fee is \$6,000 for the season regardless of the town or the relative interest in the team. Because of this factor Sperry in this season staying out of Los Angeles and San Diego.

On the other side of the picture of discontent as affects baseball is the broadcaster. As the price for club rights have gone up each season the stations has had to accept less for its time. In some instances the payments are less than a quarter of the actual card rates.

KFKB, Sacramento, has elected this season to carry the play-by-play on a sustaining basis. It had the rights under contract for \$1,600 for the season and when the station found that the most it could get for its time on

## STATION TERMS DOING A SHRINK

Coast Sponsor Displeased, Apparently Won't Sponsor Nat'l Pastime Next Year—Clubs Want Increasing Fees for Radio Rights

### TWO-WAY GRIEF

San Francisco, April 16. Sperry Flour, a subsidiary of General Mills, is through with baseball play-by-play broadcasts after this season. The overall manufacturer has become fed up with the mounting prices asked for rights by the Coast League team. The fee is \$6,000 for the season regardless of the town or the relative interest in the team. Because of this factor Sperry in this season staying out of Los Angeles and San Diego.

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## Junior Leaguers on WTRY Inaugural Blast Pies-and-Cakes Matinees

a lump total was \$4,000, or against a card estimate of \$2,000. It decided to carry the entire load by itself during the entire season.

General Session Commercial managers of stations in various parts of the country have of late been complaining about the tough squeeze they have had to undergo from General Mills on contracts for baseball play-by-play broadcasts. They have even aired this resentment at regional meetings of the National Association of Broadcasters.

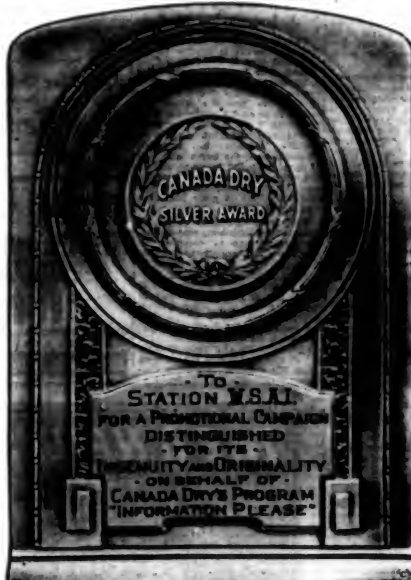
The bitterness against General Mills has derived from the circumstances that as the price for rights go up the compensation for gets less. It's a case, say the station sales managers of grilling their teeth in helpless despair. There's nothing they can do about it because General Mills has through the years solidly entrenched itself by directly obtaining the broadcast rights.

When General Mills first came into the field the stations did their own contracting with the ball teams and thereby were able to obtain a substantial return on the time consumed for these games. General Mills then took a making its own terms with the baseball clubs, and in time the stations found that the factor which determined the price for their facilities was the price that General Mills had to pay for the broadcast rights. Now the stations, in the position where they control neither the broadcast rights nor the price of their facilities.

They, N. Y., April 16.

On the inaugural day (15) for WTRY, with Harry C. Wilder, Fred R. Day, Fred Jahn, Victor Miller, Bill Bohman and others from WJVA, Syracuse, as well as Herman Steinbruck, manager of WJME, Keene, N. H., assisting, Mrs. Peter J. Harvie, woman manager of station's directorate, fired a blast at James air program. Guesting on Kay Mezer's Matinee, the former president of Junior League of America (she's the wife of a Troy surgeon) declared that "most of the programs arranged for women are an insult to our intelligence. They are stereotyped, purrile or just plain uninteresting." Mrs. Harvie added that many women had stopped listening to them, others from force of habit kept the radio on but paid no more attention than "to the noise of Johnny beating his drum or to street noises." Although radio is one of the greatest forces for education and home life, too many programs seem to indicate that their only duty is to the advertiser," Mrs. Harvie said. WTRY and WTRY programs would be different, she hoped to help women listeners with information how to whip up a cake or bake a pie.

Mrs. Mezer explained that she hoped to help women listeners with problems of decorating their homes, clothes to wear, etc.



Thank You CANADA DRY for the FIRST PRIZE in your nationwide promotion contest!

We are particularly pleased because your selection vindicates the soundness of our promotion and our merchandising.

And likewise we are gratified because as an intensification of our normal promotional efforts—available to all time sponsors—was considered by competent judges to be superior to the best effort of 59 other fine stations.

**WSAI** — The Station Which Promotes Your Program in Cincinnati  
 REPRESENTED BY INTERNATIONAL RADIO SALES ★ NEW YORK ★ CHICAGO ★ LOS ANGELES ★ SAN FRANCISCO

# F.D.R. Discusses Television

Washington, April 16. — The President was confident that technical troubles will disappear soon. At his Friday (13) press conference, Roosevelt backed up Fry regarding prevention of a monopoly and gave assurance that the Government is anxious to see the industry mature as soon as possible. He emphasized that the chief concern is to prevent any party from getting a hammer-lock on the public.

The F. C. C. is endeavoring to make certain that no single manufacturer can control transmission and that purchasers can pick up signals from any plant, he explained. The President was heartily behind the chances of providing immediate relief for huge numbers. Although he agreed that there is some truth in predictions such as Saroff made to the Senate committee, the President's attitude seemed to favor a rather long wait—several months rather than only weeks—before the Government removes the check-rein. He concluded that there is no possibility that visual radio will develop as rapidly as the automobile and sound broadcasting did, although he anticipated the time when U. S. knob-twisters can pick up signals from overseas plants.

# Dumont a Thorn

Continued from page 33

of the F.C.C.'s sudden action brought into the Commission from the First Fry insisted continuously that the purpose of reopening the hearing was to correct the record. His search has been checked out and out about the danger of freezing standardization, but he has not been sharp quitting from Senator Sherman Minton of Nebraska that he was not interested in the F.C.C. After insisting he has no objection to the Commission's investigating technical matters, Dumont was given an irate complaint that R.C.A. has been 'publicly indicted' and denied an opportunity to defend itself. The company head acquiesced that he has not received a 'fair deal,' observing with acerbic insight the bewilderment of a business man who is going ahead with a program that he thought was approved by the Commission's wishes and had been fully explained and who finds out he has been publicly indicted.

The F.C.C. chairman maintained there has been much 'misinformation' about the regulations and is trying to do, criticizing the daily press which has been overwhelping the public with a cry of 'indicting' Dumont at Sarroff while denying the Commission is attempting to discontinue the hearing. He frequently spoke in approving fashion about Philips and Dumont, warning the public that service is very limited, sets cannot pick up stations of million out of the city. He was very technique may render all present receivers obsolete at any moment.

## Comparative Progress Of America and England

Relative progress in the United States and other countries was one of the issues that aroused most Congressional interest. Senator Landon observed several times he was informed the British are far ahead of this country, which Fry partially admitted to true and which Sarroff said to correct as far as service is concerned. He observed the technical perfection. The R.C.A. head blamed the Commission for hesitating to issue a check. Fry said he has no objection to his argument about the danger of monopoly and four times he said 'the public has been hurried' with its receivers.

'I don't think we ought to risk new standards in an effort to stop this smulding out computing systems or inventing competing systems or anything else,' he said. 'If we had three or four different kinds of railroad trucks,' Fry said. 'If it were possible to change in one month to the type of receiver R.C.A. puts out, with an intensive and extensive campaign, the industry would be disintegrated.'

## Fly Bitterly Attacks the Charge He Unsurped

The Commission's charge of usurping the duty of prescribing standards in the industry or of itself by while the industry does that' under the Communications Act, the Chairman maintained. While he agreed with the Committee's charge of North Dakota that the law does not prohibit anything about regulating receivers, he insisted he is 'not a shadow of a doubt as to our duty to determine transmission standards. Commenting on the statement of the grantly thrown around in public that the regulators have usurped their duty he bitterly said: 'If I see any attempt to lock the standards by any means, from any source, I will do more in there.'

Nothing has been halted by the Commission action, the Chairman maintained. He pointed out that research is being done by the regulators in the ordered selling of receivers to cease and have not undertaken to prohibit anything. He did express the hope that the offensive 'campaign' has been abandoned.

A possible change of mind about starting limited commercial operation in September was intimated by Dumont during the hearing and later checked after his visit to the White House. Asked by Landon if he would be the first order was wrong, the Chairman said 'I've probably received... we misjudged in our first trial... He was optimistic that in a few months commercialization' may be

# Republican Television Blast

Washington, April 16. — A Republican television proposal presented a scathing denunciation from Franklyn Walman, chief propagandist for the Republican National Committee. In his weekly column, 'Looking Forward,' the C. P. reviewer criticized the proposal, quoting from Commissioner Craven's letter to Senator Landon and comparing it with characteristic hostility the Commission's reasoning. He ridiculed the logic behind the suspension of the rules as a typical instance of New Deal unorthodox methods.

'No person in this country with enough money to buy a television receiver expects that the set now purchased will be as good as those available two or three years hence,' Walman said. 'Nevertheless, many thousands of people are expected to have a television receiver. But the F. C. C. says they cannot... In a sense it illustrates the real purpose of the "regulator's" policy: declaring that the reverse itself is less than a month, but it undertakes to suppress—or at least hold back—a new industry which some day will multiply employment for many thousands persons.'

## \$40 Changeover Charge To Get Dumont Sez R.C.A.

Holding out hope of great progress where set development in the case of Sarroff detested R.C.A.'s sales activity by saying that since set prices were not reduced until all sets received refunds and by explaining that for \$40 each set can be adapted to receive standard signals. But he says are 'only a drop in the bucket to what will be required for further research and development in the case of 20 years,' Sarroff argued. Answering his own question whether service would be maintained until all sets are unobtainable, he outlined R.C.A. plans for a relay system of transmitters to operate in the future. The frequencies than have ever before been utilized' and for some receivers with old knob screws and the same operators.

Though he started out quietly, Sarroff soon revealed his exasperation. He said he is sure there is no quarrel between the R.C.A. and the F.C.C., but shortly pronounced 'his latest action of the F.C.C. had the effect of holding up developments that will be stopped until the F.C.C. makes up its mind. He observed that engineers for months have been doing more time preparing for the day when they will be in using their laboratory charts.'

## RCA Won't Okay Dumont Judgment on Medium

Fly's theory about the danger of freezing the art is similar to the argument that a house should be burned down because a leak or hole is altered, Sarroff declared. If the receiver is an ordinary broadcast receiver, so that the owner still would have useful equipment even if visual technique is completely altered, he pointed out. Even if all possible channels in the world are methods now, the buyer will have to spend only \$40 to change to the 10% of the purchase price for equipment that may have been used already for 1,000 or more hours, he contended.

Willington of R.C.A. to license others to use his patents was emphasized by Sarroff's declaration. The company does not favor freezing standards, he pointed out that all permits have been granted for examining the Dumont has not seen it. He said that if the R.C.A. is not willing to 'accept the Commission's judgment' and that it is not willing to 'accept the Commission's technique promising, he added.

The intra-industry feud came to a head before the hearing when Fry objected to having Craven's

views without listening to the opinion of all other parties in the industry. William A. Roberts, counsel for Dumont, chimed in with a rejoinder. He pointed out that the R.M.A. has high-powered standards and Edwin L. Martin, secretary of Farnsworth Television, contended 'that the F.C.C. has not been fair in its treatment of the F.C.C. Chairman directed attention to recent disclosure that R.C.A. has set up a minimum of standards, forming the action liberate debate.'

## Dumont Advertised in '39 That Television Was Here

The Paramount angle was brought in by Sarroff, who noted that Dumont a year ago advertised that television is here and will be heard by the F.C.C. His statement that the film company 'owns or controls' Dumont was a hot point from Roberts, who said Paramount has a substantial investment covered by notes and a stock interest from the film studio's interest give Dumont access to talent without going to NBC, as well as money.

The hearing folded abruptly Thursday (11) when Commissioner Craven backed off. Being that important engineering testimony was to be presented at the Commission's own hearing, he wrote Senator Landon that he strenuously sought to discontinue Fry from resuming the hearing and pleaded with him to modify the statement blasting R.C.A. Craven also explained that his letter to Senator Landon criticizing the majority's action had been solicited, was not a voluntary 700p about his criticism.

## Look Mag Using WBZ

Boston, April 16. — Look magazine sponsors three weekly morning news broadcasts on WLB-WBZA beginning this week. John Cooper, morning news editor, says the stunt.

IN BALTIMORE ITS WFBZ-TV

WFBZ-TV

ON THE NBC NET NETWORK

# Sifts, Canadian Publishers, Acquire Richardson Group; Nielsen Still Head

Winning, April 16. — It was confirmed at a special staff meeting last Tuesday (9) that the sale of the complete radio division of James Richardson & Sons, grain dealers, had been made to the newly formed Trans-Canada Communications, Ltd. Don Fawcett, president of Nielsen, C.F.M.C., Regina, and two other vice stations, C.F.R.O. and C.F.B., were never being included in the deal.

Directors and chief stockholders in the new T.C.A., formed to take over the radio chain, are Victor and Clifford Sifton, owners of a string of the country's important newspapers, under the name of the Armada Corp., of which Clifford Sifton is president. While not the first case of newspaper and radio working under one heading in Canada it easily rates as one of the most important in the Dominion due to the high position of both groups in Canadian financial circles.

The acquiring of C.F.R.O. and C.F.M.C. give the Siftons three stations in the west, plus two short-wave, they also owning CKY, Regina, this being linked to the Canadian public mind, with the Regina Leader-Post. The Saskatchewan Broadcasting is another Sifton interest. Usual assurances were made that no changes would be made in the present station personnel at either Winnipeg or Regina and that in neither case will there be any direct connection between the stations and Sifton interests in the newspaper field. Victor P. Nielsen, recently appointed general manager of the division and formerly manager of C.F.C.T. Montreal, will continue in the directorial capacity of the division. C.F.R.C. was originally owned, as such, in 1934 by the Richardson organization. Prior to that it had

operated as C.F.W., with studios at Winnipeg and transmitter at Fleming, Saskatchewan. C.F.M.C., Regina, started in 1934 with the transmitter at Regina, a sales office at Regina. Two years ago it was moved to Pilot Butte, a couple of miles east of the city. Move was made principally to improve station reception in Regina—new equipment and towers being installed at the time.

# CKY, Winnipeg, Gross in 1933 \$210,617.17

Winning, April 16. — Annual statistics recently tabulated in the Manitoba house for the government-owned transmitter CKY, Winnipeg, reveals that in 1933, \$117.17 in advertising for the year 1933. With expenses tallied at \$104,812.84 this brought the figure for revenue balance down to \$66,364.33. Interest and depreciation to the extent of \$98,614.34 left the station with a net profit for the year of \$117,292.97.

Among the listed items of expense over the year were \$68,261.97 for radio department salaries; \$34,628.58 for rent and house services; \$3,044 for rental of wire, cable and telephone lines.

The artists payroll was shown as having constituted \$127,209.50 with \$16,000 being deducted for post work and sponsored program costs paid direct, this leaving a total of \$92,209.50 for talent expenditures. Transcriptions total up \$3,000.24, the Canadian Performing Rights Society clipped them for \$2,025.15 while the Dominion Government License was \$2,974.95. Postage, printing and stationery took care of \$2,961.70 while the unutilized miscellaneous items rolled up a \$7,257.43 balance.

WLB-WBZA—Ed Downs, Chicago N. W. radio department, then joined Craven-Krausell Agency here.

WBAL means business in Baltimore

Lively Showmanship WINS LARGER AUDIENCES in the MOUNTAIN MARKET

FOR JOHN BLAIR & COMPANY in POPULAR

NBC RED NETWORK

THE ONELLS' LAUGHER TEARS & HEART TREASURES LISTEN TWICE DAILY





# U.S. BIZ OFF BUT RADIO BOOMS

(Continued from page 1)

regular, consistent, fixed campaigns over long periods. Radio advertising is being sold to sponsors to jump on and off the bandwagon as they blow hot or cold.

In the two months during which Variety has compiled its biweekly reports on radio time sales, the key reports (the following change has been made between the first and most recent reports) (totals are estimated for columns):

Network business	Percent
National spot business	4.3
Local business	12.4

Since the figures in this paper's reports are based on total commercial advertising under sponsorship, the rise indicated by the foregoing percentages is immense. It is safe to say that if this time-increase were turned into a dollar-increase, the figures would be even greater than they already are. (Because some of the increase took place in the evening—when higher rates are charged—the dollar-increase could well rise faster than the time-increase.)

It is pointed out that these men generally are very unobtrusive about advertising and that radio has lately created basic conditions that meet the business man's own best interests against his own tendency to be diverted from his central program. This is backlogged to the extent with Variety radio biweekly reports for February and March (see accompanying chart) refers to the general business activity indices of Business Week.

Meanwhile, while radio has been plying the cash-register at this accelerated tempo, general economic activity, as measured by Business Week's Index of Business Activity, has slumped off better than 15% during the comparable period. This picture of radio vis-a-vis general economic trends is aptly illustrated by the accompanying chart.

### Not Unexpected

Although the upturn in radio time sales this spring was not altogether unexpected, it is the result (according to the trade's best market minds) of cumulative trends, rather than any particular new event or stratagem. More specifically, radio today has maneuvered itself into the position where it is establishing on the advertiser's goodwill at the expense of other media. This is what has happened.

### Person Proper Policy

1. Since radio is only just dipping its commercial tentacles into contracts covering at least 13 weeks, it has forced all its clients to advertise with some degree of regularity. Almost any campaign will pay dividends after such a stretch, and remarkably so. It is over a year since radio has been able to amass so many success stories that its sale-backing by new advertisers is being made on the simple fact—that radio forces its clients to be successful by binding them to term contracts—has lately become the bugaboo of newspapers. News paper advertising is carried on most irregularly by the courtesy of advertisers, and the newspapers are getting an awful case of the jitters for this reason.

### A Seller's Market

2. As soon as the cumulative load of success stories obtained more and

more radio clients, available time-proportions become scarce. This spring that scarcity is causing a mad rush of buyers for the remaining good time spots. In short, there's a boom—a seller's market—a customer's panic. Some of

this panic is psychological. But the same panic applies. Drives It Changed. Radio has dragged home the story that radio is cheap and flexible. Yarn after yarn has been used to the effect that all rate-raising

was still smaller than the increase in net ownership and in daily listening. Radio's story is that radio is a terrific bargain, and will be for a long time to come. Radio has also effectively driven home the idea that newspapers are extremely ex-

pensive because: (a) their rates are increasing; (b) their increases in newspaper schedules pile up overlap circuit line faster than they expand. Stating managers don't drive when a salesman brings in a contract for just a few spot announcements. The difference in sales policy has helped radio immensely. Parenthetically, it should be noted that as a result of radio's unshook acceptance of client-oriented, it has built many a seasonal advertiser into a year-around advertiser. Too much stress can't be laid on this point as a long-haul factor.

### Not Sufficient

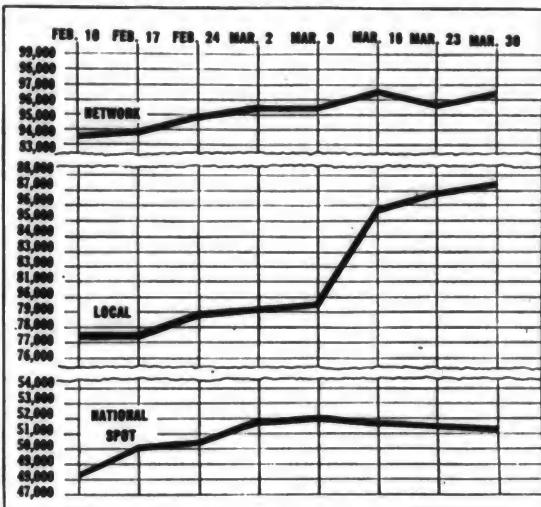
One of the greatest cumulative factors in radio's present success increase, is based on radio's lack of shame in accepting penny contracts. Stating managers don't drive when a salesman brings in a contract for just a few spot announcements. The difference in sales policy has helped radio immensely. Parenthetically, it should be noted that as a result of radio's unshook acceptance of client-oriented, it has built many a seasonal advertiser into a year-around advertiser. Too much stress can't be laid on this point as a long-haul factor. In virtually none of the key cities contributing to VARIETY's weekly biweekly report has business failed to rise. San Francisco is business up one week and took an awful tumble, but on the whole the city's record is okay. Cincinnati, Detroit, New York, and Kansas City have a graph that looks like the tail of a skyrocket. Denver, its coast war, has plugged along steadily. Des Moines has shown some signs and Denver, too. Des Moines is always loaded with business that the fluctuations in this area mean nothing whatsoever. Chicago and Hartford have exhibited firmness rather than seasonal progress.

How long this trend will keep up is hard to say. There will be some slackening during summer, of course, but in seasonal trends, at least, the elections will pump coin into the weak spots, and could conceivably bolster a fall season which might start slipping. A lot depends on network business, so far as the summer is concerned. The next few weeks should definitely show what the network picture will be.

## Spring in St. Louis

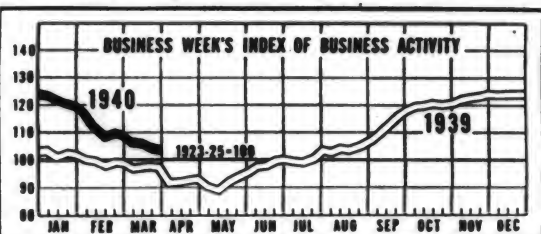
St. Louis, April 16. KMOX's new hit follow: Ford Dealers of St. Louis, Used cars. Jimmy Conlan's Remembrance. Five weekly, p.m., until further notice, through Radio Sales. Procter & Gamble, Chicago. Cries, St. 'Vic and Sade'. Five weekly, a.m., until further notice, through Radio Sales. Hyde Park Brewery, St. Louis. Hyde Park Sports Quiz. Thirty minutes, once weekly, until further notice. Direct. John J. O'Connell & Co., Ottumwa, Ia. 'Pet's Discuss the News' with Josephine Halpin. Three days weekly, a.m., ending Aug. 8, 1940, through Radio Sales. Walter Remedy Co., Waterloo, Ia. ET, announcement, six days weekly, a.m., through Radio Sales. Abner M.G. Co., St. Louis. Fifty-word time signal. 5 1/2 days weekly, noon. Direct. Hooper Lintner Co., Chicago, Ind. One hundred word announcements on 'KMOX Country Radio' three days weekly. Early a.m., through Radio Sales.

## Variety Radio Boxoffice Curve



(Figures in Left Column Represent Commercial Units)

## Contrasting General Business Curve



(Reprinted by Permission of Business Week)

## Radio Boxoffice Reports

(Continued from page 38)

Entert. Co. through KCBC announcement; Jacob Ruppert Brewery, through Ruthrauff & Ryan, 404 transcribed announcement; Prema Laboratories, through Murray Breese, participating announcements in 'Rise and Shine'.

### Salt Lake City

KDVL, KSL, KUTA

Week Ending	Network	Local	National	Total
April 13	4,572	2,795	779	10,146
April 6	4,418	2,659	799	9,886
% change	-2.3%	-5.1%	-1.2%	-2.9%

Gains in network and local but recorded here. National spot off slightly. KDVL, Salt Lake Hardware, 26 five-minute periods; Mottet Kelly, 26 quarter-hour newscasts; Jostay & Betty Kay, 30 announcements; Western Supply, 100 announcements; new accounts are participating in KDVL's 'clean-up point-to-point' campaign. The Chicago Brigade.

### San Antonio

KABC, KMCA, KONO, KTSX, WOAI

Week Ending	Network	Local	National	Total
April 13	2,620	2,676	1,250	11,660
April 6	2,665	2,665	1,182	11,520
% change	-0.6%	0.3%	-33.8%	-2.1%

Increase in local units and sharp decline in national spot.

was noted here the past week. However, all stations report that the total biz is ahead of same period last year. Play-by-play baseball broadcasts get under way Saturday (13), after cold weather had postponed scheduled start. Opening game was sponsored by Wheaton on KABC, KABC also airing 'Songs of Carol Lightbin' and the transcribed 'Wife vs. Secretary' five days weekly and the 'W. Lee O'Daniel News', a daily quarter-hour. The latter two ride the Texas State Network. Horse Ranch used 15 minutes each week.

WOAI's new hit includes Joe Lowe Corp. (Puffbluffs), through Blue Co., half-hour; Buck Rodgers' broadcast each Saturday; King Furniture Co., direct, four five-minute programs weekly; Crown Can Co., through Benjamin Eklerman, also airing 'Songs of Carol Lightbin' and the transcribed 'Wife vs. Secretary' five days weekly and the 'W. Lee O'Daniel News', a daily quarter-hour. The latter two ride the Texas State Network. Horse Ranch used 15 minutes each week.

### San Francisco

KFBC, KGO, KJBS, KFO, KSFQ

Week Ending	Network	Local	National	Total
April 13	1,900	3,839	1,881	13,819
April 6	1,910	4,124	2,262	15,084
% change	-1.2%	-6.9%	-20%	-13.1%

Challenge Butter & Cream Association takes in the air April 29 with a weekly day-evening serial, 'The American Challenge', on KPFO. Sunnyside Packing Co. (Bancho Soap), trading dollar bills for interest's household hints written so-

oup labels and used on Gladys Crombille's 'Pantry Excursion'. Western Wax Co. plugging Colofant Candle; International Kitchen, 30th anniversary with a special quiz stanza featuring Larry Keating from the Veterans' Auditorium, and Monday (15) began 'Adopted Daughters' a Monday-evening radio-serial serial. Podlar & Ryan placed. Over KSFQ, 'My Children's' sponsored switched from Wheat Herts to Drifted Snow Boots. But it is more than likely, for both are Sperry Flour Co. products. Dodge, through Ruthrauff & Ryan, using announcements; Electric Appliance Society, through Jess Scott Furniture Co. (Merrill & Co. announcement); Flamingo Mail Polish, through Milton Wainburg, 30 announcements; Southern California Telephone Co. (United Bakers), through Leon Littlefield Brand Languarder; Peter Paul, Inc., through Biochaser, 28 announcements; Pittsburgh Lard & Thomas, 18 announcements; Homestead Hollywood, 18 announcements; Loxington, 18 announcements; renewal of announcement; Lee Gas, Ltd., through Platt-Fortin.

### Seattle

KIRO, KOL, KRSC, KXA

Week Ending	Network	Local	National	Total
April 13	4,686	604	1,513	15,513
April 6	4,725	625	301	14,340
% change	-5%	-11.9%	134.4%	1%

Local and national spots increased. Seattle, Despie Breese & Williams' 29th anniversary 'Saturday Night Fry' riding Don Lee into KOL, total network participation a drop.





# EARLY DANCE SEASON START A CLICK

Detroit, April 16. Jumping the gun on the recent dance season on the basis that they would get out of the winter's confinement seems to have brought results for the Casino Ballroom in Detroit. Last night by starting its opening three weeks ahead of usual it got the jump on the larger outdoor dances and was not scheduled to start for another week, the Casino took over a large share of trade and pulled down the biggest opening in its history.

Manager Albert Tullioles figured he was up against the competition when the same bands started to pour into the larger spots. Detroit and it might be a slight time to start earlier than usual to get the folks who wanted to get out of town and the fact that this idea was proved when for the week end night his ballroom pulled in 2,200 customers to listen to Tiny Hill. It was done against adverse weather conditions.

He has followed with Manny Hager and comes up April 19 with the Nicholas. Hager is confident that because of that opening lure on, in the future, Tullioles is going to have his own music to enter into the least bit better. He hopes that too many out-of-town bands will claim the same success—locally, the big ones can't, because they are out-of-date—and give him the opportunity to build up his following.

**The Come-Back**  
Cleveland, April 16. Amusement parks that dumped their music on the ground last week, were still jumping themselves out of an unexpected non-storm over the weekend. Few dancers that showed up for Little Joe Hart's opening had to come from out of town to see him work, and Gene Sullivan's new recording him had to wear a raincoat when he came to his ballroom. Second outfit will see Clint Hoyle's lead band for week of April 20.

## CLAUDE HOAGLAND RETIRES FROM MUSIC

Cleveland, April 16. Claude Hoagland pushed away his mop-top and gave up his own orchestra last week to go into the hotel business. Cleveland musician, who has been in the business for 20 years is becoming manager of a summer resort hotel in the Adirondacks.

Yancy Caronella, sax-man, is taking over his outfit which recently closed at Monza's Cafe.

## Crosby Working Out Old Blackhawk, Chi, Contract

Crosby returns to the Blackhawk Cafe, Chicago, Friday (18), because he still owns the place on a long term contract signed early last year.

Will stay at the Blackhawk only six days and go out again, future followings of the other 10 stanzas being not yet dated.

## IT'S A SECRET

My Reinsdale Several of Men Dropped by Philly Symphony

Philadelphia, April 16. Officials of Local 77, American Federation of Musicians, working behind the scenes are quietly arranging for the reinstatement of at least one member of the eight men dropped there by the Philadelphia Orchestra.

Efforts to avoid any publicity over the matter have been held and the orchestra have been holding out press meetings in an effort to keep the controversy out of the local and the co-conductors, Eugene Ormandy and Leopold Stokowski.

By Xobber's first Wm. Morris band in the Palmer House, Chicago, starts July 4 for eight weeks.

## HEN IN MEADOWBROOK

Bully Will Have Two Shows in Jersey Before This Summer

Meadowbrook, Cedar Grove, N. J., name band stand owned by manager Frank Dalbey, will start competition from two quarters this summer. Spot called the Chatterbox, in Montclair, N. J., just around the corner from Meadowbrook, starts under the policy May 18 with Dick Stubbins, owns the place. Set Music Corp. of America is backing in opposition to General Amusement's hold on Meadowbrook through the latter spot occasionally.

MCA bands booked through G.A.C.  
Second new spot is controlled by Joe Rimes at Bloomfield, N. J., about five miles from the other two places. It's tagged the Club Evergreen and is due to start sometime in May with the name band of Jack J. Garden orchestra. Rimes recently took an option on the place, which will be opened in May. Both new stands will have network wiring, the Chatterbox said to be scheduled for a 12 page program.

## WOLF ON HIS UP KYSER, LEWIS IN ST. LOU

St. Louis, April 16. When Fanchon & Marco booked a hypnotist into the St. Louis theatre, they were also booking a new name band dance at the Convention Hall in Camden, N. J., across the street from the theatre, started April 15. Opening attraction will be Glen Gray orchestra.

They are being watched with interest. Pennsylvania law forbids dancing on the Sabbath, while Jersey law only forbids dancing on the closing of the Earth theatre, name bands have been scarce in this vicinity. The new band set up name is Sunnybrook, near Potomac, 20 miles from here.

The Convention Hall has a capacity of more than 8,000. Wolf has Glen Miller, Jimmy Dorsey, Hal Murray, and the Blue Heron, Charley Barnett and Al Dunson lined up.

## ANN RICHARDSON QUILTS CRA, JOINS GAC

Ann Richardson, assistant to president Charles Greco of Consolidated Radio Artists, unexpectedly resigned from her position at C.R.A. last Friday (15) to join G.A.C. as the General Amusement Corp.'s contract department. She had been with CRA since its inception several years ago.

Harry Herman, lawyer for CRA, advised her of the change, reporting that outfit May 1. He denied the reports.

## Savitt's IATSE Jam

Buffalo, April 16. Proceedings for substitution of plaintiff in Supreme Court case were made revealed that Jan Savitt is being sued by the Buffalo branch of IATSE. The complaint alleges that the local staghounds union engaged Savitt orchestra to play at a banquet held in Buffalo on Jan. 10 last for \$1,500 and deposited the sum of \$750 in cash with Savitt's agent on the day of the contract.

Following booking of the auditorium and the distribution of advertising tickets, the local union alleges that the date was cancelled, and the deposit returned, resulting in a \$1,000 damage to the union. Savitt claims the agreement was made up by his New York agent and was not made up by Savitt without authority. He was served with papers during an engagement at Shon's Buffalo in February.

# MOVE TO LICENSE STATIONS' USE OF PHONO DISCS FLOPS; FREE AGAIN

## Plaque for Weber

Hollywood, April 16. Los Angeles Municipal Art Co. 67 has had a plaque struck for Joe Weber, reading "For faithful and meritorious service as national president during 40 eventful years." Weber recently spent several weeks in Europe.

## Sunday Hoop Over-Stream From Philly

Philadelphia, April 16. Irvin Wolf, Philly retailer operator, will stage a series of Sunday night name band dances at the Convention Hall in Camden, N. J., across the street from the theatre, started April 15. Opening attraction will be Glen Gray orchestra.

They are being watched with interest. Pennsylvania law forbids dancing on the Sabbath, while Jersey law only forbids dancing on the closing of the Earth theatre, name bands have been scarce in this vicinity. The new band set up name is Sunnybrook, near Potomac, 20 miles from here.

## Vocalion Label Switched For Old Okah Tag, Makes Second Change in Year

Columbia Record Corp.'s current popular record will change its label from Vocalion to Okah after May 1. SHIT will be the second name change for the company in less than a year.

## FABIAN ANDRE SUEBY WIFE FOR MAINTENANCE

Chicago, April 16. Fabian Andre, Ray Hotel conductor, in the swank Pump Room of the Ambassador hotel here, was sued for separate maintenance last week by Margaret Bebe Andre, said to be his wife. Andre charged that he left her on Feb. 28 and stated he no longer loved her, and that he has been spending his money on other women.

## Glen Gray a Rotarian

Glen Gray became the only active name band leader to be admitted to the Rotary Club when he was elected for membership in the New York Club last week. He was backed for entry by George Bunch, president of the club. Gray is the only other bandleader member. He's owner of Meadowbrook, Cedar Grove, N. J., and has since dropped business. Dailey in the Newark branch.

Heavy Basse scheduled for six to 16 weeks of Palace hotel, S. F., June 18.

## Victor Removes Ban and Returns License Fees After Broadcasters Get Go-ahead from Decca and Columbia; Victor Will Press Whiteman Appeal

## ASBURY PARK FIRE

Bowling Green—Barnum Alone To Be Rebuilt Freely

Main Central hotel, Asbury Park, N. J., at which Tommy Tucker's band was to have started a long stand June 28, burned to the ground last week. Hotel's Rainbow Room had recently been rehabilitated of a cost of over \$50,000.

Warnock brothers, owners of the place, will rebuild in time for Tucker's opening, but intend putting up a temporary office to house only the dance room, letting the remainder of the building go for the present.

Owners were New York at the time of the fire. Tucker is currently at the Flies Danceria, N. Y.

## COL RECORDS' LOGGING LOG SYSTEM

Bands on the Columbia Record Corp.'s Columbia label are beginning a campaign to plug one another's record furnished to them partially on sustaining air pickups. Leaders will select one platter at a time that's considered outstanding and mention the contemporary that recorded it for Columbia each time the record furnished.

## DEMPSEY'S ON-BWAY ADD 12-PIECE BAND

Jack Dempsey's Broadway, New York, spot took on its first full-time band last night (Thursday) when Dave Demme's 12-piece group started. Four Demme's spot. Demme is Dave Herman's former member of Abe Lerner's band.

## Court Clears Agent In Whiteman Claim

Los Angeles, April 16. An agent is not responsible for a client's failure to perform under a contract in general, according to a ruling by Superior Judge James L. Atheridge in Santa Cruz. Consolidated Radio Artists as a co-defendant in the \$7,000 suit brought against Paul Whiteman.

## Sammy Kay, Glenn Miller Booked Well Into 1941

At least two bands have already been signed for the entire season in New York hotel rooms beginning next fall. Sammy Kay was set last week to return to the Century Room of the Hotel Commodore for six months, commencing Oct. 17. His third consecutive stand there at the hotel now, but scheduled to leave April 27 for a series of one-nighter spots in the state.

Glenn Miller outfit has promised to return to the Cafe Rouge of the Hotel Pennsylvania for six months. Oct. 1. Miller is already out on tour, having been replaced at the hotel last week (15) by Jimmy Dorsey.

Movement by the big three in the phonograph record industry to control the use of phonographs of commercial character has completely collapsed. The manner of retreat is without precedent in the sphere of commercial entertainment. The Decca Record Co. started the rout, Columbia, feeling that it would not go to a sales disadvantage, was next to give the green-light to broadcasters, and RCA Victor, realizing that had its own air has completely collapsed. The manner of retreat is without precedent in the sphere of commercial entertainment. The Decca Record Co. started the rout, Columbia, feeling that it would not go to a sales disadvantage, was next to give the green-light to broadcasters, and RCA Victor, realizing that had its own air has completely collapsed.

Victor, which is a RCA subsidiary (1938) has been carrying the entire load of litigation over the question of a manufacturer's right to control the use of several generations of his records. Decca Columbia put the broadcasters on notice about the matter by use of their product only after Victor had had its own ruling first affirmed by Federal Judge Vincent Linnell's decision in the Paul Whiteman case. While the name itself is before the U. S. circuit court of appeals, the entire case has been thrown back to the broadcasters and the phonograph companies is back to where it was before the Whiteman case.

With the backdown was a case of temporary expediency. It wasn't going to be played in the name of the Whiteman case, but the rage from broadcasters. Victor declared that the abandonment of its litigation was not a concession. Further pursuit of the Whiteman case and that it intends, if necessary, to carry this matter to the Supreme court. On the same day that Victor lifted the ban for the broadcasters, the Supreme court ruled.

Victor has no choice but to go on fighting the case, since a default would mean victory to its opponent, the National Association of Performing Artists. The NAPA claims that it has the right to sue the manufacturer has the right to restrict the use of a recorded work.

Decca's action is reported to have been influenced by two factors. Some of its artists were demanding that the company grant stations the right to use their records or they would shift their recording affiliations elsewhere. The free play of their records, argued these artists, was important to them as advance publicity and in general. They were without a network outlet. The other side was the National Association of Performing Artists. Decca has to do what the circuit trade describes as a case of the right hand not knowing what the right hand is doing. While the Victor home office was pressing station to station for Victor contributors were urging local broadcasters to play their wares, assuring that the network would be made happen and even going so far as to give them the latest releases for nothing.

The Columbia Phonograph Corp.'s rebate to broadcasters was by telephoning the station and asking the broadcaster that it had decided it was unfair to stop them from using records. The network was not allowed to collect any license fees. Among those licensed by Victor are Victor's own records. The Decca Believe Ballroom of the Air series in behalf of NBC Broadcast.

Whiteman for Indiana Fair  
Indiana State Fair Board has booked Paul Whiteman orchestra for September.

Whiteman band will be part of venue show which plays each night on opera-air stage fronting jazz



# 15 Best Sheet Music Sellers

(Week ending April 13, 1940)

"When You Wish Upon a Star ("Pinocchio")	Berlin
"Garden of Eden ("Vivandis")	Robbins
"In an Old Dutch Garden"	Harms
"With the Wind and the Rain in Your Hair"	Shostakovich
"Singing Hills"	Scotty
"Woodpecker Song"	Robbins
"On the Isle of May"	Shostakovich
"Lambert on the Ole Top Rail"	Polst
"A Lover's Lullaby"	Jewett
"With the Wind and the Rain in Your Hair"	Shostakovich
"The Rhapsodic (Road to Singapore)"	Parrott
"Tangle Junction"	Lewis
"On the Isle of May"	Shostakovich
"Playmates"	Scotty
"It's a Blue World ("It's in My Heart")"	ABC
"Pinocchio"	Shostakovich

## ASCAP to Withhold \$500,000 as Rainy Weather Fund Pending Radio Issue

American Society of Composers, Authors and Publishers distributed \$1,100,000 for the first quarter of 1940. The management had retained \$500,000 from the quarterly royalty plan for this period as the initial contribution to an emergency fund which, it was expected, would come in handy in the event of a drought in broadcast ASCAP disbursements. ASCAP disbursements are on a pay-as-you-go basis in this year (which by Dec. 31, 1940, when the present license with radio stations expires).

Writer and publisher members were advised that the withheld money will be split up after the first of next year, providing there's no need whatsoever to dip into it.

## Florida ASCAP Outlawing Measure Up Before 3 Judges in Gainesville

Gainesville, Fla., April 16. Council for the American Society of Composers, Authors and Publishers argued yesterday (Monday) before a statutory court of three judges for the issuance of a permanent injunction against a Florida statute which was passed with the primary intention of outlawing ASCAP from the state. A temporary injunction issued by a similar special tribunal had been granted by the U. S. supreme court several months ago.

On hand for the latest legal assault in the state's highest court, were Louis Fischel and Herman Fishstein, of counsel, and John G. Peina, ASCAP general manager.

## IMPOSING IS THE WORD FOR IRVING MILLS TAG

Under the somewhat imposing tag of American Academy of Music, Irving Mills is building a nest egg as the standard music catalog contracting the former Exclusive Publications, Inc., plus other interests.

These include compositions by Duke Ellington, Will Hudson, Phil Lane, Benny Carter, Fred Flanagan, Henderson, Horace Henderson, Cab Calloway, Don Redman, Red Norvo, Buck Ram, Wingy Manone, The Edgar Sampson, Lou Singer, Vicente Gomez, Benny Carter, Galla-Rini, Aron's and others.

Just a Natural, Everyday Crest Song

### THE SINGING HILLS

For Every Singer, For Every Orchestra

DELA CROCKETT'S Society Selection from the glorious, "Road to Singapore"

### SWEEP'S TINY POTATO PIPER

By Burke and Monaco

Quiet and Lovably

### TINY OLD TOWN

A Sweet Ballad by Stanley Adams and Carmen Lombardo

"Look Down My Rain Barr"—Slide Down My Cellar Door"

### PLAYMATES

Boris Dowson's successor to "Fishies"—A Dynamic Novelty!

### SANTLY-JOY-SELECT, INC.

1619 BROADWAY, NEW YORK

# PUBLISHERS SEE 2c PER-TRANSCRIPTION PROPOSAL AS CHIEFLY ASCAP HECKLING

## 1st BMI Airings

Broadcast Music, Inc. will have three of its publications broadcast on the NBC-Blue (WJZ) this week. The songs, after an audition by a jury composed of members of broadcasting and recording companies and representative laymen.

The stations chose the programs on which they are scheduled: "Cupid March" Bernaded, April 17, 7:30, by Bill Johnson; "In the Silence of the Dawn," April 18, 10:45 a.m., by Frances Adair, directed by Irving Miller; "The Dawn of a New Day," April 21, 1:30 p.m., by Al and Lou Reizer.

Could Make Much Beautiful Music," April 21, 9 p.m., by Yvette; "Has Beautiful Music" set on Ray Bloch's program tomorrow (Thursday) at 4 p.m.

## Music Lawyers

### Eagerly Await Renewal Case

Lawyers with music publishers as clients are expressing much interest in the outcome of the "Cuma, Joseph, in My Firm" decision, which is slated to come to trial in the U. S. Federal court in New York.

There are no legal precedents for the issue involved and the court's findings on the matter will depend on the number of similar copyright renewals pending other outside music publishers.

Shapiro, Bernstein & Co., which the exclusive right to renew "Joseph's" copyright because the writers, Fred Fisher and Al Rosen, were under an employment contract at the time they placed the song. The contract contained a "work-for-hire" clause against royalties. Bryson has retained the rights to "Joseph's" lyrics to Famous Music Corp., while Fisher retained the melody rights for himself. Shapiro-Bernstein is insisting that Famous and Fisher be restrained from publishing the number and that the court order them to assign their renewal rights to Shapiro-Bernstein.

Fisher and Rosen contend that not only did they not have an employment contract with S-B but that the number was created long before the alleged contract went into effect. John Schuman, president of the Songwriters' Protective Association, is representing the writers, Fred Fisher and Al Rosen, who claim that the number was created long before the alleged contract went into effect.

The circumstances are similar in Shostakovich and Famous over Jean Shostakovich's assignment of the renewal rights to "Chinatown, My Chinatown" to Famous. Famous has as yet to publish the number.

## Joe Morris Is Stricker; Archie Fletcher Can't Stand Being Retired

Miami Beach, April 16. Joe Morris, founder of the former Joe Morris Music Co., in the Miami Beach, Fla., office, following a stroke which has paralyzed his right side.

Morris, who retired from the business two years ago, is 62 years old.

Can't Stand Idleness Archie Fletcher, who took over the Morris firm and later sold it to Johnny Mercer and E. H. (Buddy) Baker, is back in New York after six months of retirement in Florida, with the idea of getting back into the business.

He's found that he's allergic to continued idleness.

Dr. Ernest Tuck composing background music for "The Ghost Breaker" at Paramount.

## But Payoff System Challenge by Tompkins Holds Some Provocation as to Practical Bookkeeping Result to Stations

Publisher members of the American Society of Composers, Authors and Publishers continue their efforts as posited by the strategy of Broadcast Music, Inc. in announcing that it will charge but a cent per copy (2c) for the use of its compositions in transcriptions. While the ASCAP pulls its own cover over a part of a general heckling campaign, they are wondering whether BMI has taken into account how the songwriters that BMI is trying to recruit may react to this same policy.

The custom in the business for over 10 years has been to collect a flat fee on each sustaining master and the 5c per copyrighted number every time it is broadcast commercially. The present fee for a copyrighted number in a recorded library is \$10 a year. Under their contracts with publishers writers are entitled to half of the \$10 as well as 5c of the quarter and the place. Now, point out the ASCAP pubs, BMI is advancing that the writers are to be charged for the penny that would be theirs on each record sold placed. The pubs say that they can't see anything constructive or beneficial in this proposition as long as the writers are constrained and that BMI's tactics of underbidding established practices is indeed something new for the books.

BMI's proposed royalty policy on transcriptions comes from its general manager, Morris E. Tompkins. "The copyright law is clear," said in his announcement. "The manufacturer for which can be charged for the right mechanically to reproduce the work is 2c per composition, regardless of the form or purpose of the record."

"Music publishers," continues the announcement, "initially succeeded in having higher rates, which have been imposed upon electrical transcriptions by a threat to restrict the performance of a composition after the time of recording and before the time of broadcast. The precedent set by this charge has not been followed by many persons who have not been aware of its implications."

BMI is in a position to break away from what I think is an improper precedent. We shall, therefore, charge as the customary fee on the use of our compositions for electrical transcriptions. This will help not only the transcribers but also the broadcasters themselves, since transcription costs in the last analysis are paid by the broadcaster. In this sliding the transcription industry, we are also adding BMI authors as the use of BMI compositions will be enormously stimulated by our adherence to the legal charge.

Some publishers in the opposition camp declared themselves as welcoming a test of the issue that Tompkins' statement has brought up. They figure that once the right to charge a special fee for this manufacturing right is brought out into the open they can then lock up the other side into testing the "right to charge" from the station in the copyright law. Tompkins, it was recalled by them, had always while with the record Music Publishers, Inc. declared the transcription royalty fee inadvisable but at no time did he make a move to launch a test case.

These publishers can't see how stations could benefit substantially if the \$15 per master fee were replaced by a royalty of 2c. An average station clients pays \$25,000 a year in master royalties. The average royalty per station costs is \$100. On a basis of 3c per number the total broadcast royalty would figure \$75. For this \$30 difference the stations have made available to them a mass amount of material comedy, operetta, etc., which are restricted not only from phonograph records but also from radio stations.

The pubs feel that this privileging, according to local broadcasters at a comparatively minor cost, has not only helped build the recorded library in their present status but also has helped the record factor in getting the small stations library-sponsored business. The use of the important test case by the pubs, have helped the small outlets to compete with the use of materialism originated by the networks.

The Runway Hit Of The Year!

# THE WOODPECKER SONG

Making Good On Its Own!

## IT'S A WONDERFUL WORLD

Lyric by Harold Adamson Music by Jan Savitt & Johnny Watson

Jack Gordon's New Billed Success from the 20th Century-Fox Film "Stardust"

# SECRETS IN THE MOONLIGHT

The Current Blue Ribbon Favorite!

## THE STARLET HOUR

Lyric by Mitchell Parish Music by Peter De Rosa

STURDY SALES... GROSSING... REPEATS...

# Record Reviews

**Duke Ellington "So Far, So Good—You Better" (Columbia 33291)**  
One of the first pops done by Ellington in some time, this is a superbly arranged and superbly played show-up of Ellington's fine taste for color and harmony. It's well played, at an easy speed, and excellent as a composition. However, the record shows up Ellington's fine taste for Ellington's piano in first few notes in all excellent. However, the record shows up Ellington's fine taste for Ellington's piano in first few notes in all excellent. However, the record shows up Ellington's fine taste for Ellington's piano in first few notes in all excellent.

**Harry Goodman "Good Mornin'—Let's Sing Together" (Columbia 33292)**  
First in played with a healthy band, and then a piano solo with a quartet and behind each chorist solo. There's a piano but not the South. However, it is well written and arranged. However, it is well written and arranged. However, it is well written and arranged.

**Wendy Brown "Duke Blue—'Tis This He Loves" (Decca 3681)**  
"Luk" is an easy tempoed rhythm original played with a smooth jump. Trembling and sex groups alternate to nice effect on what melody there is, and in breaks later on. It's well played, at an easy speed, and excellent as a composition. However, the record shows up Ellington's fine taste for Ellington's piano in first few notes in all excellent.

**Alvin Karpis "You're My Girl—You'd Be Surprised" (Mercury 3683)**  
Highlight of this side is the poor use of vocal and the extremely poor showing of arrangement. However, it is well written and arranged. However, it is well written and arranged. However, it is well written and arranged.

**Louise Bryant "On Cigarette—Love You Much Too Much" (Vocalion 3418)**  
Stand-out of a most arrangement in several spots, backing a nice styled vocal. However, it is well written and arranged. However, it is well written and arranged. However, it is well written and arranged.

**Clifford Brown-Jascha Hays—"Shagbun in Blue" (Bayco 1060-3684)**  
Harris and Zepka, duo pianists, turned out the George Gershwin classic on four sides. It's well done but spread over four sides. However, it is well written and arranged. However, it is well written and arranged. However, it is well written and arranged.

**Tommy Dorsey "Fable of Blue"—This Beginning of Evil" (Victor 10455)**  
Dorsey and trombone solo of the first chorus of "Fable" is one of his better ideas of this possible. However, it is well written and arranged. However, it is well written and arranged. However, it is well written and arranged.

**Kay Kyser "You, You, You—It's a Party" (Columbia 33293)**  
Gleason sings with a faster than average clip, is okay. There's a brisk and lively piano break. Side is nice. However, it is well written and arranged. However, it is well written and arranged. However, it is well written and arranged.

ature of the spot, having played here all summer. However, it is well written and arranged. However, it is well written and arranged. However, it is well written and arranged.

**Slappy Maxie's, H'wood**  
Hollywood, April 4  
Oubis & Long, Roy Sellers, Patti Moore, Marie Howard, etc. However, it is well written and arranged. However, it is well written and arranged. However, it is well written and arranged.

Still the deffest spot in town and getting the heaviest draw on any night spot. However, it is well written and arranged. However, it is well written and arranged. However, it is well written and arranged.

Ohio and Leary are the featured soloists. However, it is well written and arranged. However, it is well written and arranged. However, it is well written and arranged.

Slappy Maxie is still the star of the show. However, it is well written and arranged. However, it is well written and arranged. However, it is well written and arranged.

Chicago, April 12  
Herbie Holmes Outh (12); Cromwell Sisters (13); Harry Benson, Gene Brown, etc. However, it is well written and arranged. However, it is well written and arranged. However, it is well written and arranged.

# Music

# Band Reviews

**DOC LAWSON'S ORCHESTRA (12)**  
Tommy Dorsey  
Tampa Chamber, Lincoln, Neb. However, it is well written and arranged. However, it is well written and arranged. However, it is well written and arranged.

With Lawson off to the side of the stage, seated at the organ the bulk of the time. However, it is well written and arranged. However, it is well written and arranged. However, it is well written and arranged.

**NICK DAMICO ORCHESTRA (17)**  
WHD Radio, Wichita, Colo. (Columbia News Room, N.Y.)  
Nick Damico has a unique sound, one of the few violin and a rhythmic section of five. However, it is well written and arranged. However, it is well written and arranged. However, it is well written and arranged.

**FLYCE SCHOEN ORCHESTRA (11)**  
Hotel Statler, Buffalo, N.Y.  
Known in the musical profession as "Flyce Schoen's Orchestra" for the Andrews Sisters and the Glenn Miller Orchestra. However, it is well written and arranged. However, it is well written and arranged. However, it is well written and arranged.

Orchestra has an unbridled player who dominates in a complete sense. However, it is well written and arranged. However, it is well written and arranged. However, it is well written and arranged.

**LYLE CARLBY ORCHESTRA (17)**  
Hotel Statler, Buffalo, N.Y.  
On his first trip out of Michigan, Carlby is delivering sweet music to the ears of his patrons. However, it is well written and arranged. However, it is well written and arranged. However, it is well written and arranged.

**MATTIE DUNSMORE'S ORCH (11)**  
Eddy Dunsmore has been around the Midwest for the past year, with a fine record. However, it is well written and arranged. However, it is well written and arranged. However, it is well written and arranged.

**MITCHELL ABERG ORCH (11)**  
With Mary Ann Brewer, Tommy Taylor  
Appreciated for his fine playing, Mitchell Aberg is a fine musician. However, it is well written and arranged. However, it is well written and arranged. However, it is well written and arranged.

**FRANK LEONER, VICTOR Young and Gene Brown**  
Frank Leoner, Victor Young and Gene Brown were featured in the Paramount picture, "Dancing on a Dime." However, it is well written and arranged. However, it is well written and arranged. However, it is well written and arranged.

# Night Club Reviews

## MARINE ROOM, CHI (REGENTVA BEACH HOTEL)

Chicago, April 12  
Fredde Martin Orch (15); Gale Strat, Dorrance & Lela, Dorothy Dorrance & Lela, Dorothy Dorrance & Lela, Dorothy Dorrance & Lela. However, it is well written and arranged. However, it is well written and arranged. However, it is well written and arranged.

Located on the northeast end and the Marine Room is a class spot in every way. However, it is well written and arranged. However, it is well written and arranged. However, it is well written and arranged.

Fredde Martin's orchestra has been here in Chicago for some time. However, it is well written and arranged. However, it is well written and arranged. However, it is well written and arranged.

Martin has a splendid variety of music, and his orchestra is one of the best in the city. However, it is well written and arranged. However, it is well written and arranged. However, it is well written and arranged.

This is the only night club in the city which has an admission charge. However, it is well written and arranged. However, it is well written and arranged. However, it is well written and arranged.

Placed on the northeast end and the Marine Room is a class spot in every way. However, it is well written and arranged. However, it is well written and arranged. However, it is well written and arranged.

## Musical Terrace (HOTEL NICOLL, NPLA)

Chicago, April 12  
Herbie Holmes Orch (12); Cromwell Sisters (13); Harry Benson, Gene Brown, etc. However, it is well written and arranged. However, it is well written and arranged. However, it is well written and arranged.

Current outfit represents considerable. However, it is well written and arranged. However, it is well written and arranged. However, it is well written and arranged.

Besides Holmes, there's the usual complement of ten. However, it is well written and arranged. However, it is well written and arranged. However, it is well written and arranged.

Holmes, a southerner, is amiable and youthful, his orch runs largely on blues and reads. However, it is well written and arranged. However, it is well written and arranged. However, it is well written and arranged.

Band's chore work is still the best in "Rancho Grande" and when they play "Rancho Grande" it is the best. However, it is well written and arranged. However, it is well written and arranged. However, it is well written and arranged.

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Frank Leoner, Victor Young and Gene Brown were featured in the Paramount picture, "Dancing on a Dime." However, it is well written and arranged. However, it is well written and arranged. However, it is well written and arranged.

Located on the northeast end and the Marine Room is a class spot in every way. However, it is well written and arranged. However, it is well written and arranged. However, it is well written and arranged.

Fredde Martin's orchestra has been here in Chicago for some time. However, it is well written and arranged. However, it is well written and arranged. However, it is well written and arranged.

This is the only night club in the city which has an admission charge. However, it is well written and arranged. However, it is well written and arranged. However, it is well written and arranged.

# AGVA GETS AGENCY FEES

## Detroit Vaude 'Revival' Starts in May When Michigan, Fox Resume Shows

Detroit, April 16. The long talked about vaude revival in this town is scheduled for May, when both the Michigan, of the United Detroit Theatre, and the Fox, operated by Dave Ideal, resume same stage shows.

Michigan toes off May 3 with the Marx brothers' unit currently heading east from the Coast while the Fox is expected to bow around May 15. Glenn Miller's orchestra has already been signed by Ideal, but it's not definite that this crew will be the first stage topper. Both houses are in opposition to each other. The return to vaude here is not entirely unexpected. Months ago there were letters in the newspaper "Voice of the People" commenting wondering why there were no more stage shows in Detroit. Until two years ago the Fox had operated under a policy of variety and single features.

But more important than just the questions of the public was the more substantial evidence that Detroit is supporting stage shows. It has been reported by both Fox and houses outside the downtown area.

A major factor in the return of vaude to Detroit is the growth of the Bowery, Manhattan, which has grown into a national phenomenon in show business. Simultaneous with the end of vaudeville in the big picture house, this crew built on same shows until a few months ago, it had to enlarge its seating capacity by the hundreds to bring it close to 1,200.

Then, last fall, the Colonial, second-run house just off the downtown area, started to move in on the current taste for vaude. Using lesser names, Ray Schrieber, head of the Mid-West Theatres, Inc., which operates the Colonial, kept building it up until recently Duke Ellington came in for a season's work. Last week Schrieber did more than okay with another band, Clyde McCoy.

On top of this, Wipac & Wetman's act started to get hold in a program for its name. As an experiment Hunter took it put its acts into the Harper; it liked and so the policy continued. Then it stretched to a week for the acts by switching them from four days at the Harper to a remaining three week days at the Tussock.

## Perkins, Roy Bruder As Bowling Alley Partners

Chicago, April 16. Roy Bruder, for years manager of the Chicago, Balaban & Katz flagship, has gone into partnership with vaude performer Johnny Perkins, and together they will operate mammoth recreation hall and bowling alley in East St. Louis. The arena was formerly the Paramount theatre in that town.

Bruder will leave B. & K. when he feels over, which will be some time this summer.

## Who Stole the Bells, or Why Vic Faust Is Blue

Detroit, April 16. A bell ringer's act isn't much good without his bells. That is why Victor Faust, 68, sole survivor of the 10 who constituted the Faust Family archbats and musicians, when they first came to this country in 1882, is advertising for his set of bells stolen when he played a suburban night club here.

It will cost Faust \$50 for a new set of bells and he hasn't that much cash. Anyhow, he fancies those old bells, made for him in England 34 years ago, which have been worn thin but have the tone he wants.

## Jessel

Continued from page 3.

will to abuse the discretion of this court. The primary purpose of the law is to protect minors and I understand this girl is only 17.

Jessel started to emerge from the Jessel court.

"I don't want to hurry the wedding up," Jessel snipped. "When does the lawyer get here?"

Still red Jessel went out in the hall where his lawyer explained that his client was tired of being hounded by reporters and wanted him all the people would "quit razzing him." Jessel had been good for plenty of radio spots for Gracie Allen, Jack Benny and Fred Allen among the many.

In fact, Jessel turned on the newspapers and said, "If I were of international importance so that London newspapers would headline 'French War Cabinet Resigns—Jessel to Merry Agnes' it would be different." He grew bitter about the part newspapers had played in publicizing his third marriage, adding "I won't look at another newspaper in 15 years."

The equally roused up reporters made references to Jessel with "all-star" and "a setting that would have done credit to a board of strategy comprising the late Foy Starfield, Tex. Richard and Princess T. Baroun. The setting was a snowy spring day that seemed to symbolize the November and April nature of the union."

There were general references to the bride as being an ideal taller than her husband, and Jessel was given credit for saying "I take her" in a strong, practical voice while it was noted the bride's voice and in a whisper which wouldn't have gone over the footlights.

Then the bride got a signaling 50, the press duty noted, at Jessel's attempt to put the ring on her second finger.

When it was over she said, "I'm the happiest person in the world and the most beautiful." Jessel put it nicely when he shouted, "Somebody give my wife a drink over she'll die on her beautiful pass," the press concluded.

## APPLIES ONLY TO NON-ARA REPS

### Variety Union's Schedule Dues—\$50 Per Representative and \$25 for Associates Annually

## BOLSTER FOR ARA

Council of the American Guild of Variety Artists, in a move to strengthen its system of franchising agents through the Artists Representative Assn. of New York, voted Monday (15) in a schedule of Helen Teag, for agents outside the ARA. Fees are exactly the same as ARA's dues, \$50 per agent and \$25 per associate annually.

Idea behind the license for setup is twofold. Firstly, AGVA itself prefers to deal with the ARA as a group rather than agents singly because of the less detail involved; (2) the license fees are designed to balance the expenses incurred by AGVA in "individual" franchising of agents via extra clerical help and work.

ARA's membership, almost all of which has already been franchised, is exempt from paying the license fees. Also, Hoyt R. Haddock, AGVA's executive secretary, stated Monday (15) that he is looking forward to the eventual setting up of a national agents' org.

Another important angle in the individual franchising of agents by AGVA is the fact that such contracts will run for only one year, while the ARA's basic agreement with AGVA is in force until Dec. 31, 1941, until which time AGVA cannot promulgate and enforce any new rules and regulations governing agents.

There have been but a few major agency holdouts from the ARA who have applied directly to AGVA for franchises.

## Peace Between AGVA, Circuits Seen Near on 5% Booking Fee Issue

## Embarrasses Father

Dolores, four-year-old daughter of Hoyt Haddock, executive secretary of the American Guild of Variety Artists, was taken to Madison Square Garden, N. Y., Monday afternoon (15) for her first visit to the circus, in which her father represents the performers.

Asked later what she thought of the show, she answered that she loved the animals, but "didn't like the actors."

## B.&K. LINES UP NAMES FOR CHI

Chicago, April 16.

Nate Field, booking manager for Balaban & Katz, has set a string of headliners for both the Chicago and State-Lake. Ace House, Chicago starts off April 26 with a two-week booking of a combination show of Red Elliott, Andrew Sisters and Mattie McDaniel. Week of May 10 brings in the Marx Brothers; following week, Bob Hope and his gang; May 24, Hal Kemp crew, which moves in from the Empire Room of the Palmer House.

State-Lake setup has Stanley Field, Schickeltritz orchestra and Arturo Godoy for week of April 26, with the weeks following getting, in order, Johnnie "Scar" Davis and Jimmie Lunceford bands. Nothing set for May 17 as yet, but week of May 24 brings in Blackstone, and the following week, Sophie Tucker.

Joe Marchia has been the alternate head with Abe Lyman at Billy Rose's Barbary Coast in the New York World's Fair this summer.

American Guild of Variety Artists heads expect to complete negotiations within a week with the major vaudeville circuits. According to Hoyt Haddock, the union's executive secretary, he will probably hold another meeting with the circuit representatives late this week or early next. Stressed that the union must reach an agreement regarding disputed 5% booking fee for June May 1, or else such franchised agents, who also book, will be allowed to resume charging a similar rate.

Not explained how the union intends settling the ticklish matter of the 5% fee. However, it's hinted that a way has been figured out to get around the difficulty. If so, it will be the first real progress any performer union has been able to make in that direction.

AGVA officials also indicate they may complete negotiations within the next week with John Ringling North for certain classifications of workers in the Ringling Bros. circus, currently appearing at Madison Square Garden, N. Y. Ralph Whitehead's Circus, Carnival, Fairs and Shows International Union has an AFL charter for circus workers, but AGVA is not recognizing its jurisdiction.

Whitehead has been unable to reach an agreement with the circus, and (15) filed charges against the outfit with the National Labor Relations Board, charging the company with "interfering" with organizing and restraining its employees from exercising their right to join a labor organization. Also claims Ringling & B. formed and dominates a company union under an "illegal" act of Washington certificate issued to non-incorporated groups.

## SHUTTING THE BARN DOOR

Los Angeles, April 16. Four restaurant supply companies filed an involuntary bankruptcy petition in Federal court against The Barn, a North Hollywood vaudey clearing debtors' office, late in 1939.

# MICHAEL TODD

Has Signed  
An Agreement With the  
American Guild of Variety Artists

For All of His World's Fair Attractions in the Earnest Belief that Full Cooperation of Everyone Will Make the 1940 New York Fair the Outstanding Success it Deserves to Be.

OPRY HOUSE  
At the  
DANCING CAMPUS

'STREETS OF PARIS'  
At the  
HALL OF MUSIC

GAY NEW ORLEANS

# Señor Punches

NOVEMBER 1940  
HELD OVER SECOND WEEK

Directed  
Nat Kalshbren

Personal Manager  
C. J. Austin

WILLIAM MORRIS AGENCY

### Berni Vic Unit In 'Indecency' Pinch, Freed

San Antonio, April 16. — Court Berni Vic, heading his own unit at the Majestic here, was off his showgirls and E. E. Collins, city manager for Interstate Theaters, were pinched. J last week (10) and on a charge of indecency and obscene Friday (12) in Corporation Court. Judge Tumpke Collins found them not guilty.

The complaint was filed by two Baptist ministers and Rev. James E. Cantwell, head of the local Co-ordinating Council for Youth, Council of Churches, Women's Christian Temperance Union and the San Antonio Parents-Teachers Council. On the other hand, Mrs. Dove Wilson, city censor, stated that she found nothing objectionable in the show.

Rev. Neal Ellis, who led the testimony against the showman and girls, had the crowded courtroom in an uproar when he tried to describe the manner in which the girls were dressed (a) and the type of dance they did. The bit in question is called "The Garden of the Hoses". Showgirls were Bryna Robbin, Helen Kinn, Bonnie McCall, Marlene Crowley and Helen Stanton. Lory Berni Vic and Collins, who had been out on \$25 bail each from the day of arrest till the trial, but the show was not allowed to continue as was until it closing here the same night (15) that they were all freed.

### Frankie Meadows Broke

Frances Glaser, also known as Frankie Meadows, entertainer, employed by the Cafe Maria, 25 West 52d street, filed a voluntary petition in bankruptcy in N. Y. Federal court Friday (15), listing \$100 in assets and \$2777 in liabilities. No one in the theatrical business is owed, all debts due on goods purchased, rent, medical bills, etc.

Mrs. Glaser earned approximately \$1,000 yearly during the past two years, the petition discloses.

Best Coffee in England  
**QUALITY INN**  
Lancaster Square  
LONDON, WEST-END

## The Theatre of the Stars

# Loew's New BOOKING AGENCY

GENERAL EXECUTIVE OFFICES  
**LOEW BLDG. ANNEX**  
160 WEST 46TH ST. NEW YORK  
Beyond 9-7800

# J. H. LUBIN

GENERAL MANAGER  
**SIDNEY H. PIERMONT**  
BOOKING MANAGER

## Joe McKenna Jane

Currently CHICAGO THEATRE, Chicago  
Dir., CHAS. E. HOGAN

### MONROE & GRANT DIES OF HEART ATTACK

John Monroe (and Grant) suffered a heart attack Thursday (11) while walking with his wife on Broadway and died on route to Roosevelt hospital. The remarkable performer was appearing at Loew's State, New York, and had complained to his agent, Joe Flamm, of a severe pain in his left arm immediately after the first show. He was 49 and, as far as is known, had not been aware of a heart ailment.

His collapse occurred shortly after the performance opening day at the State. Clara and Sam Siler, retired actors, were rushed in a helicopter to a hospital there.

Monroe and Tommy Grant were brothers, their real name being Louis Lowe, and had been teamed for more than 20 years. They were standard in vaude. Grant doing the comedy and Monroe more or less the straight man in the trampolene turn.

Monroe, who was married and a brother-partner, Monroe is survived by two other brothers and two sisters. Funeral services were held Sunday (14) at Riverside Memorial Chapel, N. Y.

### Red Skelton Moves On After 6 N.Y. Par Weeks

Idea of holding Red Skelton over another three or four weeks at the Paramount, New York, was being considered last week, but fell through. Skelton is currently working an unusual week, starting with the Mitchell Ayler band after spending four weeks at the house with the Paramount.

Instead of remaining over with Gene Krupa's band and the Jack Benny sisters' Band Benny Riders Agency, Skelton will go to the Chicago, Chicago, for two weeks, ending April 20, and may come back to the Par in June. Also has two engagements at the Earle, Washington, starting May 10.

### AGVA Signs 2 Hub Spots

Two major niteries here have signed agreements with AGVA, covering the coming season, effective April 15. The Mayfair and Latin Quarter contracts were signed by Ben Goldstein and Louis Walters, respectively, for these clubs.

New contracts represent an increase of about \$10 over the minimum provided in the now defunct AFA contracts, according to Kenneth Hines, president of AGVA, who will stay in this area pending negotiations with such spots as the Keiths, Coconut Grove and the Sittler.

Bigtime vaude listed 19 houses for the 1939-40 season. An attempt was being made to restore the field.

A new alliance, Jack Haley, with a cute trick in Helen Ray Rock, were out at the New York Palace in their comedy turn.

Dayton, Omaha and Montreal, all poor stands, were to be dropped by the Columbia Burlesque Circuit. These days each were to be booked for Albany, Syracuse and Rochester.

Jackie Coogan's father was going to retire the young star and intensify his schooling. Coogan had large real estate holdings in trust for Jackie.

Joe Galois was agenting legions, and darn glad of it. Producer of hits and failures he now may feel more secure in his present work.

"Tell Me More" new Broadway musical, looked okay for the spring period, but nothing further seen for the Leo Heitz-Alexander Gray-Andrew Tommas show, produced by Alfred Aron. Music by George Gerwig; lyrics, Buddy DeSylva and Ido Gerwin.

### Saranac Lake

Saranac, N. Y., April 16. — Paul Dran, Jim Moran and Sam Putman left the Rogers hospital for their home at Saranac Lake.

Anna Vincent, of Chicago to a new arrival at the Rogers. Helen Artland is up for her meals. Circo Ferret and Russ Straight are new at the Rogers. Hagar, the comedian, is on the mend. Roadhouses and clubs are readying for the summer season.

### Empire, Syracuse, To Straight Fix; Downy, Felton Wait for Com

Syracuse, April 16. — Fate of the New Empire, opened only a month ago by Charles Martin as a vaudeville act and re-arranging, soon clouded in indiction. House on a no-stap offering currently, playing second run films and even advertising in the dailies.

Felton and Martina were both given \$100 notes for balance of the coin due them. The theatre up has promised to make payment within that time.

### Philly El Chico Folds; Delmonico's Reopens

Philadelphia, April 16. — Another Philly nitery failed last week in the face of sour hit. This time it was El Chico, Levant street, which closed abruptly on Friday (15). It was run by Herby Frank and Ben Rank.

Constitution show talker over by a group of sportsmen and will be reopened in the near future, under the name of the Club Madrid, run on the same hunk by Joe Moss during previous days.

Meanwhile, the brothers Kalmer, who have taken over the defunct Benny-the-Bum's, are still looking for a front for the spot. Delmonico's, which closed on Friday night under the new name, Cotton Club, with an all-color show paced by Bobby Evans' orchestra.

### 15 YEARS AGO

'Abe's Irish Row' on May 29 was scheduled to break the American legist run fourth, when it was to have entered its record year on Broadway. 'Abe's' who set out to crack the record of 'Lighthouse'.

The restaurant was layed by prohibition, although prohibition made a Jersey roadhouse in the hands of Shastinger, when at the old Beaus Arts, when at the professional night, ballroom turns, which have been accepted for five years as a matter of course in dining-out standards.

'Riders of the Purple Sage', Fox production, was a h.a. winner. Starring Tom Mix, it was remade of an

### STANLEY, PITT, MAY RUN SUMMER VAUDE

Pittsburgh, April 16. — Following couple of show cancellations, hurried trip to New York last week by Harry Kalmine, some management brought back Stanley and also full stage schedule for Stanley through May, indicating no more shows for regular season. Some policy efforts will be made to carry on through the summer, depending entirely, according to Kalmine, on availability of name talent.

Hattie McDaniell, following her return to the stage in the play 'Gene With the Wind', is leaving Hollywood on a p.a. tour, which will bring her back to May 27, when playing Horace Heli, current, will debut again in turn Phil Spitzer, Guy Lombardo, Wraymie King, Miss Madeline Glen Gray and Joe Seville, later on May 24.

### No Easing of Burlesque Rates During N.Y. Fair

Report that present regulations on 'Follies' (burlesque) shows might be eased a bit for visiting summer during the Fair in New York, was promptly denied from Paul Moss, AGVA commissioner, who has supervising the former World Fair Palace in New York. Moss said that the same policy will be followed by summer will open in June.

During last year's Fair period, managers were warned that if they booked a burlesque show, they were in a bit of a risk which had the effect of even more stringent regulation.

Constitution show talker over by a group of sportsmen and will be reopened in the near future, under the name of the Club Madrid, run on the same hunk by Joe Moss during previous days.

### Burlesque's Blackout With a Sense of Humor

Minneapolis, April 16. — Even in adversity, the comedian and Harry Kay, operating the frequently reopening and just as frequently closing show at the old Brooklyn operation about a month ago.

### Bustanoby's Comeback

Jaques Bustanoby, of the famed restaurant fame in the "ambassador's champagne" was associated with Diamond Jim Brady and Lillian Russell, and now nearing 70, is back in the city, living at 167th street, N. Y. While the get is a new entertainment now, strictly in the line of variety field, and only the most elderly field, and only the most unusual patronage of the show.

The restaurant was layed by prohibition, although prohibition made a Jersey roadhouse in the hands of Shastinger, when at the old Beaus Arts, when at the professional night, ballroom turns, which have been accepted for five years as a matter of course in dining-out standards.

## HELEN REYNOLDS' GIRLS

Champion Showers  
Currently CHICAGO THEATRE, Chicago  
Book Agency, Chicago, Conn. West May 4, Shrine Grove, Montreal, Can. Mrs. G. A. Reed, 159 Boscawen Place, New York

### Mgr. Dissension Snags Signing By AGVA of Arenas

Following a conference here over the weekend between Harry Maddox, executive secretary of the American Guild of Variety Artists, and Arthur Wirtz, head of the Chicago Stadium, indications are that AGVA will start its campaign to organize American arenas, just the Chicago Stadium and the N.Y. Madison Square Garden. Wirtz negotiated the AGVA 100% agreement long ago for all his attractions.

Maddox explained that in the sports field the efforts of AGVA will not be along lines of general unionization, but more on a basis of promotion - cooperation, which would guarantee contracts, insure treatment to constants as to representation, health and sanitation facilities, etc.

It became evident during the conference that there is serious intension towards bringing in the Arena Managers Association, which AGVA is endeavoring to sign as a group. The trouble part of the picture was a general agreement at this time, as the AGVA will start with the Stadium and the Madison Square Garden, the leading arenas of the nation.

AMA bottle is said to be caused by the attempt of some arena managers to bad each other's acts and attractions.

### Add: South Sea Niteries

Robert S. Merrill on May 15 took over the former American Music Hall and City Palace attractions and will operate the basement cabaret as "The Saddle-Thompson". Will feature the Ben Linton atmosphere of 'Rain'.

Johnny de Silva and Johnny Force will operate the new musical comedy.

### Read What the Critics Said About

# ROSITA ROYCE

VAMMY, May 16, 1939.  
by Abel Green  
... Rosita Royce with her 'Hots and Hots' has been accompanied by the lovely Florida Royce. Police were called out to stop order among the thousands who sought admission to the Crystal Palace to see the doves and 'Hots'.

NEW YORK DAILY NEWS, May 2, 1939.  
by Gay Richards  
... There's nothing like doves to draw a crowd especially when they're accompanied by the lovely Rosita Royce. Police were called out to stop order among the thousands who sought admission to the Crystal Palace to see the doves and 'Hots'.

Presenting a Startling New Dance at "The World of Tomorrow", Opening Leon & Eddie's, New York, April 26.

## HELEN REYNOLDS' GIRLS

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Book Agency, Chicago, Conn. West May 4, Shrine Grove, Montreal, Can. Mrs. G. A. Reed, 159 Boscawen Place, New York



PARAMOUNT, N. Y.

Michael Aronov... Mitch Miller... Paul Whiteman...

With a heavy load of talent... Paramount show... Mitch Miller...

backs the line in a 'Bing' it number... Mitch Miller... Paul Whiteman...

Miss Helen comes well... Mitch Miller... Paul Whiteman...

HIPP, BALTO

Baltimore, April 12... Nick Lucas... The Bernards & Froelich...

Typical variety... Nick Lucas... The Bernards & Froelich... 'Abe Lincoln in Illinois' (RKO).

With Lucian... Nick Lucas... The Bernards & Froelich... 'Abe Lincoln in Illinois' (RKO).

APOLLO, N. Y.

All George's... Apollo show... George White... Duke Ellington...

Fast and attractive... Apollo show... George White... Duke Ellington...

Sanwiched in between... Apollo show... George White... Duke Ellington...

STATE, N. Y.

Clare & Bana Sisters... State show... Clare & Bana Sisters...

Travels... State show... Clare & Bana Sisters... 'The Roller-skating'...

EARLE, WASH.

Washington, April 13... Earle show... Earle & Bana Sisters...

'New Faces of 1940'... Earle show... Earle & Bana Sisters... 'The Roller-skating'...

Clare and Bana Sisters... Earle show... Earle & Bana Sisters... 'The Roller-skating'...

STANLEY, PIT

Pittsburgh, April 12... Stanley show... Stanley & Bana Sisters...

Horace Heidt... Stanley show... Stanley & Bana Sisters... 'The Roller-skating'...

COLUMBIAN, DAYTON

Dayton, O., April 12... Columbian show... Columbian & Bana Sisters...

A hurried booking... Columbian show... Columbian & Bana Sisters... 'The Roller-skating'...

cheap looks... Strand show... Strand & Bana Sisters...

Head himself... Strand show... Strand & Bana Sisters... 'The Roller-skating'...

FLATBUSH, BK'LYN

Count Basie... Flatbush show... Basie & Bana Sisters...

Although marked... Flatbush show... Basie & Bana Sisters... 'The Roller-skating'...

Count Basie... Flatbush show... Basie & Bana Sisters... 'The Roller-skating'...

STATE LAKE, CHI

Chicago, April 14... State Lake show... State Lake & Bana Sisters...

Clyde McCoy... State Lake show... State Lake & Bana Sisters... 'The Roller-skating'...

Acts currently... State Lake show... State Lake & Bana Sisters... 'The Roller-skating'...

STRAND, SYRACUSE

Syracuse, April 14... Strand show... Strand & Bana Sisters...

Whiteman's... Strand show... Strand & Bana Sisters... 'The Roller-skating'...

EARLE, WASH.

Washington, April 13... Earle show... Earle & Bana Sisters...

'New Faces of 1940'... Earle show... Earle & Bana Sisters... 'The Roller-skating'...

Clare and Bana Sisters... Earle show... Earle & Bana Sisters... 'The Roller-skating'...

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Count Basie... Flatbush show... Basie & Bana Sisters...

Although marked... Flatbush show... Basie & Bana Sisters... 'The Roller-skating'...

Count Basie... Flatbush show... Basie & Bana Sisters... 'The Roller-skating'...



ROXY, N. Y.

Gay Paster (19), 4 Widows, ...

A solid stage show and a good screen ...

Stage show isn't a theater, with a pair of ...

In sequence, the brightly G. ...

T. cycling Four Sidneys un- ...

Four Sidneys led, a wire turn, ...

It's a dance, with dancing and knock-out ...

It's a dance, with dancing and knock-out ...

It's a dance, with dancing and knock-out ...

It's a dance, with dancing and knock-out ...

It's a dance, with dancing and knock-out ...

It's a dance, with dancing and knock-out ...

It's a dance, with dancing and knock-out ...

It's a dance, with dancing and knock-out ...

It's a dance, with dancing and knock-out ...

It's a dance, with dancing and knock-out ...

It's a dance, with dancing and knock-out ...

It's a dance, with dancing and knock-out ...

of the winner leaves little to the ...

'AMERICA'S YOUTH'—100 (March of Time)

March of Time swings back into its old ...

After relating general phases of ...

It's a dance, with dancing and knock-out ...

It's a dance, with dancing and knock-out ...

It's a dance, with dancing and knock-out ...

It's a dance, with dancing and knock-out ...

It's a dance, with dancing and knock-out ...

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It's a dance, with dancing and knock-out ...

It's a dance, with dancing and knock-out ...

It's a dance, with dancing and knock-out ...

It's a dance, with dancing and knock-out ...

KEITH'S BOSTON

Boston, April 17. Vanderbilt Bow ...

Good looking and routine, re- ...

Russ and Stone get the usual ready ...

Burke's standard dummy building ...

It's a dance, with dancing and knock-out ...

It's a dance, with dancing and knock-out ...

It's a dance, with dancing and knock-out ...

It's a dance, with dancing and knock-out ...

It's a dance, with dancing and knock-out ...

It's a dance, with dancing and knock-out ...

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It's a dance, with dancing and knock-out ...

It's a dance, with dancing and knock-out ...

It's a dance, with dancing and knock-out ...

It's a dance, with dancing and knock-out ...

FOUR SIDNEYS

Archives, N. Y. Three shapely girls, seemingly ...

It's a dance, with dancing and knock-out ...

It's a dance, with dancing and knock-out ...

It's a dance, with dancing and knock-out ...

It's a dance, with dancing and knock-out ...

It's a dance, with dancing and knock-out ...

It's a dance, with dancing and knock-out ...

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It's a dance, with dancing and knock-out ...

It's a dance, with dancing and knock-out ...

It's a dance, with dancing and knock-out ...

It's a dance, with dancing and knock-out ...

New Acts

For safe looking, too, but would re- ...

First of the new acts booked by ...

It's a dance, with dancing and knock-out ...

It's a dance, with dancing and knock-out ...

It's a dance, with dancing and knock-out ...

It's a dance, with dancing and knock-out ...

It's a dance, with dancing and knock-out ...

It's a dance, with dancing and knock-out ...

It's a dance, with dancing and knock-out ...

It's a dance, with dancing and knock-out ...

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It's a dance, with dancing and knock-out ...

It's a dance, with dancing and knock-out ...

It's a dance, with dancing and knock-out ...

It's a dance, with dancing and knock-out ...

EMBASSY, N. Y.

(NEWSEELS)

Lacking much recent military or ...

Definitely, Paramount does the ...

It's a dance, with dancing and knock-out ...

It's a dance, with dancing and knock-out ...

It's a dance, with dancing and knock-out ...

It's a dance, with dancing and knock-out ...

TOWER, N. Y.

(NEWSEELS)

Regular house band and line that ...

Band's offerings are the making ...

It's a dance, with dancing and knock-out ...

It's a dance, with dancing and knock-out ...

It's a dance, with dancing and knock-out ...

It's a dance, with dancing and knock-out ...

It's a dance, with dancing and knock-out ...

It's a dance, with dancing and knock-out ...

Unit Review

IN GREAT INTEREST TO THE ...

It's a dance, with dancing and knock-out ...

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U. S. Suit

Continued from page 6

tributing Co. which was in turn ...

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BEACH BITE OF FLIX

Hollywood, April 16

Film contracts patterned after \$5 ...

CLEVELAND

Alphonse Vitale ...

Plays on Broadway

MEDICINE SHOW

Plays in two acts presented at the New Yorker... Medicine Show... The argument presented in the play...

Dance in the "Living Newspaper" manner as devised by WPA's Federal Theatre Project...

This might indicate to show people "Medicine Show" has to do with the open art, the finest fabric in the world...

The argument presented in the play is that the world is a place of horror and humanitarianism, particularly for the character...

It is stated time and again that there are 250,000 preventable deaths in America every year...

It is a play that is a work of art, a work of art that is a work of art...

SUSPECT

Moonshine in three acts, by Edward Percy... The play is a masterpiece of suspense...

Edward Percy and Reginald Denny... The play is a masterpiece of suspense...

Like his companion piece, "Suspect" is a quiet masterpiece of terror...

deviously perceptive newspaper publisher... The play is a masterpiece of suspense...

which is just the kind of thing she does best and which she is here doing at her best...

Does Miss Lora's performance, which is just the kind of thing she does best...

Plays Abroad

NAP HAND

Paris in three acts by Victor Strindberg and Gustav Frick... The play is a masterpiece of suspense...

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MOONSHINE

London, April 13... The play is a masterpiece of suspense...

Customs agents in demand in war-time that munitions and revues are the only way to get through...

medicines beginning, giving blue bromine... The play is a masterpiece of suspense...

the best of these is Eric Anderson's production of the Louis Stuart comedy...

Billie Hill has great chance to display her talents... The play is a masterpiece of suspense...

REFLETS DE PARIS

(Adaptation of Paris)

Paris in two acts... The play is a masterpiece of suspense...

With his old husband in Montmartre... The play is a masterpiece of suspense...

Paris in three acts... The play is a masterpiece of suspense...

Paris in three acts... The play is a masterpiece of suspense...

Permission de Dentiste

(No Laugh)

Comedy in three acts... The play is a masterpiece of suspense...

Charming little comedy by Yves Mirlande... The play is a masterpiece of suspense...

The Bolshoi, rich spectators, delighted... The play is a masterpiece of suspense...

William Oden-Waller's set is outstanding... The play is a masterpiece of suspense...

Plays Out of Town

Return of the Vagabond

Providence, April 13... The play is a masterpiece of suspense...

Madame... The play is a masterpiece of suspense...

George M. Cohan's sequel to "The Tavern" is a spiritual mother with suspended accent...

Good-natured ribbing of dramatic efforts as sought in present-day drama...

Plat has his character, Mackay Brown, with the creator, Mackay Brown...

The highly touted threat of dire things to come falls short...

Perhaps their disposition, the Vagabonds, with the rest of the world...

William Oden-Waller's set is outstanding... The play is a masterpiece of suspense...

TROPICAL PINAFORE Chicago, April 13... The play is a masterpiece of suspense...

Historical event as London... The play is a masterpiece of suspense...

It happened once, but it is likely to happen again so quickly...

Tropical Pinafore suffers somewhat from inevitable comparison with the

Plays Out of Town

initial production of all-colored G. & S. opera... The play is a masterpiece of suspense...

Pratt has done in any respect, though... The play is a masterpiece of suspense...

Stirring enough, there is only a show of vigor in the show...

George M. Cohan's sequel to "The Tavern" is a spiritual mother with suspended accent...

Plat has his character, Mackay Brown, with the creator, Mackay Brown...

The highly touted threat of dire things to come falls short...

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# LTC \$50,000 in the Red, May Not Operate I-Night Tour Next Season

It is doubtful that the Legitimate Theatre Corp., which attempted to open up a new field of one-nighters with the gala at a redemptive exhibition at last attempt operating next season. Gullis, which is headed by Arthur Oberlander, Daniel and Arthur Gullis, has not retained field men as yet and further delay would make it impossible to mount such a massive venture. LTC's loss on the season is now estimated around \$60,000.

Another booking method, which are being followed by LTC, are slated for at least one year in the future. Legaters which were proposed by both Columbia Broadcasting System and the National Association Company were to have been similarly booked, but both radio chains have apparently relinquished such activities until next season.

Another plan for booking one-nighters is being followed by LTC, which is being proven that subscription bookings are the only profitable method of playing the smaller circuit. This percentage data resulting in red dates almost invariably. New proposals for one-nighters are being made along such lines and route the attractions within a 15-week period for a full season.

Eva LaComme, the surviving actress among LTC's quartet of stars is still on tour, arriving May 11. Star temporarily in their repertory, but only in the latter part of the season, they would be reduced to the balance of the tour.

"Lones in the South" festival, which was held at Chapel Hill, N. C., last week, was a considerable success. It was the effect that the shows sent out by and large tended to weaken the emphasis on the gala. The arrangement of so many similar enterprises. Senton's continued was that if attractions sent to the road are to be a success, they must be presented in Broadway troupes, they would be reduced to the level of a touring company.

Gullis was unimpressed by the comment from Chapel Hill. He replied that the invitation to the gala was the effect that the shows sent out by and large tended to weaken the emphasis on the gala. The arrangement of so many similar enterprises. Senton's continued was that if attractions sent to the road are to be a success, they must be presented in Broadway troupes, they would be reduced to the level of a touring company.

## League, Equity Contacting Organizing Audiences

League of New York Theaters and Equity have not given up the idea of organizing audiences in suburban communities, though the several "drivers" tried, met little response. The idea is being tried but held last week, three new plans were discussed, but none were regarded as feasible. The idea is being considered too vague, the second too comprehensive and the third too limited.

Managers association set aside \$5,000 for the organization effort and a similar amount for Equity. No ticket coin has been used. Money was reported coming from the three camps in the past. Partial connection was made and ticket sellers are not required to stamp tickets for the second balcony or gallery.

## New Dr. Playwright

Cleveland, April 16. Leon M. Dembo, another doctor with the playwrighting urge, is agitating a new hospital play tagged "Zona of Quays," which he tried out in early May when and if the play has an open week. It's the first open week of a medical specialist in children's diseases at St. Luke's and St. Anne's hospitals.

## Cost Seed for \$8,760

1946) has filed suit Wednesday (16) in N. Y. supreme court, seeking \$8,760 from Morris Galt, president of contract. The suit alleges Galt hired him and his company of Art Players on June 11, 1945, for eight weeks and then breached the contract. No further details on the action appeared, as no complaint has been filed.

## Canadian Coin Exchange Rates Felt By Actors

Managers and players of legit shows playing Canadian stands not far from the border. A recent exchange change, have been running into difficulties there. They are advised to spend or exchange Canadian bills while over the border. Rate of exchange is now 1:15, but it is variable if the transaction is made in the United States. It is being known to deduct as much as 10%.

Rate is fixed in the Dominion, but fluctuates for the exchange for the 19% more when American money is converted there. The rate of exchange is 1:15, but it is variable if the transaction is made in the United States. It is being known to deduct as much as 10%.

Previously "Worth a Million" (withdrawn) played the stand and it was necessary to call upon Equity for coin to pay salaries. Canadian banks, however, refused to accept Canadian currency tendered. Amount paid in cash was \$12,000. There was a difference in actual value of around \$274, according to Equity. The stand was closed Friday and Easter Monday and the money was offered to take for the stand. The stand was closed Friday and Easter Monday and the money was offered to take for the stand.

## Legit Vice Busy

Bridgeport, April 16. Lorie wishes this week from burlesque to traveling legit. First night at the B. B. B. club, and second revue, "Blackbirds of 1946." Al Smith, who has been managing burlesque for Sam Brickman-J. Loventhal-Max Rudnick combination, is now handling legitimacy.

## Theatre Week

Continued from page 1 mentioned disclosed that Sw. If any, of the Fair, which was questioned several declared they were not a part of the stunt, some others insisting they were not a part of the stunt in the matter and no decision in others expressed the intention of cooperating.

Helen Betty Kapo. Hotels Times Square, an association composed of over 50 hotels in the Times Square, New York, district, have completed a tie-up with the Fair, N. Y., and the industry to set up air pressure stand with talent from the various hotel companies advertising for the commission of the Fair. Broadcasts will originate at WHCA's studio rather than being set up from the Fair, which use talent, and will go on 8-30 each Friday beginning April 19.

# Equity Going Ahead with Drive For Gov't Aid; Nixes TAC Offer

## New Faces' May Be Given More Adult Title

Bureau which will bring Joe Cook and Patsy Kelly back to the Broadway boards will probably have a new name presented. The new "New Faces," a label used before by Leonard Hillman, young producer who may be changing his name. A change of the show's title is considered logical because of the well-known in the past. Most of the players used in previous "Faces" were new to Broadway.

Blanche Merrill is writing most of the revue's numbers. Rehearsals have been held up because of illness of the show's leading actress, who with a heavy cold, while Paul Draper was operated on. Among the others in the new cast are "New Faces" and Bags Raggad, latter being a burlesque comic.

## SOLLY STILL HAS HIS TROUBLES WITH EQUITY

Joseph Solly, the bill poster who took a dip with a six cent salary pay at Waterloo recently and who did not remember the first name of his partner, Charles Cohn, known in burlesque circles, has been haunting equity attempting to collect the balance of the coin he deposited there to guarantee salaries and return tickets for the show. He has been partly unsuccessful, because of claims against him that date back to 1931.

Solly has a balance of \$111. The earlier venture, also a stock, played partly in the past. Solly had stopped out after the first week and forgot to pay the players, an act which Solly says he regrets. They should have gotten the coin from the fellow who took over the show, but the matter was not that way and suggested that half the balance of the Waterloo bond he held out at partial payment to Worcester state.

The sometime showman said he had a dip with a six cent salary pay at Waterloo recently and who did not remember the first name of his partner, Charles Cohn, known in burlesque circles, has been haunting equity attempting to collect the balance of the coin he deposited there to guarantee salaries and return tickets for the show.

Later the lawyer figured about clearing his bill, tipping it off by the way. The matter was not that way and suggested that half the balance of the Waterloo bond he held out at partial payment to Worcester state.

Solly cast his eye on Waterloo, mentioning more or less definite a plan to present opera there, saying the banks go up there, but he is not sure. He says that if he can get Postone Galt and Alfrido Strauss to the opera, he may still get away from the town in the chips.

## Thomas' Coast Pinafire

Los Angeles, April 16. John C. Thomas, theatre agent and vice Captain Corcoran in the Civic Light Opera association's production "The Sign of the Cross" at the Paramount Auditorium week of May 20.

## Merits of Pressure of Legislation to ease up the unemployment problem for actors, leading negotiation in that direction is not expected to be favorably acted upon. But forth that the heavy loans incurred when actors tried production previously is but one angle considered. If shows were produced in New York along the lines of the proposed actors' residence in other parts, principally Chicago and the Coast, would be expected to seek their activity, involving a much bigger investment in the Actors' Republic, which last year \$200,000, but the association's participation was under cover.

Martin J. Popper, secretary of the Project operated, announced a decision in Washington for production participation was under cover. He stated that, despite the fact that the project was not expected to be favorably acted upon. But forth that the heavy loans incurred when actors tried production previously is but one angle considered. If shows were produced in New York along the lines of the proposed actors' residence in other parts, principally Chicago and the Coast, would be expected to seek their activity, involving a much bigger investment in the Actors' Republic, which last year \$200,000, but the association's participation was under cover.

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## GUILD MAY SET LEASE ON HOUSE THIS WEEK

Extension on the lease of the Guild theatre, New York, for one year, was virtually set early this week. House, which includes managerial office, has been operated by the Theatre Guild since creation, but there has been financial troubles. The principal difference was with the House, which was set for a period of first mortgage of \$50,000 in the property. Indicated that the bank has set for a period of first mortgage of \$50,000 in the property.

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## B'way Legit Benefice Sticking Nets \$350

A benefice stickup at St. James, N. Y., Sunday (14) was held. The idea was to help the kind in the Broadway scene for some time. This was a second attempt to do so. The idea was to help the kind in the Broadway scene for some time.

## New Equity Election Set for Next May 24

Equity's annual meeting and election of officers will be held on May 24. Since officers will be elected for three years it is expected the secretary-elect, Joseph Solly, will be re-elected. Other important matters are scheduled for discussion and action, as membership one of the major problems facing a majority of members. The election of officers will be held on May 24.



CORRELL UNDER \$10,000 IN CHICAGO

Chicago, April 16. Chicago has plenty of legit action currently following a couple of leaders. "Paris" came into the Grand Sunday (14) with an estimated \$10,000. Philadelphia Story' retained the hit range Monday getting a terrific pro...

Chicago has not been good in late recent weeks, with the ground being covered, however, now devoid of conventions, however, which may account for the hitch, which may account for the hitch.

Key Lorenz' Selwyn (16 wk) (C-1,500; \$2,750). Top grosser as a presently still too high. N.G. 16-16. One more week. Lulu With Father', Blackstone (16th wk) (1,500; \$2,750). Has caught on to a real smash, with play of many months a check. Brilliant at near...

ADDER "Tropical Pinheads" Grand Northern w/1 (11,000; \$2,750). Shows good speed Friday (15) in same house that "Ting Mikado" had a sensational 56-week run. WPA Federal Theatre.

"MARGIN ERROR" POOR \$2,900 IN BALTIMORE Baltimore, April 16. Caught in between record late for The Philadelphia Story' (16th wk) (1,500; \$2,750). "No Night" with the Lantz, currently, "Margin for Error" is a successful transfer, successful \$3,000, according to estimates. In spite of poor-opinion test at \$1,000, play of "Love's Old Sweet Home" by William S. Hart, with the Lantz starred, will follow Lantz.

"Toes," Fair \$11,000, Too Heavy for Toronto Toronto, April 16. Too heavy and too crowded in ur times, despite the record of star Tullah Bankhead. "The Little Peas" limped along to estimated fair \$11,000 last week. Word-of-mouth got ground and latter half of week built, but not fast enough for one-week smash. "The Little Peas" was closed at \$3.50 per.

"Sis. of Paris" Fine \$20,000 in Det. 2d Detroit, April 16. Patrons stayed excellent and for "Sis of Paris", which did the trick of holding up during its second week of the Can in Detroit. Second week was good for an estimated \$20,000, after big \$11,000 in first showing. Tullah Bankhead opened Monday for six days of "The Little Peas". Top on this is \$3.75, as against \$3.50 for "Paris".

2 B'way Plays Fold There were two additional closures on Broadway Sunday (13). "An International Incident" was withdrawn from the Grand, a distinct disappointment that played less than two weeks. "Too On an Imbalance" closed at 11th street after playing 13 weeks. Show was drawing moderate grosses, but dropped in last week.

No new attractions are scheduled for next week. "Love's Old Sweet Home", which was closed at the Plymouth April 22, will remain out of town, arriving during the week of April 29, at which time "There Shall Be No Night" arrives at the Alvin.

SCANDALS, \$18,000, 3D. FOLDS ON COAST

Los Angeles, April 16. For the first time in a number of years the Billboards program, outstanding legit, without boosting its price. "Alb Lincoln" in its second week with Raymond Massey, directed (15) of regular price. Heavy demand in Los Angeles and profitable two weeks here. George White's "Scandals" folded (13) after one week. "The Great Outfit" was hit by abnormal heat. "Meet the People" continues in profit week (15th, \$1,000). "The Show", where it is now in its 10th week.

Estimates for Last Week "Scandals" (15th week, \$3.20) (3d-week week). Dipped to around \$18,000 in one smash, which was only \$1,000. "The Show", where it is now in its 10th week. "Meet the People", (15th week, Hollywood (11.10; \$1.65). "The Show", Very good \$7,500.

LUNTS SMASH \$25,000 IN HUB

Boston, April 16. George M. Cohan has no opposition this week in the Grand. "Return of the Vagabond", which came in Monday (15th) after one week in the Grand. "There Shall Be No Night" left Saturday (15) after one week in the Grand. "The Mikado" ended one week's return engagement and its run at the Grand. "The Show" is now in its 10th week.

"Keep Off the Grass" with Jimmy Durante, played for trust here April 29. Edward Everett Horton came in Monday (15) after one week in the Grand. "The Mikado" ended one week's return engagement.

Estimates for Last Week "There Shall Be No Night", Colonial (15th wk) (1,600; \$2,750). Listed one of the best plays of the season and also the best for the Grand. "The Mikado" ended one week's return engagement. "The Show" is now in its 10th week.

ACTOR GROUP WILL REVIVE COAST LEGIT

Hollywood, April 16. Drama, with an appearance it is being revived in California by a newly-formed non-profit legit troupe. Led by the Philadelphia Story' (16th wk) (1,500; \$2,750). "The Little Peas" limped along to estimated fair \$11,000 last week. Word-of-mouth got ground and latter half of week built, but not fast enough for one-week smash. "The Little Peas" was closed at \$3.50 per.

Paul Green's 3d Charlotte, N. C., April 16. The first time a Williams third in the play series of dramas on the settlement of the Carolinas and Virginia. "The Lost Colony" on New York. "The Show" is now in its 10th week.

The spectacle, as yet unnamed, follows the successful "The Sign of the Cross" and "The Highland Call of Fayetteville". It will open during the second week of William and Mary College, and will run through June, closing before the opening on Broadway of "The Lost Colony" on New York.

4 Operettas on Coast Los Angeles, April 16. The Red Mill will be the fourth and last operetta to be produced by the Los Angeles City Philharmonic Association at the Philharmonic Auditorium. "Edna" (Lantz), producer, has signed Alva "Broad Street" Miller and a chorus of 50. "The Show" is now in its 10th week.

"There Shall Be No Night" Alfred Lunt, Lynn Fontanne—Ford's Baltimore. "The Show" is now in its 10th week.

"The Mikado" (15th week, \$3.20) (3d-week week). Dipped to around \$18,000 in one smash, which was only \$1,000. "The Show", where it is now in its 10th week.

Shows in Rehearsal

"Keep Off the Grass"—Lew Shoshner. "Louise's Purchase"—Buddy De Sylva. "From Under"—Brink Pemberton. "The Stranger Fig"—William Grey. "Grey Barn"—Irving Cooper.

HEPBURN, \$26,000, SETS '39-40 RECORD IN PITT

Pittsburgh, April 16. Katharine Hepburn's "Philadelphia Story" rolled up a new non-musical record for the season at the Nixon last week. It approximately \$26,000 to slightly top previous year mark, held by Helen Hayes' "Ladies and Gentlemen". It was also the first time American Theatre Society subscription offering has played locally at \$3.50 top, usual scale being \$2.75. Show was a slight gain from the last week, estimated to stand in three and four deep.

Announcement that the Hepburn show will be closed at the end of the season locally, leaving ATB to be taken over by the Grand. "The Show" is now in its 10th week.

Saroyan's 'Song' Draws Fair \$13,000 in Philly

Philly has managed to get another leg up. "The Show" is now in its 10th week. "The Mikado" ended one week's return engagement. "The Show" is now in its 10th week.

Current Road Shows

"Alb Lincoln in Hissler" (Raymond Massey)—Billmore, Los Angeles. "Eva, Lullabone" (terpary)—Hudson, Chicago. "Key Largo" (Paul Muni)—Loyalty, Chicago. "Life with Father" (Lillian Gish)—Blackstone, Chicago. "Little Foxes" (Tullah Bankhead)—Grand, New York. "Love's Old Sweet Home" (Walter Winchell)—Parrot, Philadelphia. "The Show" is now in its 10th week.

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Higher, \$26,300, Newest B'way Click; Grosses Off, But Dinner' 20G, Father,' 19G; 'Suspect' Doubtful

Estimates for Last Week Key. C (money); D (drama); R (revue); M (musical); F (farce); O (operetta); S (situation comedy); T (tragedy); W (western); X (other).

"An International Incident" (Barrymore). Withdrawn last Saturday; played two weeks in Grand. "The Show" is now in its 10th week.

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Advertisement for Eddie Garr featuring a cartoon character and the text 'KEEP OFF THE GRASS' and 'EDDIE GARR'.

Brady

C. C. Mohrweiser in Florida on vacation. Walter Lippmann back from London. Aerial Leo to Bermuda for three weeks' vacation. ...

Australia

By Eric Gorbick

Robert Gilson, news theatre manager for Hoyts, killed in auto crash. Ship in hazardous power of Shirley ...

Broader shows are again being introduced in Melbourne and review are now being stationed outside ...

Chicago

Burrage Todd is in Mexico for a spell. ...

Frank Joyce, press agent for the new New York office, has taken over the operation of the Colony club. ...

London

Women giving sales force rest to extent of \$5,000. ...

Charles Taylor has bought the touring rights of 'The Heat', the current Hitman Empire revue. ...

Henry Foster is said to have called off for 'Dulwich' by a ...

Latest book of films dispatched to France for the entertainment of the troops. ...

Pittsburgh

By Hal Cohen

Annual Drama League Contest for amateur groups set for May 27-30. ...

for the leads in 'Road to Reno'

Broilers and eggs for Tony Court's Hitman. ...

Honolulu

By Habel Thomas

Don Fitzgerald now managing the King theatre. ...

Memphis

By Henry Martin

Mrs. Larry Averb related better films. ...

New Haven

By Harold M. Boas

Saturday show at Bijou jamming 'It's a Wonderful Life'. ...

Kansas City

By John W. Quinn

Orson Welles in for personal at the Music Hall Thursday (11). ...

Hollywood

William Orr to Mexico City. Dick Foran signing of contracts. ...

William Hall in Dallas, where his picture is actually lit. ...

Robert Dornell and Paul Short back to Dallas after reaping up ...

Charles Shipley, 81, died of the Acquin. ...

Opening of social police circuit. ...

Tony Scarpelli, operator of Club ...

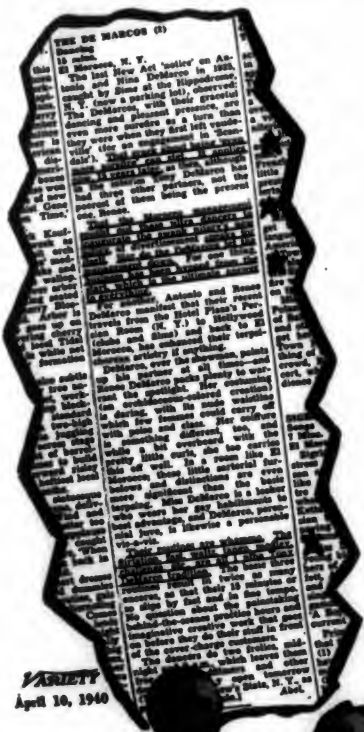
Frankie Trumbauer, native, and ...

Harold Bessner, director of the St. ...

Edna Venturi, Met songbird, ...

Edna Venturi, Met songbird, ...





VARIETY  
April 10, 1940

★ “. . . . That crack about being ‘even more surefire’ can stel. It applies now, 15 years later.”

★ “That the El Morocco management sought out these ultra dancers to inaugurate the swank nitery’s new policy . . . speaks for itself. Nor do the De Marcos let the management down.”

★ “For one thing, business has been hypoped from the start, which is the ultimate answer to everything.”

★ “Their routines are whammo. The flirtation, fast, waltz, tango, medley, challenge, etc., are all in the Tony De Marco tradition.”

# The DE MARCOS

*World's Most Celebrated Dance Stylists*

**Currently at the El Morocco,  
New York, and Doubling in  
Loew's State, New York  
(Week April 11)**

*Direction*

George Wood • Harold Gamm • Music Corporation of America



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VOL. 138 NO. 7

NEW YORK, WEDNESDAY, APRIL 24, 1940

PRICE 25 CENTS

# DIG COIN IN LOVELY HEATS

## Pix Package Deals (Script, Director, Talent, Producer) MCA's New Idea

Scheme variety new to the picture industry, a variation of the increasingly popular independent production unit idea, is being pioneered by Music Corp. of America. It's making up packages consisting of story, screenwriter-director, talent and even producer, and offering them for sale intact to major studios. Studio does its own financing. MCA's purchase of George Abbott's "Too Many Girls," the hit, Kay Kyser picture "That's Right, You're Wrong" and the next one are on that basis. Misinterpretation of the MCA plan has, resulted in reports that the agency is organizing an independent production unit of its own to distribute through RKO. Actually, MCA has no financial interest whatsoever in packages so sold except its commission from the various people. Idea on a large scale, of course, is still in the experimental stage, but some packages being offered up are one including Ben Hur's lead and one based on the comic strip, "Li'l Abner." Kay Kyser deals included services of the orchestra. Dave Butler as producer and director and Bill Condon as writer of the (Continued on page 2)

## Sinclair Lewis May Act in His 'Bethel' For Alexander Korda

Hollywood, April 23. Sinclair Lewis may play his first picture role shortly in Alexander Korda's filmation of Lewis' own novel, "Bethel Meridian." Author of many best-sellers and Nobel prize-winner was tapped by the director last summer and loaned in straw hats and on the road for many weeks in "Angels in 32," which he also wrote. It's fairly certain that Korda will have screen rights to "Bethel," but not actually stipulated, as a deal is being worked out in secret. (Continued on page 46)

## NET QUIETLY SIGNS DEANNA FOR OPERA

Hollywood, April 23. Deanna Durbin has been quietly placed under contract by the Metropolitan Opera Co. and will make her debut in New York during the 1941-42 season. Present plans for the empress opera singer are for her to appear at least 100 times under the tutelage of Andrea de Segurios, former Met bass, and her vocal coach, and to make her debut in this coming fall with either the Los Angeles or San Francisco Opera companies. The Met believes it will have a winner in Miss Durbin, and is planning the biggest publicity campaign since Marjorie Talley hit the house in 1938.

## Cornell Gives Canadian Legit Coin to Red Cross

Toronto, April 23. Katharine Cornell's acting in the Playwrights' proceeds from the Canadian engagements of "No Time for Comedy" will be turned over to the Canadian Red Cross. "Time" is currently playing the Royal Alexandra, here, till Saturday (27); the Capitol, Ottawa, for one performance Monday (30); remainder of week, His Majesty's, Montreal.

## Ready-Made AFL Union Audience For 'Compers' Pic

New producing company, American Pictures Corp., with plans to turn out four films during the next year, was organized in New York last week. Its initial film will be "The Life of Samuel Compers," biography of the famed labor leader. Participating in the financing of it are two high executives of the American Federation of Labor, one of whom, I. N. Orinburn, will serve as treasurer of the new company. Orinburn is chief aide to Matthew Welp, v.p. of the AFL, and co-strewn of the Union Label Trade Dept. No outside release is being sought (Continued on page 55)

## 'ELLERY QUEEN' MAY GO ON COL. RECORDS

"Adventures of Ellery Queen," whodunit series which replaces the Screen Guild program for Golf on beginning next Sunday (28), may set on records by Columbia. Idea is still vague, but aim would be to put a different story on each record. Mystery would be outlined on one side, with the solution on the other. Figure of records would be suitable as a parlor game at parties. "Although Columbia Pictures has sought "Ellery" rights, no announcement regarding the radio cast being used for the film version. Doubtful if any will go. Hugh Marlowe, who plays the sleuth, doesn't want to go to Hollywood for the picture but he is being typed in that kind of part. He's currently doubling in "Margin for Error" at the Majestic. M. V. Marston Shackley plays the femme lead. George Zachary directs.

## A.K.'S EXCLUSIVE GREEP JOINTS

'Antiquated Knights' Big B.O. via 'Friendship Clubs,' Otherwise Dance Halls—No Boogie; Bullish on Waltzes, Polkas and Mazurkas; and Kids Under 30 Barred

By LES BEES  
Minneapolis, April 23. Selling "friendship" in providing highly profitable for Bob Kenney here. His "Friendship Club," featuring that angle, is the largest and most profitable dancehall in the burg and never has felt depression's lash. Kenney started only a year ago with a capital of \$2,500 and an idea. Today he has \$200,000 and is in Milwaukee and recently took over a \$100,000 offer for the local establishment. He owns the ground and buildings in both cities. He is planning branches in several other key cities in the Midwest.

Kenney's idea was to operate a dancehall exclusively for the middle-aged and elderly—but little understood people just shedding the (Continued on page 14)

## 60,000 LETTERS SIFTED WEEKLY

Chicago, April 23. Cashmere soap program on CBS ("Vaseline King orchard") gives away six diamond rings, valued at \$125 each, every week. It has been drawing in average of 60,000 letters a week and has received 700,000 to date.

## Ted Collins' Unique Stant on Zanuck's Bid For a Kate Smith Film

Darryl Zanuck, who has a deal whereby 20th Century-Fox makes guest appearances on the Kate Smith program to plug his studio's product, wants to make a picture based on the singer's career. Matter has been hanging far for some time, with no agreement in prospect. According to Ted Collins, producer of the series, all the story (Continued on page 34)

## Leaders Note Further Retreat From Swing As Waltz Requests Increase

## Eddie Cantor Walks Doing a 'Script Show'

Chicago, April 23. Wright has a deal pending that's considered likely to go through whereby the gum company will sponsor Eddie Cantor in a half hour series starting in September. Among the unresolved questions is the character of the program which may not be another typical Cantor joke-and-musical entertainment but a script show.

## Lion Has Wings' Picketed in St. L. As 'Propaganda'

St. Louis, April 23. Five nabes, the French Herald, Upton, Ritz and Variety, were picketed several days last week for showing the British-made "The Lion Has Wings" (UA-Korda) which was shown here for the first time locally in about three weeks. St. Louis Chapter of the League of Women Voters, organized informally to maintain neutrality in the U. S., constituted the pickets.

## WHITEMAN'S HORSE PART OF EXPO DATE

Indianapolis, April 23. Contracts between bands and buyers have included many clauses but the tapper appears to be the part written for Paul Whiteman's date at the Indiana State Fair, at Indianapolis, on his days beginning Sept. 11. It not only calls for his band but also for his horse.

Whiteman owns and exhibits a show horse tagged "Fit for a King" which took first prize in the "walking class" of the last Madison Square Garden, New York, horse show. Indiana Fair operators created a similar class in horse show here last year as part of the Fair and stipulated that the leader's horse must be entered.

The breed is one of an out of the ordinary type, originating in Tennessee. Whiteman purchased it on the eve of the MSG show and after winning there took first prize in an exhibition at Hartsburg, Pa. It's currently on the maestro's stock farm at Stockton, New Jersey.

Band leaders report that the waltz, particularly that of Viennese origin, is showing signs of a decided comeback. The trend, they say, is evident not only in the hotel spots, but among the clientele of the popular-priced ballrooms. The requests they now get for waltz numbers, declare the maestros, run equal to the bids for waltzes and rumbas. To them the rise in waltz favor is another indication of the sharp reaction that has set in against swing among the general run of local shifters.

Another observation aired by band leaders has to do with the great interest that dancers are showing in string sections. Whereas the youngsters used to crowd around the band platform to watch the performance of the drummer or the brasses they now center their copies on the antics of the fiddlers.

As an interesting case in point on the waltz comeback the leaders cite the entertainment provided for a major Broadway ballroom, in new holding waltz contests Thursday nights. That need to be the night that jitterbug gave out for prices in the shuttle spots along its stem.

## 'Borchert Circuit' Would Spend \$20,000 to Mix The Onerous Cognomen

Monticello, N. Y., April 23. Proprietors of amateur hotels in the Catskills and other localities, where "social directors" are the rule and entertainment is provided for the guests, object to their places being referred to as the "Borchert circuit" because of the unfavorable connotation it has. They have an organization known as the County Round Hotel Assn., headquartered at Liberty, N. Y., and claim \$20,000 will be needed to finance the appeal. This is expected to be accomplished through publicity and different types of shows than offered heretofore.

## 280 SCHOOLS REQUEST NEW ALMA MATER SONGS

Fred Waring's radio program for Chevrolet, which carried a special college song idea as a gag, now has 280 of those written to date, shortly for recording. Institutions and requests are in from the schools and student members of 280 schools that they are similarly situated that way. This means about 50% of the U. S. institutions of higher learning have the yea for a special detour such as Paul Ballard, Tom and Fred Waring jointly grind out every week. "Waring's World" a music company publishes them, and the idea will be still further extended next season.

Theatre Forces General Electric
To Cancel 4,000-Seat Auditorium
For Phil Spitalny's Performance

Pittsburgh, April 23.
Local opera's "Host of Charm" produced from Arny Saxon... was transferred from the 4,000-seat Strya Mesque to William Penn Hotel... with a capacity of 800...

WITHERS NOW A STAR:
HER PIX GO OUT ON %

June 7. Withers moves into the straight percentage brackets with her new picture, "The Best"...

Burdages' Murder, Inc.
Claimed By 5 Others

Three major film companies and two freelance writers are battling for ownership of a screen title which is the most original. "The Best"...

Miller Gets Yuk Rights
To Play on Lily Langtry

LONDON, April 23.
Gilbert Miller has secured the American rights to "Jenny Lily," currently in the Gaiety Theatre...

SAILINGS

May 4 (Gonna to New York) Irwin Duhan (Manhattan)...
April 20 (New York to Genoa) Lillian Howers, Maxwell Setton (Manhattan)...

Set Clocks Ahead

Sunday news (38) now daylight saving time officially in effect almost all over the country...

Vallee, Crosby, Free
Others Partners in Own Coast Nitory

Hollywood, April 23.
Group of eleven film and radio names is going into the nitory like an even, equal partner in the enterprise are Rudy Vallee, Bing Crosby, James Flier, Bob Hope, Fred MacMurray, Tony Martin and Ken Murray...

RINGLING CIRCUS AGAIN
HAS SOG DAY IN N. Y.

Ringling, Barnum & Bailey circus, at Madison Square Garden, continues its seven-day run in the city...

MODELS WHO CLICKED

Thornton Uses a Few Pictures Stars from "The Field"
Walter Thornton, who has a leading picture in release, today will take the exception to the statement that models are black as screen products...

Robbins' Miami Rest

Jack Robbins last week left for Dorothy Robbins' wife to left in town. Doctor's orders.

B'way Ann's Amus. Big
Parades Never Come Off

Parade of show business personalities, scheduled by the Broadway Ann's, last Friday noon (19) to open "Theatre Week," failed to take place. At the last minute it Broadway Ann's set it back to yesterday ("To-day"), but later announced it was "undecided" for a week...

SHOW BIZ GAGS
FALL THREE
POLITICOS

St. Louis, April 23.
Henry N. Pross, former circus artist and juggler, A. L. Rado, who staged a magic show, and George A. Hays, who talked for 48 consecutive hours in a stunt...

MULLING ARTIE SHAW
BAND EXPOSE PICTURE

Hollywood, April 23.
Inside staff on the band picture, "Some Blow Your Horn," written by Artie Shaw and Frank Butler...

L. A. TO N. Y.

Billy Daniels, James A. Fitzpatrick, Henry Hoffa, Myrtle Carson, Alexander Korda, Ed Lawrence, Kenneth McKenna, Donald Novis, Harry Archer, Edinger, Joseph Van Nostrand, Nat Wachtberger, Franklyn Warner, Henrietta Wynne, Alfred Wright.

N. Y. TO L. A.

Russell Johnson, Gilbert Solomon, Leo Mittler, Virginia Whybark, Uya Whyte.

ARRIVALS

Michelle Lauriat, Marion Chase, Mick Weirich.

Bill and Ed's Place

New 33rd street news to CBS production studios in New York show a distinction and CBS has been a success story...

Hamtramck Mama' Irks
Detroit's Polish District
Officials, They Ban It

Detroit, April 23.
Turning it 'suggestive,' the town of Hamtramck has ordered removed from all beer garden shops the record "Hamtramck Mama" a recently issued record which in many spots was getting worn from frequent playings...

N. Y. NITERYIES GIVING
WORLD'S FAIR A BRUSH

An Idea of how little the New York Fair is liked in the N. Y. Fair is 1940 is gathered from a survey of many to show for the summer period schedule. Ever the air-conditioned niteryies, which last year figured on that element to attract the general public, don't care much either way.

W-a-a-I Swam, Alice
Is A Two-Gun Gal Now

Hollywood, April 23.
After finishing "Down Argentine Way" at 20th-Fox, Alice Faye has the title role of "Bell, Storr," two-gun gal in film of that name.

Seiter's Solo for U

Hollywood, April 23.
William A. Seiter carried a deal with United Artists to produce and direct one picture. Contract carries option for additional film.

TELEVISION G.O.P. CONVENES

Republican convention in Philadelphia this summer will be revised, making the first political national conab to be fully covered by television. Arrangements were set last week.

Selznick, Capra
In Move to Org.
Indie Producers

Hollywood, April 23.
David O. Selznick and Frank Capra have launched a movement to re-organize production companies as a means of safeguarding their interests and solving their problems.

HOWARD LINDSAY V.P.
OF AUTHORS LEAGUE

Howard Lindsay has a named v.p. of the Authors League of America, former organization of the Dramatists Guild and Writers Guild, Screen Writers Guild and Authors Guild. He replaces Kroyen Kerkham, who recently resigned to devote more time to the Marko Cony playhouse, New Hope, Pa., which Lindsay is now directing...

Simons Simon, H.
Cancels Vaude Date

Worcester, April 23.
Harry Wood, baritone, pulled for Simons Simon, H., in weekly vaudeville show in weekly Metropolitan Auditorium this week (21). Sudden illness of Miss Simon, Cass Daily, comedy jester, also appeared as a replacement...

Garfield's 'Fiesta' at WB

Hollywood, April 23.
John Garfield, curvily making his debut in the stage play, "Heavenly Creatures," is the likely choice for top role in "Fiesta in Manhattan" at Warner's.

Pichel's Nazi Film

Hollywood, April 23.
Irving Pichel steps into the director's seat on the 20th-Fox picture "Mardiac's Mail," rolling April 26 at 20th-Fox.

Package Pix

Continued from page 1.
screenplay. Abbott declared the director's rights to "The Package" as his own. Abbott's services as director and producer and any of the cast directed. The package is being handled by studio manager for Abbott, is in charge of the new departments at MCA. He is also in charge of the production on the basis that MCA acts as additional talent pool and story department for the package. The package will supply new ideas in the ready-made packages, according to Joseph.

# RAID ON THE RADIOLAND

## Aussie Showmen Protest 'Variety' Ban

Sydney, April 23. Leaders and others in the entire Australian amusement industry have strongly protested the federal government to remove the import ban on *Variety* immediately. *Variety* for some unknown reason is listed among 100 American pulp and other magazines on which a ban was ordered in order to conserve dollars.

Local film, radio and general theatre amusement leaders declare they "can't do without *Variety*, which is essential to the running of their business," in the formal protest to the Aussie authorities. It is anticipated that the ban is in error and that it will be removed shortly.

The above cabled news dispatch from *Variety's* Australian representative comes on the heels of a general clamp-down by Sydney and Melbourne authorities on 100 American magazines, mostly western, because of their "excessives" in the formal protest to the Aussie authorities. The order is supposed not to apply to fact publications.

South Africa's Minister of the Interior has banned the following American magazines here, in order to preserve the dollar exchange: *Big Book Western Magazine*, *Dime Western Magazine*, *Panama Western*, *South African*, *Star Western True Story*, *Thrilling Western*, *Western Story Magazine*, *Wild West Weekly*.

## Femme Spies Who Work as Niterly Dancers Reported Flooding Turkey

Istanbul, April 23. Modern Miss Haris with all the trappings are accused of being among the foreign female entertainers now flooding niterly in Turkey, particularly in Istanbul.

Of the notable hangouts where a floor show of sorts is billed and entertainers are aplenty, most of the talent is foreign, Hungarian to be exact, and they are here in alien, shaggy and furry, and other animal skins, to please the most exacting of the city's clientele.

Ordinarily, what these girls do outside of dancing, sitting and drinking with the customers comes no flatter so long as they get the tip that would make them and Turkey, though neutral, already betrothed to the cause of England and France, this is a good business ground for the intrigues of the Near East. Consequently, the idea is on the part that some of the girls are more just than had dancers.

## Harry Carey's N.Y. Legit Bow, After 20 Pix Yrs., Also a Family Reunion

Appearance of Harry Carey in "Heavenly Express," which opened at the National, N. Y., last week is not only the occasion of his return to the boards after nearly 30 years in Hollywood, but in the making of a family reunion. Principal reason he accepted the engagement was to be tied his 30-year-old son, and his two children, who are stage aspirants. He plans to make personal his first contact with them.

His wife, Olive, was the daughter of George Puller Golden, one time student monopolist.

Carey attended law school in New York, a classmate of the former (Continued on page 49)

## LOU DIAMOND'S \$10,000 FOU HELEN CHARLESTON

The estate of Lou Diamond, Paramount film and music executive, who died suddenly at the age of 47 while dancing at Orrin Tucker's Waldorf-Astoria (N. Y.) opening April 3 last, will probably total around \$75,000.

Among the bequests are \$10,000 to Helen Charlestone, singer for years in Ken Murray's and Milton Charlestone, and the residue to be divided among the widow, Mrs. Collis Diamond, resident of California, and two sons, Dick and Paul, both in show biz. The Diamonds had been estranged for two years.

## NO RCA RUNAWAY IN NEW MEDIUM

Washington News Views Recent Hearings as Big Break for Film Industry in Terms of Future Developments

### SLOW MOTION

Washington, April 23. Following the recent pushing around given RCA television by the Federal Communications Commission the dope in Washington is that the film industry, as such, and Paramount in particular, may have won a victory important in the future of television, and who will take television, and who is to control what. While there still is confusion and bewildering technical fact-blowing to emerge that the Commission has been put in the position of giving slow-motion television. The Dumont system of 18 frames, engineers are tripping realism, means that television cannot teach films for fidelity in portraying action.

Industry regulars make up their minds regarding full commercialization, or a stop-gap policy, they will take a look behind the record made (Continued on page 32)

## EXHIBS OF 'NAZI SPY' IN POLAND HUNG BY NAZIS

Paris, May 1. That many Polish exhibitors who had shown "Confession of a Nazi Spy" (WB) last week, with only the new Nazi overlords right in their own showrooms is being related by Boris Jankovic, author of Warsaw chief in Warsaw.

Jankovic tells how he had to hide more than 200 copies of the clothing on his back and a few scraps of food in order to get out of Poland and safety. He is presently in Paris, where he has put himself in the disposition of the Polish authorities.

He added, contrarily, "Nazi Spy," which was exhibited in Soviet-controlled sections of Poland.

## Andrews Sisters' U Deal Finally Closed

Off-again, on-again deal between Universal and the Andrews Sisters now set. Final papers were signed in New York yesterday ("Sunday") and are expected to appear in "Night's" a musical, which will go into production in mid-May. Sisters will return to the Coast to make a two-week Chicago engagement.

Andrews are first of the cast for "Night" and the Andrews Sisters are in celluloid and follows seven titles conducted by Larry Goldkind, eastern talent agent, in New York. Inasmuch as engagements made it impossible for the three to go to New York, it was decided to make its first tests in three years in the east. Contract is for one picture with options up to 12.

## Ide Lupino's 3 WB Pix

Hollywood, April 23. Ide Lupino checked in at Warners on a three-picture deal with a possibility of further pictures.

First assignment is "They Drive by Night" with George Raft and Ann Sheridan.

## RATOFF'S ONE-WATER

Hollywood, April 23. Gregory Ratoff has a new 20th-Fox contract, this time solely as a writer. His previous pact was a three-way ticket as actor, writer and director.

## Phonograph's Fate Cited By RCA As Reason Films Should Not Be Stiff-Necked About Television

### They Called It Shelter

London, April 23. A public air raid shelter had a twofold purpose, Bobbio learned recently.

They relied on for being a gambling joint.

## NO 'OVERWORK' FOR CERTAIN 10TH STARS

Hollywood, April 23. Darryl F. Zanuck's answer to critics that he is overworking a handful of some players came today in a statement from the 20th-Fox production chief. Zanuck said that a maximum of four pictures will be given to those who had been singled out as having been seen too much on the screen.

Those affected are Alice Faye, Don Ameche, Henry Fonda, Richard Greene, Louis L'Amour, George Raft, Joyce, Santa Maria, Shirley Temple, Jane Withers.

Those who will be chosen with special care on the type of story that would dovetail with their particular talents.

## Brenda Frazier Declines To Meet Stodge of Same Name on Bob Hope Show

Cobain Wright, Jr., socialite, will meet the "Cobain" of the Bob Hope program when the latter originates from New York April 28. Linda Frazier, Thomas tried to book Brenda Frazier, M. V. deblatante-beleum, for another installment but the bid was turned down, as also happened in the case of Edgar Bergen show when it buzzed from New York recently.

L. T. M. will close this week for "The Maid" serial short by Jerry McGill, as the former substitute for Hope, starting June 26. Agents also had submitted a new idea, "Sally's New Fugue." Later is "We'll Be People" and the combination and dramatizations deriving strictly from musical directions.

## 'OH, MR. GALLAGHER' AVAILABLE FOR AIR

"Oh, Mr. Gallagher" has become available for unrestricted radio use as the result of an agreement entered into between Jack Mills of Mills Music, Inc., and Al Shean, of the written vaudeville team of Gallagher and Shean. The pact gives Mills the right to exploit the tune any way he wishes, not only in radio but in film and television.

The radio and Shean uses of the song have been in controversy for years. Shean wants to see who who broadcast it, claimed that in his deal with Mills Music he had retained being he use that Byron Fong brought to enforce a claim of copyright.

Atlantic City, April 23. Television will benefit the motion picture industry rather than compete with it or threaten it. So stated T. J. Joyce, of RCA, in addressing the Society of Motion Picture Engineers new in motion here. Joyce warned the film industry not to duplicate the short-sighted folly of photograph record industry which did not recognize the importance of radio 10 years ago. "As a result," said Joyce, "the radio industry now controls recording. Two other history repeats itself."

Joyce told SMPTE to treat television with respect and keep in touch with the latest developments in the field, revealing that technical difficulties were being overcome in fast order and that the limitation on picture size, which has been a major obstacle will be solved. Merchandising is the current problem, he added.

Going into detail on the probable relationship expected between television and picture, he pointed out, among other things, the abatement (Continued on page 32)

## Dick Powell's Dinery Gets H'wood Opening, Stars Behind Counters

Long Beach, Cal., April 23. This city's new 100,000 square foot restaurant is now open. The kitchen and cinema set up in the kind gas emergency in the opening of a new 100,000 square foot restaurant. The ordinary camera-empire built up with an aura of tinsel and bling-bling is being replaced by the Powell.

Back native Long Beachite, movie industry mogul and presently NBC's boss of the Coast factory, now has a new restaurant, the most glamorous event to let it go by with (Continued on page 6)

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Florida C. of C. All Set, Now Bring On the Actors for That H'wood Touch

Miami, April 23. Florida, which started to become a film production center when Hollywood was still dodging...

'Unusual' in N. Y. Too

Matro during the past week got all of eastern production—or, rather, eastern non-produce...

WAL ST. NOT SO PESSIMISTIC ON FOREIGN

At least complete gloom with which the majority of film companies currently are viewing the war...

Almost complete gloom with which the majority of film companies currently are viewing the war...

Regarding the domestic market, the industry says the outlook is bright because an increase in income...

Richard Myerberg and sub heady there is a federal order against Edwin E. Webster, Jr.

\$35,000 Contingent Suit On Disney Stock Issue

Richard Myerberg and sub heady there is a federal order against Edwin E. Webster, Jr.

WB Term John Kennedy, Carnegie Tech Alumni

John A. Kennedy, graduate of the Carnegie Tech drama school...

5 Outfits In Star-Machine Picture Field

Five outfits are maneuvering at the post in the Dime-in-the-Slot Star derby, hoping to beat the barrier...

Recent in the starting line are the Mills and Puritan circuits, which have been turning out slot machines...

Herbert Kline, documentary producer, left New York yesterday (Tuesday) for Mexico, where he will work with John Steinbeck on a film...

KLINE-STEINBECK 'MEXICAN PEDON FILM'

Herbert Kline, documentary producer, left New York yesterday (Tuesday) for Mexico, where he will work with John Steinbeck on a film...

Other News Pertaining to Pictures

- British letter change: Jimmy Hays in 'Yank picture'... REKO's British revolve pic... Amatche-Pic sub Charles Boyer... Allison Prince's red tie... Tony Martin show vacations... B.B. & O.'s L.A. setup... The Deland... Michael Reiter: Anna Neagle, Edward Arnold, Dolores del Rio... Dick's ABCAP report due... N. Y. Pat's 'Jubilee' aftermath... Revere, London play review...

Par Execs Due on Coast to Whittle Top Salaries; Bob Burns, Others to Go

Castello Light to M-G

Don Castello, back and picture actor currently active in radio in New York, goes back to the Coast in search of a contract...

UA SALES EXEC SETUP MAY BE RESHUFFLED

Uniqe situation at United Artists of having two salesmen with equal powers is about to come to an end...

Splitting the power are Harry Gold and Sam Schiff, eastern and west coast sales executives. They're both also vice-presidents. Prime reason why the dual control has been discussed is to bring in two years is the difficulty of choosing between them...

One solution of the problem which has been discussed is to bring in an outsider and let Gold and Schiff continue as eastern and western heads of the sales division...

Bringing in an outsider, however, is likewise felt not to be the proper solution, hence the existing likelihood that Gold will get the call...

Dick Powell

Conceded from page 1... carry fourth and make a two-shot landing... Powell is about to be poured into it with NBC's... Dick Powell will be in the States... Dick Powell will be in the States...

Hollywood, April 23. Bob Burns leaves the Paramount fold as controller of the current picture, 'Cavalry'...

Parsons currently has eight pictures ready for the camera, with four in production and five in the editing room.

Russell Holman, in charge of Paramount's production department at the heart of the Coast... to discuss '40-41 picture. It'll remain west only a week or so.

College Students Force Better Film Clearance in Texas

College Student, Tex., April 23. Students at Texas A. & M. have instituted a boycott of the three theatres in the town of Bryan...

As a result, when a local group headed by Thos. and C. Walker began construction of the Campus theatre, the bids were jubeled in an attempt to get something. When they learned, however, that distrib had deiced the Campus theatre...

Reasons might in their arguments is the fact that the population of Bryan has not increased so rapidly as the population of the U.S. possibilities here are as good as the Par. Students are talking of taking a petition to the Thurman Art's division of the Department of Justice if product isn't routed into the new house faster.

PAR IN PRODUCTION BID TO OSCAR SERLIN

Russell Holman, Paramount's eastern production representative, and John Byron, eastern play editor, have bid to Oscar Serlin, producer of 'Life With Father'...

Util producer pact with studio financing has been offered Serlin by the new company. However, he never finished any pictures for Paramount... Serlin had a long history of joint Selznick-International. From S. I., Serlin went into play producing...

WESTERN GUYS PROTEST U. S. PIC LOCATION TAX

Hollywood, April 23. John E. Mills, Governor of New Mexico, charged in writing several other western state executives to protest against the Federal tax levied against motion picture companies locating on Government land...

British Letter Change

- Jimmy Hays in 'Yank picture'... REKO's British revolve pic... Amatche-Pic sub Charles Boyer... Allison Prince's red tie... Tony Martin show vacations... B.B. & O.'s L.A. setup... The Deland... Michael Reiter: Anna Neagle, Edward Arnold, Dolores del Rio... Dick's ABCAP report due... N. Y. Pat's 'Jubilee' aftermath... Revere, London play review...



# Refuting 'Consent' Rumors, Arnold's Testimony in Behalf of Neely Scores Present Distrib-Exhib Film Setup

Washington, April 23.—Congressional approval of all kinds between picture production and exhibition is the only way to bring about the amount of cooperation, industry, assistance and industry that the American Film Institute, Assistant Attorney General Thurston Arnold testified Monday at a suddenly-called hearing of a Senate Judiciary Subcommittee. While the Justice Department has taken any definite stand, the head trust-buster applauded the proposal of the Federal Trade Commission of West Virginia, forbidding any kind.

Arnold's prospect that the pending New York litigation will be ended with a consent decree was seen in Arnold's remarks about the economic situation that he thinks requires correction through imposition of the Sherman and Clayton acts. The Department of Justice official reiterated his belief that diverts is an entirely unworkable method of forcing theatre-owners to make it any other way will not benefit them. Meanwhile, however, sudden out-of-court settlement of two Justice Department anti-trust actions against the picture industry and the paper box industry has provided new revelation that the consent decree is a compromise result in compromise in the film litigation.

**STUDIOS PASSING UP LAST MIN. TOUCHDOWNS**  
Hollywood, April 23.—Shortage of available picture franchises for next autumn, with most of the studios ignoring gridiron action, has been reported by the studios. The New York Times, United Artists, Columbia, Universal, Republic and Warner Bros. have made no provision for going all-out.

The Life of Knute Rockne at Warner Bros. is the only picture Paramount's Pollock starts on a gridiron and winds up in Poland. The picture is being made in Poland. Paramount's Pollock starts on a gridiron and winds up in Poland. The picture is being made in Poland.

**Waltz into N. Y. for Par, Fabian Over Middletown**  
Transfer of George C. Walsh to the Paramount home office to operate the picture New York Brown circuit, instead of Pittsburgh, does not signify a move away from Detroit. The picture is being made in Detroit.

When Walsh comes in May 1, leaving operation to his managers in the field, he will bring Harold Gray, Par's buyer, with him. All distribution of the picture will be handled by Par headquarters. Prior to distribution, Greenberg did all the buying. Walsh is N. Y. from Detroit.

**Accidental with plans under way**  
Waltz into N. Y. is an arrangement has been made with all Fabian to assume active operating control of the picture. The picture is being made in Detroit.

**Jorgensen's Interstate Suit, First of Several**  
Dallas, April 23.—Coming close on the heels of two other suits against Interstate Circuit, W. H. Jorgensen last week filed suit against the chain under a new anti-trust act. The picture is being made in Detroit.

**'MAIRIE' GETS HELP**  
Los Angeles, April 23.—Lee Bowman and Virginia Weidler were announced to costar the Ann Sothern starrer, 'Gold Rush Mairie,' which rolls this week at Metro.

**Harry Royalty Upped**  
Harry L. Royalty, with Paramount many years in various theatre departments and other executive capacity, has been appointed to the post of Harry Royalty Upped. He will be out of town contacting the field frequently.

**Selznick's \$50,000 Outbids WB's 40G For 'King's Row'**  
Warner Bros. and David O. Selznick are battling for screen rights in Henry Bellman's recently-published 'King's Row.' Warner Bros. has been quoted as having bought the book, but before the papers were filed with the Copyright Office, Selznick's story editor, Sam Brown, and Selznick, would like to duck the Warner arrangement.

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# Water Shortage in N. Y., Now Over Points Up Grave Potential Problem For All Aircooled Theatres, Etc.

**To Conserve Aqua**  
In an effort to conserve water, regardless whether a shortage exists or not, N. Y. City's water board has announced regulations whereby the amount of aqua used in new air-cooled theatres will be drastically curtailed. More modern apparatus is said to make this possible.

**SELZNICK'S BENCHLEY SHORTS MERGE VIA WB**  
David O. Selznick will leave New York at the end of this week for the Coast to be his family out on the road for 30 days for the start of a South American cruise.

**WB Long on Shorts**  
Hollywood, April 23.—Halt a dozen shorts and featurettes get the gun at Warners during the next month under the aegis of Gordon Hollingshead.

**Blacks' Series in the Coast**  
The examination of the books of B. K. Blain, N. Y. producer of commercial films, produced by Philip Goodman from book by Guy Bolton and Fred Thompson, 'The Life of O. Henry,' Harry Ray, Marty Ronson and Oscar Brown Jr.

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Some day, perhaps not as far off as a big problem will have to be faced if the amount of air-cooling ever is restricted to only in N. Y. This dire need is sounded in real estate construction, maintenance and operation of theatres, night clubs, etc. The water board has issued a warning that the amount of aqua used in new air-cooled theatres will be drastically curtailed. More modern apparatus is said to make this possible.

These plants which have been in operation prior to the new rule will have about two years grace with which to comply with the city's decree. The amount of aqua used in new air-cooled theatres will be drastically curtailed. More modern apparatus is said to make this possible.

Very often theatres, restaurants or other establishments do not have the room required for recirculating systems. On the other hand, it is pointed out, these recirculating systems are costly and the maintenance plans would not afford them. In fact, the water gun into the picture when the water is in question of what will happen when the sewers are overburdened with the water has to be thrown into some parts of the country already become newer systems have become

Cooling systems utilizing water are the only type of any value from 60 to 70 degrees Fahrenheit. In winter, the water is pumped into the office rooms or homes where to cool them. The water is pumped into the office rooms or homes where to cool them. The water is pumped into the office rooms or homes where to cool them.

**Texas Ait's General Has 'Insufficient Evidence'**  
Austin, April 23.—Attorney General Gerald C. Mann has announced that he suspended his investigation of the Dallas motion picture company, which he declared that he had not found sufficient evidence to warrant the filing of suits.

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# U Fires Its Head Booker, Phillips, As Unionization Activities Spread; N. Y. Salesmen Also Organizing

Following close on the heels of a meeting in New York to unionize film salesman and bookers in the exchange was the necessary dialogue by Universal during the past week of Sam Phillips. He was head-booker for U and with the company 21 years.

Coincident with Phillips' ousting, it was learned that bookers are in the throes of organizing and that efforts toward getting a charter for film salesman, film salesman and bookers, with Phillips later, are being made. The International Alliance of Theatrical Stage Employees is looking to charter the bookers, but it is understood that the organization tentatively is Motion Picture Union.

The IA is the parent union over the Exchange Workers (theaters, inspectors, reviewers, etc.) and has branches throughout all the distributor branches in 1938. Representing John Johnson, president of the Exchange Workers, was aiding in organizing the bookers and declared interest. Among other things, film salesman and bookers are to handle together, as if getting anywhere, it is a question whether they would become affiliates with each other with the Exchange Workers.

**B-A Union**  
The bookers have been organizing through the Bookkeepers, Photographers & Accountants Union. It is claimed, though this is an odd body with which to affiliate. In former Universal is concerned, the company signed a contract with this union last December. In addition to the bookers went in under that jurisdiction. Understood in addition to Phillips, U's deposed head booker, three of the four remaining bookers on the list of U's bookers. Universal has not replaced Phillips pending the outcome of his complaint and the settlement by U. In the meantime in view of the fact U has a contract with the Bookkeepers Union.

According to information around New York's film row, the bookers of the Philadelphia exchange have been advised to organize with the Exchange Workers union, while in Albany about two weeks ago front-line bookers in the city were organized. Plans were reported from there to hook up with the Exchange Workers, though such an affiliation is generally regarded around N. Y. as merging two very different groups.

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**Divergent Views**  
New York salesman and bookers are in a state of confusion. While some believe it might be a good idea, on the other hand, many are opposed. It is felt that a booker or a salesman is always seeking advancement which membership in labor union might not bring. If a closed shop existed for bookers and salesmen, they would be grooved in their work. However, it is felt that where it is the ambition of all to move ahead and become branch managers, the union would be a hindrance to a film company as has happened.

## They're Off—Marxmen

Hollywood, April 23. Marx Bros. moved Friday for Joliet, Ill., to open tour for audience reaction to gas for their next Metro picture, "A Night at the Opera".

**Hollywood Delegates To IA Convention in L.V.**  
Divided on Geo. Browne

Hollywood, April 23. Studio unions of the International Alliance of Theatrical Stage Employees will send a divided delegation to the IATSE national convention in Louisville, June 8. Several of the delegates are pledged to reelection of George E. Browne as international president, but others are split on a platform pledged to a new deal. The IATSE administration probably will have a majority of the delegation.

No more has been made to reopen negotiations between the studios and the Screen Writers Guild. Studio representative Willie Bluff, chairman of the Moving Picture Patrons Local 644, which refused to affiliate with the conference, has demanded that producers open their books to show they cannot afford to continue paying the recent 10% increase or forget their request for a kick-back and start working conditions within 30 days. Herbert Barrett, business representative of the Screen Writers Guild, is handling the deal for the painters.

Pat Casey, producer-labor chief, said.

## U'S 1ST SALES MEET IN A. C. EARLY IN MAY

Universal, planning two regional meetings, is planning to hold its first sales meeting at Atlantic City May 11, to be followed by a western tour in June.

Under discussion is a program of six features and 14 westerns-actions, with a limited 43 feature film season (1939-40) and 14 outdoor film. This year U took on three outside Famous Productions films.

## Langford Femme Lead In Lum and Abner Film

Hollywood, April 23. First straight dramatic role for Frances Langford in the top female spot in "Money Isn't Everything," the first Lum and Abner picture to be filmed by Metro Pictures. The picture is for RKO release.

It is believed if bookers were unionized, about 75% would drop out of the club. Harold Klein, head booker for the Conical circuit, has advised that the club taking in theatre bookers as well as those laying out the date in the exchange. One of the head bookers for a leading distributor stated that things are bad among now among bookers and salesmen. He is of the opinion that possible decision of the ranks by organizing a union. Average success in operating with fewer salesmen and bookers than they used to have.

# PROMOTED FROM RANKS OF EXTRAS

## Gold Moves to Slash List of 7,000 Day Workers—Blair Named Chief Caster at Central—Writers Framing New Contract Demands

It was started by Screen Actors Guild with the transfer of 600 Class B members into the Class A division, with a saving of Class A Juniors. Automatic transfers provided for in the SAG by-law transfer of the SAG based on the number to 1,800 or more. Class A Juniors will continue to pay dues of \$100 a year but will enjoy all rights and privileges of stars and other Class A members. They will be permitted to accept extra calls except upon special authorization from the SAG based on the number to 1,800 or more. Class A Juniors will continue to pay dues of \$100 a year but will enjoy all rights and privileges of stars and other Class A members. They will be permitted to accept extra calls except upon special authorization from the SAG based on the number to 1,800 or more. Class A Juniors will continue to pay dues of \$100 a year but will enjoy all rights and privileges of stars and other Class A members. They will be permitted to accept extra calls except upon special authorization from the SAG based on the number to 1,800 or more.

## Columbia's 6-Month Profit of \$215,582 181C Ahead of '38

Despite provisions made for immediate and anticipated losses in the foreign market, Columbia Pictures net profit for the first six months of this year, ended last Dec. 31, was \$180,800 ahead of the corresponding six-month period of 1938. Company earnings statement, issued last Thursday (18), shows net profit of \$215,582 for the six months ending Dec. 31, 1939, after deducting \$100,000 as extraordinary reserves. The company was made over in the face of this deduction of \$100,000 for the special reserve, specifically mentioned in the company's summary of management policy being aligned with changed conditions outside the U. S.

It is said that the management believed it advisable to revise the allocation of film costs as they would be more in line with present and anticipated worldwide conditions, consequently reducing film costs allocated to England by 5%, which is added to domestic allocation.

Praxy Ralph Morgan of the Screen Actors Guild has been appointed head of the stunt men on the Central Labor Council. Other members of the delegation are Kenneth Thompson, SAG executive secretary, and George W. Walker, chief of the Drivers Local 308, and that extras could be engaged only for "work below the line."

Anthony Blair, former executive secretary of the Junior Screen Actors Guild, has been hired as chief casting director at Central Casting Corp.

The appointment was made following the resignation of Blair, named by the Producers to succeed Campbell Scott as general manager of Central. Blair also has announced an open-door policy at Columbia, stating that the studio will be available to extras who desire an interview. He has ordered closed the post office box.

With the Screen Writers Guild preparing to reopen negotiations with the Screen Actors Guild, SAG executive board has ordered a city-wide survey of writers, in addition to mailing questionnaires to all SAG members. All film writers on Contract, including non-Guilders, will be permitted to register their views as to what clauses should be incorporated in a writer contract with the producers. A committee of approximately 50 SAG members has been named to do the survey. The survey is being conducted by letter through out the city. A general SAG survey is being conducted by letter through out the city. A general SAG survey is being conducted by letter through out the city.

SWG leaders say that two years have elapsed since their original demands were drafted, and that changing conditions will make it necessary to revise the proposed contract. The question of whether to demand a minimum wage for screenwriters, and the percentage of gross to be devoted to their big points to be settled. Several top writers favor a setting a 10% minimum wage, pending a determination of the producer contract with (Continued on page 3)

# U.S. Amus. Tax Take for Feb., 1940, Of \$2,390.93 Would Indicate B. O. Biz Up, But It's No True Barometer

## Duped Out of Jobs

Hollywood, April 23. Merger of Globe and Samuel Bronston Productions caused Henry Verrips and Guy Truster to sleep out to avoid duplication of jobs. Verrips was assistant to James Brown and Truster was story editor for Globe.

Washington, April 23. Analysis of latest Treasury figures on admissions tax receipts demonstrates that happy days are practically here again. Those figures cover all sports, legit attractions, opera, etc., as well as picture theaters. The Government does not break them down to indicate whether the increases or decreases in picture receipts occurred. Trend this year is toward levels not touched since the taxing methods were changed at the pit of the depression.

Unquestioned jump from one year to another gives the levy some boost during the Hoover administration was recorded during March. February 1939 Paramount total, \$1,300,151 last month—based on February turnstile clicks—and out the total for the first two months of 1940 is better than it has been since the bottom fell out of the stock market, at least for theatres where the admission is taxed. For the first two months of 1940 is better than it has been since the bottom fell out of the stock market, at least for theatres where the admission is taxed. For the first two months of 1940 is better than it has been since the bottom fell out of the stock market, at least for theatres where the admission is taxed.

Comparative figures do not appreciate the fact, business in the first two months of 1940 is better than it has been since the bottom fell out of the stock market, at least for theatres where the admission is taxed. For the first two months of 1940 is better than it has been since the bottom fell out of the stock market, at least for theatres where the admission is taxed. For the first two months of 1940 is better than it has been since the bottom fell out of the stock market, at least for theatres where the admission is taxed.

It is said that the management believed it advisable to revise the allocation of film costs as they would be more in line with present and anticipated worldwide conditions, consequently reducing film costs allocated to England by 5%, which is added to domestic allocation. The percentage of film costs allocated to foreign countries amounting to 5% has been effected Jan. 1, 1940. The percentage of film costs allocated to the United States now is 75%, to the United Kingdom, 20%; and to other foreign countries, 5%.

Columbia paid the annual installment of \$200,000 in its debentures last month in anticipation of the due date, April 30, thereby reducing the total debentures outstanding to \$1,000,000. Report cited that the company is in a position, with net working capital, \$1,976,000. The divy on the preferred stock of U. S. also was mentioned in the report.

## NEW RKO ISSUES TO BE LISTED NEXT MONTH

New common and preferred shares of RKO likely will be listed on the New York stock exchange in the next month, according to latest intimations. With these listings, the old common stock of RKO, which has been active trading. Presently the RKO common and preferred is being traded in the Over-the-Counter market. Actual listing must be approved by the Securities & Exchange Commission. The listing of the new common stock is being delayed in anticipation of all figures, including the final balance sheet, for 1939 operations.

## RKO's Broad Acres

Hollywood, April 23. RKO bought 90 acres next to its present headquarters in the city of Los Angeles. New section includes a spur of track for railroad access.

Whether the industry is turned the corner permanently remains to be seen. But it appears significant that the industry is running far ahead of 1939. In February the Treasury recorded a \$267.10 million, and the March improvement of \$762,285 lifts the total more than \$1,200 million since the start of 1939. Total of \$77,000,000 from December to January and a \$4,543,000 increase in February and March payments to the Government exceeds the first time since the end of the war. The Treasury reports that in a row has pocketed more money than in the previous month.

## Obie Adams Taxes Up

Admission tax collections in Ohio for the first quarter of 1940 are up 11.5% over the comparative period last year. Comparative figures are being thing early laying; this approval is compilation of all figures, including the final balance sheet, for 1939 operations.

## DOUGLAS ON ROAD SHOW

Hollywood, April 23. Hal Roach is taking Douglas to Douglas to direct "Road Show". Roach, Jr. and Mitchell Mork are accepting Eric Hatch's novel.

Bain's Reaction to Barnum Bally Idea Reflects Local Perspectives

Baltimore, Apr. 23

Editor, VARIETY: I use by your front page last week that the major aim of film studios are considering revamping their present publicity and promotion methods...

that exploitation can't? Every town and territory has its own peculiarities...

What's the usual routine? From the very purchase of a book, magazine or record up to the actual distribution...

Cantor, Jessel, Parade Hypo Mothers' Bow On N.Y.'s East Side

Metro had plenty of national cooperation in its exploitation of Eddie Cantor's "40 Little Mothers," which was made up as a Broadway musical...

Friends at the Wednesday performance, which went off at 8:14, threw, via 10 cent sale settlement known in the immediate vicinity of the neighborhood...

Fan Meets in Scramble For Film Serializations

Concerned drive-in fan magazines in the biggest headache in their business is the scarcity of serializations in some six fan publications to which much yarns has the fan mag been trying...

Pathe had Phenacy had been trying to tie up full serializations via the various circuits and when they did, the local boys got to the printing press for letters and cards containing one or two extra spots...

Pathe Laboratories, operating conventional and Pathécolor, has announced that a recaptulation was voted last year, coming out May 1 with the new recaptured version of the Statement will cover the 8-year year ending Feb. 28.

Nightstick

Mosquito, April 23

Firer, owner of the lifts here, drove in his own car...

Fireman arriving along a local bank's night depository when a car with three men rolled its handlebars...

SHORTWAVE PIX BALLYHOOK FOR THE BIZ

Major company publicists are convinced that the best foreign radio coverage for their pictures presently is coming from the shortwave...

Scripted material goes out weekly in six different languages over NBC and other major CBS, but to major distributors are incidental...

TWO MORE DRIVE-IN THEATRES ON COAST

Metrols are thriving in California, and steadily are right along in other metropolitan, commonly known as drive-ins. Latest genuine film house project was incorporated in...

Webster's Dies

Mosquito, April 23. Barney Webster has finished his career as a driver-in and RKO product for his drive-in, first major cinema in this sector...

Boothman Assailed

San Antonio, April 23. Charges were leveled against Boothman for his anti-police work, according to local police, which Ray Cogdill says he has with a black-jack...

Rebuilding Fired House

Lincoln, Neb. April 23. Rebuilding of the fire-damaged house, Kearney, started this week. Lincoln exhibitor, get work under way.

More than 50 Houses for Shea With Brown's 4 Added; Other Theatre News

Lincoln, O., April 23. Liberty Theatres, Lincoln and Grand Theatre have been taken over by the Shea Theatre Corp...

The four houses added were two of the 1,200-seat, large Lincoln, and one of the 1,000-seat, smaller Lincoln, and one of the 1,000-seat, smaller Lincoln...

Additional give the Shea chain more than 50 houses, largely located in smaller cities and big towns mainly through Ohio, Pennsylvania and New England states.

Bremen Successes Five

Frank Hansen, former manager of Lowry's Akron, downtown first-run house City market, has shown in the age of the house for the last seven years...

Deal World Premiere In Pit-Cin, Ia.

Pittsburgh, April 23. Best Pittsburgh deal, according to reports, appears to 300-Fox, owned by Mayer...

Public, N.Y., Chas. Handel Public theatre, 1,250-seater on New York's lower east side, last week by the Lincoln Theatre Corp...

N. Y. MP Bookers Banned The Motion Picture Bookers Club of N.Y. exchanges and distributors circuit...

Ship Webster's Div. Wins Dave (Slim) Webster, district manager of the Lincoln Theatre, first prize in WB's 8th annual management contest...

Lamour's Vacash Gres Honolulu Typhoon Preen Paramount has completed arrangements with the Consolidated Amusement Co. of San Francisco...

Bill Gebring, central sales manager, and Karl Wingert of the h.o. circuit, will start the year tour on the Mutual program, "Hawaii Calls," from Honolulu the same night...

Irving Field, who operates the Irving Field, has arranged to offer open-air shows during the summer months, starting last night in May...

Field's Main Films Burton, O., April 23. Irving Field, who operates the Irving Field, has arranged to offer open-air shows during the summer months...

Parade on Friday (19), carrying a print of "Typhoon" with her, and will make a personal appearance at the Lincoln Theatre on the Mutual program, "Hawaii Calls," from Honolulu the same night...

U. S. picture has had a world premiere outside of the states. The picture, which has been held at Lincoln, Monday; Madison-on-the-



Chi B.S. Toboggan; Blonde - Vaude
Nice \$17.00, But Kildare' Mild 5 1/2 C
Rebecca's 3d 10G, Date's 2d 9C

First Run on Broadway
(Subject to Change)
Week of April 23
Antes - Come with the Wind' (M-G) (18th wk.)
Cast - 'Strange Cargo' (M-G).
Reviewed in Vaumr March 4
Criticism - Two Girls on Broadway' (M-G) (3d).

'Mothers-Cantor-Jessel' N.C. \$35.00,
Ed Sullivan Unit- 'Husbands' Big 29C
'Meet'-Wayne King OK 35G in N. Y.

Chicago, April 23.
Like the legitimate theater, the picture business has been run double-breastedly today, with the picture exhibitors generally following the lead of the legitimate theater...

MY SON FAIR
\$7.300 IN K.C.
Business everywhere OK. Quality of attractions shows average every spot and business is keeping up.

Kansas City, April 23.
Business everywhere OK. Quality of attractions shows average every spot and business is keeping up.

Week of May 3
Antes - Come with the Wind' (M-G) (20th wk.)
Cast - 'Strange Cargo' (M-G) (M-G) (19th wk.)
Reviewed in Vaumr March 13

Cyclist' (Par.). Mitchell Ayns. Lope Vega and Bud Shelton went two weeks (six straight for Shelton); first five of second week (one day) satisfactory.

RAIN ALSO Hurts Provs.
'MY SON OK' \$14.500
Premiere, April 23.
Though slightly above average, rains are expected to continue.

Radio Rustics Plus
'Zanzibar', \$16,500,
Gick in Indpls.
Indiana, April 23.
(See Explanation: Lyrics)
It's spring in the midwest, an unusual time of year for one to be ready to harvest, but it's paying off.

DATE'S 2D TOPS
HUB. WITH
\$19,000
Boston, April 23.
Holdover of 'Is a Date' at the Keith Memorial is taking top coin...

Week of April 23
Antes - Come with the Wind' (M-G) (18th wk.)
Cast - 'Strange Cargo' (M-G) (M-G) (19th wk.)
Reviewed in Vaumr March 4

FLOOD SWAMPS
B.O.S. IN CINCY
Cincinnati, April 23.
Cinema hits on the thompson picture 'The People's Choice' (18) and Saturday kept most seating...

Chicago, April 23.
Though slightly above average, rains are expected to continue. Opening of Harrington's spring revival had but one day. The advertised had great a feature, since it was the first time in a long time that the picture exhibitors...

Indiana, April 23.
(See Explanation: Lyrics)
It's spring in the midwest, an unusual time of year for one to be ready to harvest, but it's paying off. The big picture 'The People's Choice' (18) and Saturday kept most seating...

Week of April 23
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Cincinnati, April 23.
Cinema hits on the thompson picture 'The People's Choice' (18) and Saturday kept most seating...

Philly Perky; 'My Son' Smash \$17,000.

'All True' Neat 16 1/2 C. Antry N.G. 3 1/2 C

Philadelphia, April 23. B.O.'s are bullish on split of 'Freshie' December 11-April 22.

'Biggest sleeper in the spring' book is 'Robbers', showing increasing strength in its fourth leg at the Boyd and net at least a couple of more turns.

Estimates for This Week: 'My Son' (UA) (1,262; 25-42-57-63)...

'All True' (M-G) (1,418 wk). Set to bow out last week, but... 'All True' (M-G) (1,418 wk).

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(2nd) and 'True Blonde' (RKO) (M-G), satisfactory \$15,000.

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'My Son' (UA) (1,262; 25-42-57-63)...

stand overripe for reopening old Brooklyn beach season... 'Viva' (New) (20th), first three days...

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Slump Hits Frisco; 'Primrose - Vaude' Good \$16,000, 'Kildare' Nice \$12,000

Caron Loses Appeal In Suit vs. 'Primrose Path'

Decision denying a temporary injunction to Caron Corp. in its suit against RKO Radio and the RKO theatre, N. Y., was unanimously affirmed by the appellate division. The plaintiff, a perfume manufacturer, had sought an injunction to prevent 'Primrose Path' at the RKO.

It was charged that permission had been granted RKO to use the perfume, 'Fleurs de Shosh' in the film, provided it was shown in a manner advantageous to Caron.

MY SON NICE \$16,000 IN DET.

There's nothing very exciting in Detroit at the moment...

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'My Son' (UA) (1,262; 25-42-57-63)...

San Francisco, April 23. Business here is poor all around and not up to expectations...

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PINOCH 'BIG' 20G, ATLANTA

Atlanta, April 23. 'Dogwood Festival' week and the return of grand opera to Atlanta combined to stimulate business in downtown downtown...

'All True' (M-G) (1,418 wk). Set to bow out last week, but...

'My Son' (UA) (1,262; 25-42-57-63)...

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ROONEY, \$11,000, SLOW IN CLEVEL.

Cleveland, April 23. Believed to have been a flop...

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'My Son' (UA) (1,262; 25-42-57-63)...

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Husbands', \$8,500, Big R.O. in Seattle

Seattle, April 23. Night baseball is back in Seattle and hurting pretty...

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'My Son' (UA) (1,262; 25-42-57-63)...

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'My Son' (UA) (1,262; 25-42-57-63)...

'Meet Again' Good \$5,200 on Port. Dual

Portland, Ore., April 23. All pic goers continue to be unimpressed...

'All True' (M-G) (1,418 wk). Set to bow out last week, but...

'My Son' (UA) (1,262; 25-42-57-63)...

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'My Son' (UA) (1,262; 25-42-57-63)...

'CARGO', \$17,000, FINE IN BUFF.

Buffalo, April 23. (Special Exploitation Great Lakes) The average level of audience...

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'EDISON-KILDARE' DUAL FINE \$22,000 IN B'KLYN

Brooklyn, April 23. Low's Metropolitan is all hip up this season and getting very...

'All True' (M-G) (1,418 wk). Set to bow out last week, but...

'My Son' (UA) (1,262; 25-42-57-63)...

COLUMBIAN TALK X

Columbus, April 23. Floyd a spoke a spoke. Mayor Cleveland is the only representative of the Capital City...



# PREVIEW!



Inglewood, Calif.—“**WATERLOO BRIDGE**” stampeded a cheering Preview audience into ecstatic raves as another M-G-M hit was unreeled here at the Academy Theatre. Vivien Leigh, the beautiful Scarlett O’Hara of “Gone With The Wind,” and Robert Taylor in a most powerfully romantic role combined to elicit “ohs” and “ahs” from the femme fans. Eyes of the motion picture colony are on the M-G-M Studio. Last week it was the sensational Preview of Spencer Tracy’s “Edison, The Man.” This week it’s “Waterloo Bridge.” Next week it will be the Preview of Wallace Beery’s “20 Mule Team” and more triumphs to come in Leo the Lion’s parade of successes!

# MOVIES AND THEATRE

## London Vaude Men Will Oppose BBC Free Show for Soldiers on Leave

London, April 9.—The British Broadcasting Corp. has under consideration the routing of the Adelphi theatre for a show to be put on slightly earlier for service men on leave, with tickets to be provided for soldier and friend, free of charge. The general public would not be admitted, but the performance would be broadcast. There would consist of well known professional artists and music ensembles.

An issue as this tends to broaden forward officially, it will be met by a committee of amusement purveyors who will object to BBC acting in opposition. The committee of theatrical managers will consist mainly variety managers who are constantly complaining of lack of facilities to secure enough talent for their shows.

This is due to the refusal of the authorities to give visa to foreign artists desiring to enter England at the present time. In addition, the Home Office is refusing to extend current leave periods for service men. Also, the U. S. Government is making it extremely difficult—not altogether impossible—for actors to Britain.

## New Henson-Shepard Revue Is London Hit; 'Mix It' Lasts One Show

London, April 9.—Leslie Henson's debut as a revue player in 'Up and at 'em' has been loved at the Saville here last Wednesday night (7), was marked by an enthusiastic response that gives the show's last night access. Helped by a best supporting cast including Beatrice Lacey, Cyril B. Sheard, Stanley Howard, Patricia Burke and Carroll Gibbons' hand. However, needed more convincing at the opening, since it ran too long.

Shepard is making the presentation, show having come into the city after a successful run of two weeks in the provinces. Douglas Furber has done the book, with lyrics by Rodgers and Hart, Manning Sherwin and Tommy Connor, staging handled by Henson and Robert Hobbitt.

Another opening of the week was 'Let's Mix It' at the Playhouse, Friday (8), but it showed itself to be a somewhat revue, and it broke the 10-year West End record by last night's one performance.

## MEXICO GIVES \$85,000 FOR RIVERA OIL FILM

Mexico City, April 23.—Oil is to be liberally splashed in a picture for an official movie of some \$85,000, by Diego Rivera, individualistic revolutionary painter, who has been assigned by the Mexican government to script, direct and produce a pic that will state the administration's side in the petroleum case. Rivera is now working on the pic.

## Anglo Monetary Quota Visioned by U. S. Execs

Although action on reviving Great Britain's quota law has been delayed, here in London, the British have about convinced American foreign department executives that it will be realized on a monetary pact basis. Such a quota, instead of the present footage-on sale, would be returned by U. S. distribution.

## French, Aussie Money Curbs Outlined by Hays

Latest developments on currency restrictions in France and Australia were outlined to major company foreign managers and other executives by Will Hays at a luncheon N. Y. Friday (9). This was in line with the policy of the Motion Picture Producers & Distributors Assn. to keep key officials apprised of all new wrinkles in the international situation.

Originally, it had been planned to call major company chiefs together, but as many were out of town, and since the subject was purely foreign business foreign officials were called in.

## Lauria, Col. Rep in Rome; In N.Y. for H.O. Huddle; Says Monopoly May Ease

Possibly that Italian government might revise film monopoly was revealed by Michele Lauria, Italian representative of Columbia Pictures, on his arrival in N. Y. from Rome.

"Negotiations with government officials are pending which, we hope, will do something about breaking up the frozen currency situation," he said.

General domestic conditions in Italy are good. The country would present a profitable market for American films if currency restrictions could be loosened. Italian film companies are doing well. "We are not being outbid appreciably by the French, but a lot of foreign handling. Very few German films are being shown," he added.

Both the American and U. S. are the only American companies distributing in Italy at present. Columbia, which has been in the business, is still being shown.

Visit to Lauria's firm in 12 years in Columbia business. Hays will have a month for general conferences with local execs.

## NO. 1 ICELAND EXHIBITOR TIPPED ON NORSE GRAB

The present revival of Denmark and Norway was tipped to Iceland readers earlier this year was revealed this week in New York City. The exhibitor in that country, visited home office regarding product.

John Johnson was especially anxious at that time to secure 'Gulliver's Travels' (P) direct from the Coast by himself.

This week Johnson was back in New York seeking to get all his product direct from Manhattan.

## E. J. Tait to N. Y. On O.O. for Aussie Legit

E. J. Tait, head of Australia-New Zealand Theatrical Ltd., planes to New York from the Coast tomorrow to look over a stay for several weeks to work out shows for possible presentation in New York. Tait has been in the U. S. since 1935.

Showman headed from Australia last Tuesday (16) and has been held on the Coast by himself.

E. S. Gregg, foreign manager for the United Research Products, Inc., is expected back in New York for three-month tour of Latin American countries around May 10.

## HARDEST HIT IS BOX OFFICE

But All Show Biz Smacked—Legit Has About Doubt Shows Unproduced Due to Void in Players

### PLEA FOR IMPORTS

London, April 23.—A shortage of talent in all forms of British show biz, a factor that has been becoming increasingly acute since the start of the war, is presently the biggest headache among showmen.

Until recently, the biggest reason that the British film industry was in a state of stagnation was the lack of finance. The banks and insurance companies cut up their checks refusing to advance any coin on any film proposition, regardless of how good it looked. Today, there seems to have been a loosening up by these organizations, with several movie producers able to get financing to revive the industry, some even going so far as to justify themselves to the public.

But lack of talent is now the real bogey. Just a few instances: Metro, which has British talent under contract, could not locate the English actor several times to about half a dozen British companies. Leslie Howard, who has been inactive for several months, could have worked contracts if he wanted to. Rex Harrison has received innumerable offers to make pictures in the last few months.

The same applies to legit. There are at least a dozen plays and musicals which are being deferred for lack of leading players.

Wanda B. Barlowe

The biggest offender, however, is vaudeville, which has been getting it in the neck for the last five or six years. It's presently at its lowest ebb. George Black, head of General Theatrical Corp., and Val Parry, his chief banker, have been in close conference with the Ministry of Labor, trying for them to open up to such a large number of men covering up most of the debaucheries by the inclusion of some nudity.

But the going has become increasingly difficult, due to complaints from local Mrs. Grundy. Now, the legit industry will see the injection of new talent. So far, despite common appraisals, the labor market has turned a deaf ear to these plans, and it is supported by the Variety Artists' Federation, which maintains that keeping out foreigners is helping the Britishers to get ahead.

Black is prepared to carry on if the ministry will permit him to use the services of 50 foreign players, his bills, and would even consider 30%; otherwise, he maintains, he will not be able to carry on. He has already been forced to close his 46 theatres in London and the provinces.

## \$25 DINNER, \$10 COVER, BUT IN CHINESE COIN

Imposing are the prices for Jimmy James' new Mandarin Club which opens here Thursday night (23). For instance, a 100 dinner, plus the cover, will set you back 35 markers, which includes the \$10 cover. This entitles a party of four to a \$25 dinner, or to comparative insignificance.

However, the \$25 dinner is actually only \$10 in U. S. currency; the \$10 cover, etc. It all comes under the hood of the exchange.

James' 'lame,' incidentally, sounded locally because he introduced to Shanghai a standard Americanism. He operated the first hot dog stand.

## Belgium Plans Monopoly Newsreel Setup With Nazi Working Agreement

### Japan Eases Curb, OK's 10 Yank Pix for Importing

Tokyo, March 23.—In view of the difficult situation which will face local exhibitors after April because of the depletion of American picture stock, the Finance Ministry has permitted the importation of 10 new films.

Only 11 U. S. pix had been available until the day.

The release of 'Snow White and Dwarf' (RKO) here will finally be made. Conventions had arisen in conjunction with the right of distribution between the local RKO office and the independent Japanese agency, Obei Eiga-sha.

Understand that the delay was due to a question of a distribution permit, and because of the exchange control, the Japan office of the film had been unable to agree to Walt Disney's demands.

### War Blockade Seen Threat to U. S. Cas. Norse Pic Imports

Although most Scandinavian movie studios affected by the present Allied-Nazi warfare have sufficient supply of film to last for a couple of months, U. S. companies here are worried about the possible difficulty in getting future shipments. Producers here are concerned by virtual blockade by both the German and British military. Several participants here are so concerned by any warbar.

Homeoffice report annual delay recently in getting any mail through from Scandinavia, letters post-marked Copenhagen requiring nearly 60 days in transit.

The major companies, which have been operating right along in Germany and Scandinavia, are Denmark, but there is nothing definite as to distribution this far.

### RKO TO RELEASE FILM ON BRITISH CAVALCADE

'A Family of Nations,' British cavalcade film produced in England by Ed Conna, and dubbed in Hollywood by Alan Moskewitz, has been scheduled for wide distribution by RKO, with the exception of U. S. and Canada. Conna is now in N. Y. negotiating the rights with a Hollywood unit to supervise Moskewitz's soundtracking of the commentary.

Ed Conna, British author-director, wrote it and is seen there interviewing British royalty, etc. Conna wrote his first picture in the film, his maiden screen scripting. John Stumer directed.

### British Film Producers In Deal With Unions

An agreement has been reached between film producers and studio film workers through the British Film Producers' Association with the three trade unions for a wage increase.

It provides for a bonus for all employees earning up to \$50 a week. Negotiations for a similar pact with laboratory workers are under way.

### Bea Lillie's Cafe Date

London, April 23.—Bea Lillie returns to the Cafe de Paris, where she broke out most recently. She sails for the U. S. in June.

Frank V. Kneasberg, Paramount's manager in India, arrives in New York late next month for homebound duties with John W. Hack, Jr., Pa.'s foreign chief.

Paris, April 9.—With reliable reports reaching here from Brussels, that Belgium plans to set up a subsidized company and set up a newsreel monopoly much along the lines of Italy's official LAICA. American and French newsreels execs met here last week to discuss informally the situation.

According to the reports, M. Messin, of the Ministry of Information, intends to set up a subsidized company to make and distribute government news. It is further reported that the Belgian newsreel news, or is about to appropriate, 100,000 Belgian francs (about \$17,000) to the new outfit. The same source added that this company would have a working arrangement with the German Ufs for the distribution of German newsreels throughout Belgium, which the Nazis had not succeeded in doing since the outbreak of hostilities.

While the setup would be along the lines of Italy's LAICA, it recalls a similar situation which arose in Switzerland last year. At that time the Swiss attempted to prevail upon the Germans and called for the bill for an official newsreel company. The districts, which include the outlying cantons, overruled the matter, it still hanging fire.

Those affected in Belgium would be the American outfits: Fox Movietone, Paramount News, Pathé News, Universal News, and Metro-Gwynne. The British outfits are: News and Pathé News. The Americans contend that the newsreel outfit would be a violation of the Belgian-American trade agreement.

## 20TH MAKING 4, MEBBE 8 FILMS IN ENGLAND

Hollywood, April 23.—Four 20th-Pix pictures are slated for production in England this year, and probably four of the foreign-made pictures are slated for American distribution.

Probably first to get into the production of 'Brooklyn Bridge,' one of the top-budget pictures of 20th for 1941. The other three are: 'Tycoon Power,' Alton Fayr, Don Ameche, Henry Fonda, Linda Darrow and Estelle Arnold.

## French-British Set Up 'Propaganda Blockade'

Paris, April 9.—After launching a vigorous tightening of the Allied blockade of Germany, the French and British governments have now decided to organize a 'propaganda blockade' against the German film industry. French minister of information, Ludovic Frenaud, has conferred with the British minister of information, over co-ordination of Allied propaganda.

Negotiations for a similar pact with laboratory workers are under way.

It has been made, it is known they agreed on improved regulations for the film industry to centralize the outfitting of the Nazi propaganda machine.

## Sistrom Due From Eng.

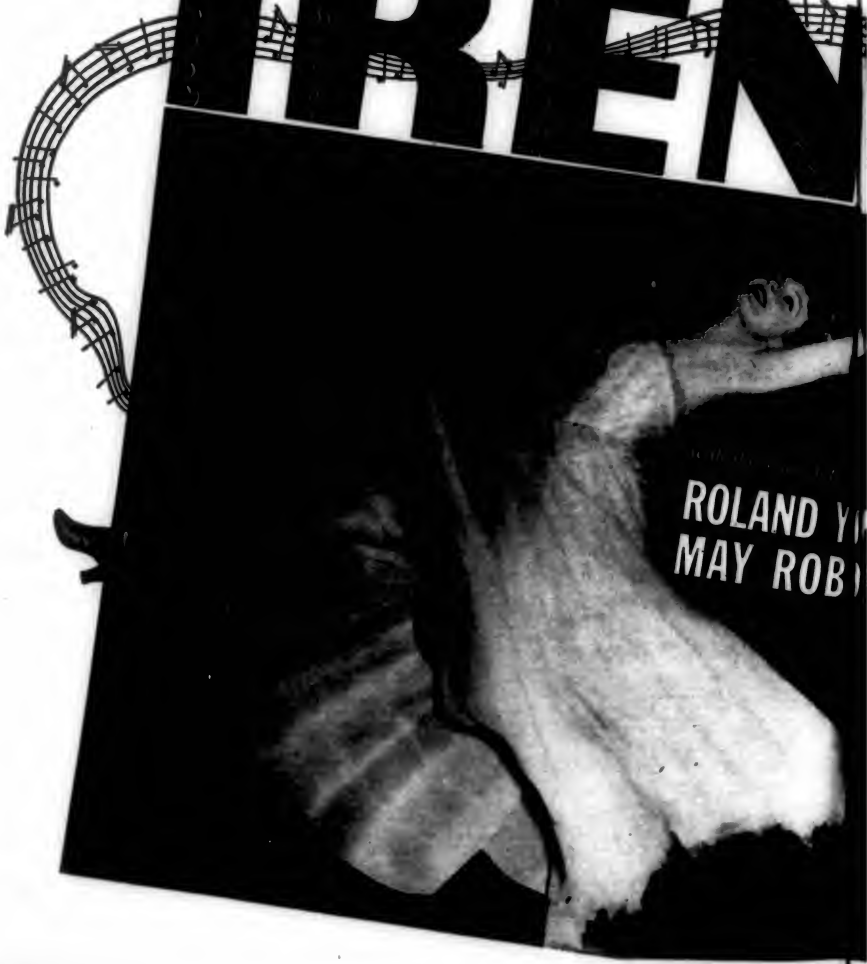
Bill Sistrom, RKO's producer in England, is due in New York this week for homeoffice confab regarding plans for British quota production.

Reginald Armour, the company's European manager, is expected to arrive in the U. S. May 11.

..bound to be a box

**ANNA NEAGLE  
RAY MILLAND** in

**IREN**



ROLAND Y  
MAY ROB

# Office smash" . . . . . says FILM DAILY

**DAILY VARIETY . .**

"For sheer entertainment qualities 'Irene' will take its place among the better offerings of the year."

**HOLLYWOOD REPORTER . .**

"The picture is not only a hit show, but a cleverly conceived revelation of another facet of Anna Neagle's talent."

**LOUELLA O. PARSONS, L. A. EXAMINER . .**

"The exciting beauty of Anna Neagle is Hollywood's chief topic of conversation . . 'Irene' is what the doctor ordered in the way of entertainment."

**VIRGINIA WRIGHT, L. A. DAILY NEWS . .**

"Reveals a radiant new personality . . . Gay, pretty, amusing and altogether refreshing."

**JAMES CROW, HOLLYWOOD CITIZEN NEWS . .**

"Anna Neagle took Hollywood preview audience by surprise. From stiff, starched Nurse Edith Cavell she became gay, bewitching Irene."

**PAUL HARRISON, NEA SYNDICATE . .**

"Anna Neagle is stunningly beautiful, artful and richly comic."

**HARRISON CARROLL, KING FEATURES . .**

"Anna Neagle proves herself a delightful comedienne. She is charming, versatile, and a real addition to Hollywood's roster of bright, winning stars."

**HEDDA HOPPER, RADIO COMMENTATOR . .**

"After seeing 'Irene' I've ordered my Alice Blue Gown."

**HAROLD HEFFERNAN, NANA SYNDICATE . .**

"Herbert Wilcox's direction of 'Irene' is masterly, and it is refreshing to see Miss Neagle as the young and lovely girl we know her to be."

**EDWIN SCHALLERT, L. A. TIMES . .**

"Decidedly in the class realm . . . Light-spirited entertainment particularly suited to the season of the year. Picture thrives on the ever-increasing zest of the star."



**ALAN MARSHAL**  
**BILLIE BURKE**  
**ARTHUR TREACHER**  
**MARSHA HUNT**  
**ISABEL JEWELL**  
**DORIS NOLAN**  
Produced and directed by  
**HERBERT WILCOX**

Screen play by Alice Duer Miller  
From the Musical Comedy "IRENE"  
Book by James H. Montgomery • Music  
and Lyrics by Harry Tierney and  
Joseph McCarthy



IRENE

(MUSICAL)

Star: Anne Nease, Ray Milland, ...

Back in 1919-20 a smash musical comedy, and then in 1936 a hit First National film starring Colleen Moore.

'Irene' emerges this time under the Reno banner as dated comedy.

The screenplay and direction is good, closely follows the original film.

Colleen Moore starred in a 1900-foot segment of a grand sequence, quite revolutionary in those days, but re-run new in a color sequence, very clever and original.

George R. Arthur was Miss Lucy, with offensive and comical purpose and not in the mood to play with girls.

Ray Milland, as the romantic hero, is a plenty cuter than he plays in the picture.

Cast in 'Your Dream a' Gow' and the title song are still very busy these days.

Richard Young, noted for his dry comedy, is merely dry in this picture as manager of Miss Lucy's 'Theater'.

Back in 1919-20 a smash musical comedy, and then in 1936 a hit First National film starring Colleen Moore.

TIL WE MEET AGAIN

(MUSICAL)

Star: Gene Raymond, ...

This remake of 'One Way Passage' still has plenty of oomph left.

The WB original, back in 1932, had the top roles, but the present Columbia version is a better picture.

Warren Duff's screenplay varies from the 1932 version in the direction of Warren Duff's original.

Gene Raymond's performance of the title song is a high point.

Incidentally, there have been two previous 'We Meet Again's' which this naturally should not be confused with.

Cast in 'Your Dream a' Gow' and the title song are still very busy these days.

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Miniature Reviews

'Tress' (RKO). So-so musical comedy remake starring Anne Neuge and Ray Milland.

'The We Meet Again' (WB). Musical comedy remake of the original 'One Way Passage'.

'Broadway Melody' (M-G). Remake of original 'Broadway Melody'.

'The Tins Takes Over' (RKO). Featuring whodunit with comedy trimming.

'Grand Go to Town' (Rog). Regulation Zane Grey western.

'Apres Mein Kampf' (M-G). Musical comedy remake of the original 'Apres Mein Kampf'.

'The Tins Takes Over' (RKO). Featuring whodunit with comedy trimming.

'Grand Go to Town' (Rog). Regulation Zane Grey western.

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'Apres Mein Kampf' (M-G). Musical comedy remake of the original 'Apres Mein Kampf'.

'The Tins Takes Over' (RKO). Featuring whodunit with comedy trimming.

encountering anything particularly interesting. ...

'The Tins Takes Over' (RKO). Featuring whodunit with comedy trimming.

'Grand Go to Town' (Rog). Regulation Zane Grey western.

'Apres Mein Kampf' (M-G). Musical comedy remake of the original 'Apres Mein Kampf'.

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'Apres Mein Kampf' (M-G). Musical comedy remake of the original 'Apres Mein Kampf'.

on appearance as a Britanna ...

'Grand Go to Town' (Rog). Regulation Zane Grey western.

'Apres Mein Kampf' (M-G). Musical comedy remake of the original 'Apres Mein Kampf'.

'The Tins Takes Over' (RKO). Featuring whodunit with comedy trimming.

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'The Tins Takes Over' (RKO). Featuring whodunit with comedy trimming.

SAINT TAKES OVER

Hollywood, April 23. RKO releases 'The Saint Takes Over' ...

'The Saint Takes Over' (RKO). Featuring whodunit with comedy trimming.

'Grand Go to Town' (Rog). Regulation Zane Grey western.

'Apres Mein Kampf' (M-G). Musical comedy remake of the original 'Apres Mein Kampf'.

'The Tins Takes Over' (RKO). Featuring whodunit with comedy trimming.

'Grand Go to Town' (Rog). Regulation Zane Grey western.

'Apres Mein Kampf' (M-G). Musical comedy remake of the original 'Apres Mein Kampf'.

'The Tins Takes Over' (RKO). Featuring whodunit with comedy trimming.

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'Grand Go to Town' (Rog). Regulation Zane Grey western.

'Apres Mein Kampf' (M-G). Musical comedy remake of the original 'Apres Mein Kampf'.

'The Tins Takes Over' (RKO). Featuring whodunit with comedy trimming.

'Grand Go to Town' (Rog). Regulation Zane Grey western.

Republic has turned out its best ...

'The Saint Takes Over' (RKO). Featuring whodunit with comedy trimming.

'Grand Go to Town' (Rog). Regulation Zane Grey western.

'Apres Mein Kampf' (M-G). Musical comedy remake of the original 'Apres Mein Kampf'.

'The Tins Takes Over' (RKO). Featuring whodunit with comedy trimming.

'Grand Go to Town' (Rog). Regulation Zane Grey western.

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'Grand Go to Town' (Rog). Regulation Zane Grey western.

'Apres Mein Kampf' (M-G). Musical comedy remake of the original 'Apres Mein Kampf'.

'The Tins Takes Over' (RKO). Featuring whodunit with comedy trimming.

Light of Western Stars

Hollywood, April 18. Paramount presents 'Light of Western Stars' ...

'Light of Western Stars' (Paramount). Western starring ...

'Grand Go to Town' (Rog). Regulation Zane Grey western.

'Apres Mein Kampf' (M-G). Musical comedy remake of the original 'Apres Mein Kampf'.

'The Tins Takes Over' (RKO). Featuring whodunit with comedy trimming.

'Grand Go to Town' (Rog). Regulation Zane Grey western.

'Apres Mein Kampf' (M-G). Musical comedy remake of the original 'Apres Mein Kampf'.

Apres Mein Kampf Me

(M-G)

Crimes (M-G)

'Apres Mein Kampf Me' (M-G). Musical comedy remake of the original 'Apres Mein Kampf'.

'The Tins Takes Over' (RKO). Featuring whodunit with comedy trimming.

'Grand Go to Town' (Rog). Regulation Zane Grey western.

'Apres Mein Kampf Me' (M-G). Musical comedy remake of the original 'Apres Mein Kampf'.



**NEW YORK**  
Storms sweep the city—so what? 2nd week at Roxy still jams them in!

**PITTSBURGH**  
Despite flood scare "doing jackpot business"! Looks like a run!

**BALTIMORE**  
Audience and press agog! Substantial increase daily... holdover already set!

**CHICAGO**  
The Balaban & Katz flagship leads the Loop again!

**ALBANY**  
Bigger weekend than "The Rains Came"—and talk about rain!

**DETROIT**  
Beating "Stanley and Livingstone"!

*and elsewhere*

Topping 20th's biggest of the season! And we mean even "The Grapes of Wrath"!

*Yes, sir—*  
**JOHNNY APOLLO**  
*means business!*



CAPITOL, N. Y.

Edie Cantor, George Jessel, Buster Brown and Olivera ... Capitol, N. Y. ...

Nextday in routine on a tap ... Capitol, N. Y. ...

Both alternate as m.c.s when ... Capitol, N. Y. ...

Jessel in between clowning his ... Capitol, N. Y. ...

One of the supporting turns is ... Capitol, N. Y. ...

Grace Barrie is held to two ... Capitol, N. Y. ...

Cantor may not get much ... Capitol, N. Y. ...

Earle Wash ... Capitol, N. Y. ...

EARLE WASH

Washington, April 21. ... Earle Wash ...

This one, billed as 'Springtime ... Earle Wash ...

ley, in lieu of overture and house ... Capitol, N. Y. ...

Travellers then open as Neapolitan ... Capitol, N. Y. ...

Gals return to parade a la ... Capitol, N. Y. ...

APOLLO, N. Y.

Charlie Bernet (18) with ... Apollo, N. Y. ...

Known as the most popular ... Apollo, N. Y. ...

Only last week Bernet's group ... Apollo, N. Y. ...

Larry Taylor strikes merrily with ... Apollo, N. Y. ...

Finch and Dash register ... Apollo, N. Y. ...

TOWER K. C.

Kansas City, April 20. ... Tower K. C. ...

Ralph Brown is an able ... Tower K. C. ...

STATE, N. Y.

Ed Sullivan, Arthur ... State, N. Y. ...

Ed Sullivan, New York Daily ... State, N. Y. ...

Sullivan's wit is conspicuously ... State, N. Y. ...

House orchestra, Harry ... State, N. Y. ...

Betty Jaynes and Douglas ... State, N. Y. ...

Charlie Bernet featured ... State, N. Y. ...

Calling out the whole ... State, N. Y. ...

TOWER K. C.

Kansas City, April 20. ... Tower K. C. ...

Rhythm Rovers is ... Tower K. C. ...

Regular formula of ... Tower K. C. ...

Monday night amateur ... Tower K. C. ...

Senior, Cole blends her ... State, N. Y. ...

Wind-up act in Avery ... State, N. Y. ...

STRAND, SYRACUSE

Syracuse, April 20. ... Strand, Syracuse ...

They come on completely ... Strand, Syracuse ...

The colored lady open ... Strand, Syracuse ...

FLATBUSH, B'KLYN

Joe Shelley (18) with ... Flatbush, B'klyn ...

Average bill, without any ... Flatbush, B'klyn ...

STANLEY, PITTS

Pittsburgh, April 19. ... Stanley, Pitts ...

This WB act is practically ... Stanley, Pitts ...

Setup, of course, is designed ... Stanley, Pitts ...

They come on completely ... Stanley, Pitts ...

STRAND, N. Y.

Wayne King (13); Mary ... Strand, N. Y. ...

Pendulum, so far as the Strand ... Strand, N. Y. ...

Modesty and humility may be ... Strand, N. Y. ...

Two of the added acts are ... Strand, N. Y. ...

Delaney, Moore and Martin ... Strand, N. Y. ...

FLATBUSH, B'KLYN

Joe Shelley (18) with ... Flatbush, B'klyn ...

Average bill, without any ... Flatbush, B'klyn ...

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Average bill, without any ... Flatbush, B'klyn ...

STANLEY, PITTS

Pittsburgh, April 19. ... Stanley, Pitts ...

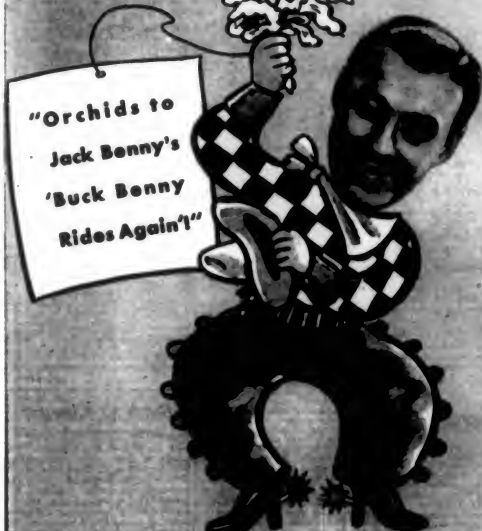
This WB act is practically ... Stanley, Pitts ...

Setup, of course, is designed ... Stanley, Pitts ...

They come on completely ... Stanley, Pitts ...

# ORCHIDS FALL ON PARAMOUNT!

## 2 IN A ROW FROM WALTER WINCHELL!



"Orchids to  
Jack Benny's  
'Buck Benny  
Rides Again!'"

"Take a bow-wow,  
'Biscuit Eater!'"



"Orchids to  
'The Biscuit  
Eater'...man's  
best flicker  
about man's  
best friend!"

"You first, Buck.  
Your ride boots  
Paul Reveré's!"

heff

The **FLOWERS** that bloom  
in the spring **TRA-LA!**  
are Paramount Posies!

Just look at these daisies!



"ROAD TO SINGAPORE"  
Hanging up holdover  
records from coast to  
coast!



"DR. CYCLOPS" in Technicolor. A ballyhoo bonanza. The year's top exploitation show!



"TYPHOON" in Technicolor. Nail down the box office... the Big Wind is coming!

STANLEY, PIFF

(Continued from page 10)
Worked up with the slick atmosphere of 'Boer Barrel Pulla'...

At this point, Stanley goes after some men with their slick manner and 30 girls and how a band reared usually rears...

Stanley is not interrupted by Miss Lorraine... with his own specialty and stage up...

NEW YORK, N. Y.

Latest theatre operation of the Brandt brothers, the New York on the George M. Cohan theatre, unveiled...

New York theatre plans changing programs 'Understand and Thrill'...

At the theatre plans following the European war clearly is indicated...

Much the same story of clips from the American theatre...

Embassy Newsreels Business is good at this pioneer new theatre on Broadway...

Embassy is giving its patron the maximum of the new two...

on American solidarity and 'meeting face with force'...

Sweden is not holding the key to the Scandinavian situation...

American ambulance drivers arrived in Europe...

Opening of baseball season, by Paul O'Neil's no-batter featured...

Accepting the finale of the Remorse Victim's Cause...

STATE LAKE, CHI

Tommy Rizzo, Alvin Dixon, Carl Hill, Fred Kelly...

Standard woodville bill, laid out satisfactorily and which plays a good entertainment...

Headlining is Tommy Rizzo, a bright technician for the show...

Alvin Dixon is back here for another appearance...

Two Trysts is a hand-to-hand adagio tune, and have the basis...

PALACE, CLEVE.

Cleveland, April 18. Blackstone, Van Harvey O'Neil, Barry & Ervin...

Blackstone's orchestra, on its first 50-bar set, gave few breaks...

Localities who have elephants' heads in their stills...

Barry and Ervin, who are making a specialty of musical comedies...

Open bill at the opening, and turning over to Ervin, Howard and...

KEITH'S BOSTON

Boston, April 18. Larimer & Jindon, Kathleen Spivey, Faye Washburn & Jerry...

This week's bill is not only one of the mostest OKK booking jobs...

The Klondikers played here for a return date...

Headliners are all smart numbers, though they have been in the company...

Larimer and Hudson more than uphold the man's reputation for...

Tracy and Ervin, who are making a specialty of musical comedies...

New Acts

TANNER SISTERS (3) 30 Main, One Street, N. Y.

Each of their numbers is held captive in a melody...

BECK BROTHERS (3) 100 Main, Brooklyn.

These dancers, a tapper of light figures and vaude, is here backed by a fine orchestra...

HELEN FANNING 100 Main, Brooklyn.

Rather attractive looking blonde with a gleam of sparkling eyes...

Donny Hudson, has a good sense of showmanship...

GOLDEN GATE, S.F.

San Francisco, April 20. Tracy Curran, Jim Wong Troupe, U. J. Thompson, Ed & La Harvey, Ben Harrison, Al Salzano, Fred O'Neil, Louis 'Princess' Paul (AKO).

An amateur radio-circuit winner, spotted at opening of current bill...

Headliners are the Jim Wong Troupe, doing different things...

U. J. Thompson, a colored tapster, with the usual story that he's here to get out...

New Acts

PAUL HASKON 30 Main, New York, N. Y.

For the records, Paul Haskon is first 'noticed' here under 'New Acts'...

SYLVIA MARLOWE 30 Broadway, New York, N. Y.

Sylvia Marlowe is a polite novelty for her elegant looking outfit...

Borscht Circuit

Under the new cream circuit is 'Stanton in New York', the refugee revue running at the Little, N. Y. Theatre...

Sherman Hops Along

Hollywood, April 22. Harry Sherman's first 1940-41 production for Paramount...

Apres Mein Kampf Mees Crimes

(Continued from page 16) actors. It shows Hitler's birthplace, his insouciant political beginnings...



## THE STORY OF A TRIUMPH

ON Thursday, "REBECCA" will begin its fifth week at Radio City Music Hall. Among all the fine pictures which have played at this theatre during the seven years of its existence, only "Snow White" has played so long—no picture with living actors has even approached this remarkable record.

By the end of its fifth week, in this one theatre, "REBECCA" will have been seen and applauded by some 750,000 people. A picture must, indeed, have remarkable qualities to be so honored. And "REBECCA" has such qualities—not one or two, but *all* the things that go to make up superlative entertainment . . .

A great story . . . made even greater, more vivid, more powerful in its translation to the screen—so that there emerges a picture that reaches the heart and enflames the imagination of all who see it—a love story so haunting and so poignant with tenderness that it becomes a moving personal experience.

Great performances . . . not only by the two stars, Laurence Olivier and Joan Fontaine, but by every member of the group of talented players who make the picture live and breathe . . .

Inspired direction . . . by that master of suspense, Alfred Hitchcock—direction which so welds story and acting, so creates a mood, that one forgets that it is a picture—rather life itself which is unfolding.

But over and beyond story, acting and direction, "REBECCA" takes on the stature of a truly great picture because of the sheer genius of its producer, DAVID O. SELZNICK. The man who made "Gone With The Wind" has given to the nation and to the world another film drama that is truly great—and New York has responded with an ovation of public and critical acclaim.

*This 4 column 1200 line ad  
appeared in all New York  
newspapers . . .*

RELEASED THRU UNITED ARTISTS

## The public says:

"Thank you for keeping his memory alive. You who take part in this glorious enterprise do honor to a beloved American and win the respect and gratitude of your theatre patrons."



# THE MOTION PICTURE INDUSTRY'S ANNUAL TRIBUTE TO WILL ROGERS

Starting Thursday, April 25th  
Will Rogers National Theatre Week

- 1- **GRATIS SHORT SUBJECT**  
All exhibitors taking audience collections will receive the All-Star Short Subject free of charge. Running time 11 minutes.
- 2- **BOOKED EVERYWHERE**  
It is already booked day-and-date in every theatre operated by or affiliated with Paramount, 20th Century-Fox, RKO, Loew's, Warner Bros. and by thousands of public spirited independent exhibitors.
- 3- **PROCEEDS TO CHARITY**  
For the benefit of the Will Rogers Memorial Hospital, Saranac Lake, N. Y., and for other hospital, charitable and educational purposes. And for the aid of local institutions specializing in the care of handicapped children. Note! The Will Rogers Memorial Hospital is open to anyone actively engaged in the motion picture industry afflicted with tuberculosis.



**BETTE DAVIS**  
(Warner's)



**KAY KYSER**  
(R.K.O.)



**JUDY GARLAND**  
(M-G-M)

**THESE STARS APPEAR IN THE SHORT SUBJECT "IF I FORGET YOU"**

(Theme Song "If I Forget You"  
Lyrics and Music by Irving Caesar)

## WILL ROGERS NATIONAL THEATRE WEEK

WEEK BEGINNING THURSDAY APRIL 25th • MAJOR L. E. THOMPSON, Chairman

Order prints from the following Zone Chairmen of WILL ROGERS NATIONAL THEATRE WEEK... or from any branch manager or film salesman. Shipments made through National Screen Service.

**Zone Chairmen and Company**

**ALBANY** . . . . . Joe Miller, Columbia  
**ALBANY** . . . . . John Park, Universal  
**BOSTON** . . . . . Morris Wolf, Metro  
**BUFFALO** . . . . . Sydney Johnson, Fox  
**CHARLOTTE** . . . . . Robert J. Ingram, Columbia  
**CHICAGO** . . . . . T. R. Gillich, Warner Bros.  
**CINCINNATI** . . . . . Elwyn Smith, Metro  
**CLEVELAND** . . . . . Frank B. Davis, Metro  
**DALLAS** . . . . . L. W. McClintock, Paramount  
**DENVER** . . . . . H. A. Froidt, Metro

**Zone Chairmen and Company**

**DES MOINES** . . . . . R. M. Capeland, Paramount  
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**KANSAS CITY** . . . . . William S. Tracy, United Artists  
**LOS ANGELES** . . . . . Clayton F. Lynch, Metro  
**MEMPHIS** . . . . . James Rogers, Columbia  
**NEWARK** . . . . . Arthur H. Schmidt, RKO  
**MINNEAPOLIS** . . . . . C. E. Olson, Warner Bros.  
**NEW HAVEN** . . . . . Leo Wechsler, United Artists  
**NEW ORLEANS** . . . . . E. S. Price, Paramount

**Zone Chairmen and Company**

**NEW YORK CITY** . . . . . Harry H. Bushness, Fox  
**OKLAHOMA CITY** . . . . . Ralph B. Williams, RKO  
**OKLAHOMA** . . . . . Al Hunsicker, Paramount  
**PHILADELPHIA** . . . . . F. L. Matthews, RKO  
**PITTSBURGH** . . . . . Harry Reed, Warner Bros.  
**PORTLAND** . . . . . Louis Amador, Metro  
**ST. LOUIS** . . . . . John S. Griffin, Universal  
**SALT LAKE CITY** . . . . . Charles Walker, Fox  
**SAN FRANCISCO** . . . . . Harvey Ross, Universal  
**SEATTLE** . . . . . Leopold A. Hilsbury, Universal  
**WASHINGTON** . . . . . Sam Whelan, Fox



# PROUD PAPA!



Now the boys from  
**WARNERS** are on the  
 receiving end of the trade's  
 hearty hand-shakes for...

# SATURDAY'S CHILDREN



**JOHN GARFIELD**  
*(Miles ahead of anything he's done!)*  
**ANNE SHIRLEY**  
 in  
**"SATURDAY'S CHILDREN"**  
 with  
**CLAUDE RAINS**  
**ROSCOE KARNS • LEE PATRICK • DENNIE MOORE**  
 Directed by **VINCENT SHERMAN**  
 Screen Play by Julia J. and Philip G. Epstein  
 A Warner Bros. - First National Picture

We honestly feel that this attraction hits a powerful mass-appeal that no other has all season. From the famous Pulitzer Prize play by Maxwell Anderson and  
*Strictly a smash!*







"DOCTOR" IS JUST WHAT THE EXHIBITOR ORDERED!

It's the most exciting way with which Ray Milland, Loretta Young, Gail Patrick, Edmund Gwenn, George Metaxa, Reginald Gardiner and Ken Elgind have ever teamed to give exhibitors a picture that is a real crowd pleaser.

**LORETTA YOUNG • RAY MILLAND**

*The Doctor  
Takes a Wife*

with

Reginald GARDINER • Gail PATRICK • Edmund GWENN • George METAXA

Screen play by George Seaton and Ken Elgind. Directed by ALEXANDER HALL. A COLUMBIA PICTURE



GENERAL  
RELEASE  
APRIL 25





---

# THEY TAKE THEM ALL IN THEIR STRIDE

---

DIFFICULT, unusual, routine—no matter what the shot requires, one of the three Eastman negative films will more than fill the bill. Special ability backed by unvarying uniformity has made them the mainstay of modern cameramen. Eastman Kodak Co., Rochester, N. Y.

J. E. BRULATOUR, INC., *Distributors*  
Fort Lee                      Chicago                      Hollywood

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**PLUS-X**  
*for general studio use*

**SUPER-XX**  
*for all difficult shots*

**BACKGROUND-X**  
*for backgrounds and general exterior work*

**EASTMAN NEGATIVE FILMS**



# TEXACO NOT RAMPANT THIS SUMMER

Texaco doesn't intend to do any extensive spot advertising this year. It may add a few stations to its present spot list but there will be no markets where special advertising problems have developed. It was disclosed by the account Monday (21) in answer to a report that it had made up a list of local programs for the warm spot.

Chicago is carrying loans on 16 stations in Texas, including WFTL, Dallas, and newcasts in Montana. Last week Texaco added Ben Perrin and Mark Bennett to the writing staff for the Hollywood section of its Wednesday night hour on CBS. It is expected around May 11 when it will pick up the option on this show for the fall.

# RADIO MAN DOESN'T KNOW HOW TO SLEEP

St. Louis, April 23. Charles Schreyer, CBS Farm Reporter and editor of the "Rural" early a. m. Farm Journal, is hobnobbing on crutches as the result of a fall down the basement steps of his home while walking in his sleep. Schreyer, still on his bed despite painful injuries to his leg explained:

"I awoke at home during one of the inebriated chances I get to do this. The next thing I know I'm at the bottom of the steps all broken up."

All dropped up and sleepy in bed, he was taken to the hospital by John Jacobs, who in a silk hat, striped trousers and frock coat is doing a department stint at the station. St. Louis police circus his daily at the Arena. Jacobs does his circuit a. m. and the station until noon, but one to the Arena, does his circuit and works the matinee. There are no stations in the city, but one of the mikes and again to the Arena for the p. m. performance.

"In making plenty of holding money in the dead state, but is losing a bunch of shut eyes."

# Drincoll, Danzig Divide Johnstone's WOR Duties

G. W. Johnstone's job at WOR, New York, becomes two jobs under management decision following Johnstone's appointment by Charles D. Johnstone as radio director of the Democrat National Committee. Dave Drincoll will be director of special events, and Harry Danzig, director of publicity, of Johnstone's.

Johnstone says on until May 1, when he reports in Washington.

Dick Donahoe, staff publicity manager, will quit WOR to accept the same job. He already has the W-M Broadcasters, Inc. account.

# Ted Collins Still Ill

Ted Collins, who underwent a major operation, still is in Mt. Sinai hospital in N. Y., unable to have visitors or take phone calls. Conditions in reported considerably improved, but probably won't be out before the end of this year's next week.

# Limow In, Kaufman Out

Indianaapolis, April 23. Lester J. Limow, former sales manager of WCAE at Ft. Wayne, announced the resignation of WFDM, including John L. Kaufman. Letter returns to New York.

# Flying Tea Parties

Committees of ladies are meeting in various cities across the U. S. A. during the next fortnight. Their deliberations are devoted to the arrangement of tea parties by shortwave pick-up.

The flying tea parties are part of the new organization arranged by the National Advisory Committee for Women's Participation of the 1939 New York World's Fair. Frederica Hillot, of the Fair's radio department, is pointing from national headquarters.

# RADIO'S SPRING EXERCISE BEGINS

"Plantation Party," currently on NBC blue (WJZ) 9-9:30 Friday nights for Brevers & Williams broadcasts, goes off with the May 10 edition. Russell M. Seeds is the program director. A new series "Town Unincorporated" from the 10 p. m. Sunday spot on a split red network.

"Crossroads," sustainer with Doris Keppen, written by Francis Markey, went off Sunday (21). "From Hollywood Today" replaces "Child Growth Up," a local sustainer over WMAA, a radio series of the "Tom Mix Straight Shooters" series for Halton Purina Co. originating in Chicago and heard over NBC Blue (WJZ) Monday through Friday afternoon, goes off after this week.

"Mardi Gras" (18-minute Saturday morning series out of Cincinnati for Arma White Lead & Color goes off on WJZ 10-11:30 broadcast. Henri, Hurst & McDonald is the agency.

"Mardi Gras" (18-minute Friday night NBC blue hookup out of Cincinnati for the Ohio Gas Co. folds with the May 24 stanza. Byer & Bowman is the agency.

# KABC Sacrifices Swing For Baseball; Clamor Forces Delayed Discs

San Antonio, April 23. Due to the baseball broadcasts heard on station KABC, the talker Raymond Gram Swing, mutual network commentator, heard here, contacted with the play-by-play account had to be discontinued.

So tremendous was the telephone call to the station, as well as letters, wire messages and WJZ news editor Curry Swing's talks that KABC are recording the speeches and are releasing all there at the conclusion of the ball games.

Several of the listeners offered to pay for the transmission of the talks. Yet the broadcasts are un-sponsored locally.

# CALKINS & HOLDEN PLACE OKLAITE SPOTS

Calkins & Holden agency has placed a series of spot announcements on 20 stations for Oklahoma. Campaign, to run 10 weeks, is the first time the client has used radio to such an extent and the first time at all there at this time of year.

Flugs will go in local program breaks or on participation shows.

# Mrs. Pike Leaves WGY For S. K. Ellis Agency

Schenectady, N. Y., April 23. Mrs. Pike, who has been with WGY for five years under non-radio of Betty Lennox, has resigned, effective May 1. She will be joining S. K. Ellis, New York, as writer of food copy. Another of her jobs will be making up the copy for the new radio of Betty Lennox until the original upon manager of NBC, is to be taken over Household Chat.

# PALEY STALKING OTHERS

Stations Withdraw From NBC Management July 1 and Affiliation May Be Changed Along With the New Setup

# RED, BLUE ANGLES

Decision of Westinghouse to withdraw its stations from the management of NBC this July has been accompanied by heavy propositioning from both NBC and Columbia on the matter of network affiliation. William S. Paley himself is reported to be visiting in Indiana Westinghouse to shift the alliance of KRDA, Pittsburgh, from the NBC-blue to CBS, while NBC is said to be negotiating to primarily aligned with the red net.

The divestment step is a result of moves from the Federal Communications Commission against absolute licensee. The Government has taken the position that it favors non-parting licenses. Westinghouse, in turn, has not been disposed to be primarily aligned with the NBC blue.

The effect on Westinghouse station personnel, all presently NBC men, is one part of the development which will constitute one of the biggest network shifts in some time.

It is also reported that Westinghouse is on point to align with WBE, Boston, another WJZ-owned, as far as a new network deal is concerned. If KRDA goes red, WBE would have to receive similar treatment, which realignment would affect John Sheppard's WJAC, the current red outlet.

Also aimed up in these maneuvers are a number of Hearst stations. WCAE and WBAI, Baltimore. NBC has done some talking about acquiring the red release in Baltimore to WBAI, but it is understood that the Hearst organization will take the position that any such move will not be countenanced if WCAU is deprived of its red status. Out of this negotiation may come a complete network alignment for the two Hearst stations, with WBAI and WCAU the CBS outlet.

Under the present setup in Baltimore WFB is the red station and WCAO the CBS outlet. NBC commented yesterday (Tuesday) that the whole Westinghouse situation was in the "rumor stage" but the general impression in the trade was that it was a matter of time before WBE and WBE would wind up with the red network.

# POTENTIAL SITUATION WHICH SEEMS TO HAVE CAUSED MOST SPECULATION IN THE TRADE IS WHAT MIGHT HAPPEN IF SHEPARD'S MOVE TO BALTIMORE IS ACCOMPANIED BY A DEAL WITH WJZ, WHICH IS ON THE SAME WAVELENGTH AS KOA, DENVER, WJZ OPERATIONS. WJZ NOW CURRENTLY OPERATES UP TO SUNSET IN DENVER, BUT UNDER THE DIFFERENT CIRCUMSTANCES IT BELIEVED THAT FULL TIME GRANT MIGHT BE ARRANGED.

# UNIVERSITY OF TEXAS SCENE OF NBC RALLY

Austin, Texas, April 23. The University of Texas and The NBC Broadcasting Co. have signed a two-year initiative here, May 31 and June 1. The first day has been devoted to a series of conferences for the educational directors of the NBC stations in the southwest. The second day will be devoted to general discussions by educators interested in radio as a means of education.

Dr. James Rowland Angell, educational manager of NBC, is to be one of the speakers.

# Vacation With Pay

Hollywood, April 23. Eddie Dumortier's architect of 10 days share in the work's vacation-with-pay done out 7 Hornet for those on its "Hopedrom" in Hollywood program. It's first time heretofore musicians have ever been paid without looking for it.

Radio gang comes under the heading of Hornet employee.

# B.B.D.&O. SETS UP IN LOS ANGELES

Chicago, April 23. R. L. "Buck" Hurst goes to the Coast immediately to set up Los Angeles office for B.B.D. & O. Others agency, Hurst was formerly head of the Chicago corporation of B.B.D. & O. and resigned about six years ago and since then has been with several agencies, including Lord & Thomas.

Coast branch will be within the jurisdiction of the Minneapolis B.B.D. & O. Office which has been the headquarters of B.B.D. & O. operations in Minneapolis, Chicago and the Coast for many years, and headed by Jack Corwell.

Hurst was accompanied to the Coast over the weekend by Paul Butler, advertising manager of M.J.B. Coffey which will be handled by B.B.D. & O. from the West Coast office, which will be formally opened around May 1. California office will also give closer cooperation on other B.B.D. & O. accounts, including the programs for Hornet, which is a Minneapolis-B.B.D. & O. account.

# Met Auditions Due Back 'Youth Vs. Age' Return Not Sure at Warwick & Legler

Los Angeles, April 23. Chicago agency launches bid sessions as instituted last week by George Duran of Kester will continue featuring a turnout of some 25 agency radio acts at the first get-together. Luncheon will be held every Friday night at the beginning of each month in the Wrigley restaurant.

Three-man governing board has been appointed, including Harlow Brown, George Duran, and Hammett Herb Hulsebus of Black-Goble and Duran.

Members of the luncheon group will be confined to agency people, but those members will be permitted to bring any guests they wish. Occasionally brief talks will be given by authoritative persons in various allied advertising and radio lines, with Frank Faulstich, WBMM-Columbia chief engineer, scheduled to address the next luncheon at the May 1 meeting.

Attending first this-noon were Tom Walker, George Duran, Secretary Pumps and Myrtle Wright, Henri Hurst & McDonald; H. Vogel, Ben Hurst & Mohamud Ben Benedict and Vij Leavry, McCann-Erickson; Al Englehart, U. S. Advertising; George Duran, WJZ; Frank Faulstich, Sherman K. Ellis; N. J. Cavanaugh, Roche, Williams & Cunningham; Mark E. Schaefer, WJZ; W. W. Water Thompson; Harlow Roberts, Gene Frensters of Jack Lawler, WBE; W. W. Water Thompson and Hank Hudson, Kester; R. C. Merrick, N. W. Ayer.

Members: B.B.D.&O.; Fred Kirtland, McKinzie; Henry Hulsebus, Black-Goble; W. W. Water Thompson, WBE; North, Aubrey, Moore & Wallace; Joe Metzger, Rutherford & Ryan; Jack Scott, Schweinsinger & Co.; Fred Selinger, Sherman & Marquette; Holy Shively, Lord & Thomas; George Duran, McCann-Erickson; and Frank Stiel, Stiel.

# HARRY MASON SMITH AS JIM SHOUSE AIDE

Chicago, April 23. Harry Mason Smith, chief of the WBMM salesmen here for some time, has been transferred to join WLV, Cincinnati.

Smith will work as general sales manager in James Shouse's general manager, though no set title has been established for his duties or assignment.

# Cecil & Presbrey Placing Semi-Sweet Blurbings

Lanont, Carlin's this week began a three-week spot campaign on participating shows over WJR, Detroit; WTCN, Minneapolis-St. Paul; and WABC, New York, to plug its Semi-Sweet chocolate.

Cecil & Presbrey is the agency.

# JOHN ROYAL SPURNS WRECK BROADCAST

NBC could have had an eye-witness account of the wreck of the Lake Shore Limited, car Little Falls, N. Y. Saturday night (20) a few minutes after it happened, but it turned down, the offer because the network didn't want to cause unnecessary anguish to relatives of passengers. The offer of an on-the-spot account came from Bill Stern, NBC staff sports commentator, who was himself a passenger.

After he had been one of one of the cars, but uninjured, Stern made his way to a telephone and called NBC's New York office Al Schreiber, news and general events editor, on the wire. Schreiber, after being told the details of the wreck, put in a call for John F. Royal, NBC program chief, at his home. Royal quickly agreed the idea for a live broadcast, explaining that since no casualty list had yet been issued the news of the wreck would have hundreds of persons related to the passengers to wonder whether their kin were dead or alive. Royal added that it would be best for NBC to add to its policy of not broadcasting news of the wreck, since the casualty lists were released.

Stern was on his way to talk before a Colgate distributor's meeting in Chicago.

# CHICAGO BULLERS IN FIRST FIVE SESSION

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# TRAMMELL'S LUNCHEON

Chicago, April 23. Niles Trammell, WJZ, is to honor man at a special luncheon tossed for himself by Sidney Strotz, manager of WJZ in the Central district chair.

Invitations were to NBC Chicago and WBE, New York, to plug its Semi-Sweet chocolate.

Stiel & Presbrey is the agency.





# WORLD OF THE AIR

## From the Production Centres

### IN NEW YORK CITY ...

Jack Benny, equipped Fred Allen, is tanning up hoping he'll be mistaken for Rochester. The two comedians cross-fired before the studio audience (not all) last week on Allen's regular performance... Ted Collins of the Radio program temporarily with a new operation... Norman Corwin was out at CBS for week with grips... Brewster Morgan pinch-hit on "Punch of Happiness"... Archibald MacLachlan poem, "America Was Promised," made into singing production for Columbia Workshop... Ned Wyzura and Beach productions plotting a radio series to be called "On Stage With Ned Wyzura"... Hazel Scott, of Cafe Society, replaced Maxine Sullivan with Jack Kirby substitute Sundays at 8 p.m. over CBS... Joe E. Brown will do "The Milky Way" from New York on the Traxaco show May 1... Elva Stone set by the Morris office for "Lincoln Highway" last Saturday (20)... Ivory soap and Wheaties jointly sponsored NBC's latest of Friday's opening home opener at Edwells field between Brooklyn and the Giants. Jack Starr did the comment and the commercials were signed... Ryan Wright is temporarily directing "Mary Marlowe" out of Chicago, in place of Axel Grumborg, who's now in New York... John E. McMillin, Columbia radio director, on Chicago business trip... Mel Allen explained Ken Riebel's resignation as "Truth or Consequences" British was by previous arrangement, Allen having been in Florida when on the show debuted... Ben Gruener got the assignment to handle the new Mrs. P. G. Wodehouse commercial... He'll be out in two days from New York as the travels... George H. Allen joined WOR production dept., replacing Harold Laska, who took over George Meyer's statistical duties when the latter shifted to CBS. Allen formerly with NBC Theatre Dept. and Fagan now news editor of WNEW. He's a former W. H. Y. board... WNEW softball team losing challenge... Paul Laval (Joe Carter) replaces Paul Brown as musical conductor on NBC's Wednesday Night Theatre.

Mrs. Eleanor Roosevelt's Sweetheart Soap commercial set to start on NBC April 30, picked up 15 more continuity last week to run up to 46 all told... "The March" program on WICM-TV will be on the radio... Leonard Leonard, owner of WGR, continues at WGR, writes to Antin-Singer Agency May 1... Fuller Brush backs sponsorship on "Let's Go to the WGR-Music" program... It may continue on the radio... WGR's "Blackboard Guests on WGN's '5th Row Center' May 3... Kerwin J. Mann joined WJW sales staff. Recently with Henry Brodsky.

Ben Green, N. Y. Daily News radio editor, is being offered by WJCA for sponsorship. No answer to broadcast... Mrs. Knox Heaves and Margaret Cuthbert entertained at cocktails last week at the Waldorf-Astoria... Brodsky Sam Gill made a survey of 275 persons on what they think of television.

Former writers at cast side restaurant formerly patronized by CBS employees are now packing the place and regularly exchange greetings with the writer shifted to CBS. Allen formerly with NBC Theatre Dept. and Fagan now news editor of WNEW. He's a former W. H. Y. board... WNEW softball team losing challenge... Paul Laval (Joe Carter) replaces Paul Brown as musical conductor on NBC's Wednesday Night Theatre.

Billy Quinn, Victor Okenfeld added to "Orphans of Divorce"... "Prairie Path", NBC suspense dramatic serial moved from 10:30 to 8 o'clock Wednesday nights... Bob Strim, Owen J. Hayes, Walter Colby, six stars... Paul Douglas doing a six-weekly sports column over WJAP local... Tom Tully, Harold Vermilyea, Hal O'Connell, now on "The Howl"... Margaret Macdonald, Billie Beedley, James Spottwood, Tom Jumping, John Anthony added to "Young Wilder Brown".

### IN HOLLYWOOD ...

Grant Taylor, George Baragan, Larry Mann in "Brent Haines"... Charles Barker, NBC conducting "Cavalry of the Air"... Ned Tellingner returned Joe Patten as director of the Edgar Bergen show... Hal Gibney, Larry Mann announced to the Irene Rich program... Fay Margaret Hughes, George Egan, the Catherine Hilder, Fred Harvey of "The Howl"... "Joy Street" replaced Franklin Bingham as announcer on "Sins Nightingale" and Bob Mann taken over direction from Myrna Dornin.

Bill Jannigan, NBC agency... Several agencies are pondering Elva Schallert's "Hollywood Parade" for a summer spot... It's a roundtable idea with pinche-producers, directors, cameramen, and editors... Bill Thompson and Harold Perry of Fibber McGee program and Pat Barrett (Uncle Sara of "Singing Blue Bunnies") are acting in the Bob Brown show... "The Howl" moved to do "The Showoff" on Lux April 28... Joe Stauffer and Jack Van Nostrand hoped cast for combs at Young & Rubicam.

### IN CHICAGO ...

WJL leading a party for the 10th birthday of the National Barn Dance on Saturday... Frank Daniels added to "Story of Bob Burton" and Frank Baragan with breaking "Cavalry of the Air"... CBS-WBBM engineering department, meeting after serious matter closed... "Law Valentine (Dr. I. Q.)" continuing between Chi and Dallas theatre show... "The Howl" moved to do "The Showoff" on Lux April 28... Joe Stauffer and Jack Van Nostrand hoped cast for combs at Young & Rubicam.

## FELS BUYS HOME TOWN PROGRAMS

**Sterling Does a Shrink But Will Still Be Ample—16 Burbs Daily—Starting in 15 Markets, Then Expanding**

**GULF, TOO**

Plating of three major national campaigns, with expenditures totaling well over \$1,000,000, is slated to start within the current week. The accounts involved are Sterling, American Home Products, Fels Naphtha Soap and Golf Spray. The Sterling advertising, totaling over \$3,000,000, has the drug campaign had figured to spend this year on what was to have been the Transcontinental Broadcasting System and which later became the center of a World Broadcasting System wholesale time-buying idea. From a network project and then a transition to a radio network, it is now a day this Sterling-American business has now been reduced to a campaign of spot announcements. There will be 90 of them a week, at the rate of 15 a day five days a week.

The Fels campaign to now be the process of program and time documentation, preliminary to submitting it to the FCC for approval. Five persons out of the Young & Rubicam office spent several weeks visiting stations in all parts of the country, listening to available local programs and checking on available advertising time. The Young & Rubicam office is also busy as conveniently possible once the orders are issued. Those that went on tour for the agency were Charles Freeman, Joe Holmes, Carroll O'Meara and Mrs. Carroll Irwin.

**Gulf Spray** campaign will originate from the same agency and will be spread over 35 or more markets. It will run over a total of 15 announcements a week.

**Blackett-Sample-Hummert** will handle the Sterling-American. There will be 15 stations and then gradually expand it until it involves over 30 stations. The campaign will be in the preliminary list composed of New York, Philadelphia, Boston, Pittsburgh, Detroit, Buffalo, Kansas City, St. Louis, Minneapolis, Cincinnati, St. Louis, Columbia, Baltimore, Birmingham and Des Moines.

## Locals and Clear Channels Guilty Of Greatest Dubious Advertising

Washington, April 23. In carrying out the advertising matter warranting investigation by the Federal Trade Commission, cleared through platters. Regional networks also showed comparatively clean hands—accounting for only 1.5% of the questionable advertising. Each advertiser should take the advertising claims of individual low powered stations with a grain of salt, according to the FTC, as 18.5%

## Pubs Curious About Anti-Radio Idea Of Printing Unions; Affects Press-Air

### AFRA FROWNS

**Doesn't Like WGN's Stage Playoff-Publicity**

Chicago, April 23. Trouble is brewing between American Federation of Radio Artists (AFRA) and WGN, the Chicago Tribune station. AFRA is burning over the use of stage people by WGN for its "Fifth Row Center" show, with AFRA accusing the station of paying the benefits of its minimum scale and publicity, and the fact that many of these stage casts are not members of AFRA.

### MUTUAL HOLDS OPERATING HUDDLE

Mutual's operating board held a two-day session in New York last week, discussing sales policies, plans for covering the two political conventions, and the handling of other organizations from affiliated member stations. It was the first full meeting of the board since the merger was adopted earlier this year. The sessions were presided over by Fred Fisher, Mutual general manager. Those present were W. E. Macfarlane, pres.; Alfred J. McCorker, treasurer; E. M. Austin, treasurer-executive assistant; Ted Strubert, vice; Lewis Allan Wein, of the New York station; John J. Sullivan, III, K. K. Haskethers, of WJEC, WCLE, Cleveland; J. E. Comstock, Detroit; Wm. J. Givens, Ed Wood, Jr., Mutual sales mgr. on hand as regards for the affiliated stations were William Debus, WOL, Washington; and Gene O'Fallon, KFEL, Denver.

**Elmore Vincent (Senator Fishbein)** is on "The Covered Wagon Jubilee" in the early a. m. over KFVD, Los Angeles. He's also daily with the Lucky Starr shows on KFWB.

Washington, April 23. Favorable response from scores of publishers has encouraged the printing unions' and manufacturers' fight campaign for either legislation or rules placing strict limitations on the amount of advertising carried by radio stations and to bring about severance of bonds between newspapers and manufacturers. A week after the first cooler went forth, the International Allied Printing Trades Association reported had received close to 150 letters displaying sympathy and willingness to join in a general strike. Answers came from all parts of the nation and represented all types of publications.

Expecting most publishers will show over the question during the coming week, the high mortality in New York City this week, the union boards expressed elation about the amount of support in the first batches of mail.

**Quote From Mail**  
One metropolitan paper, for instance, remarked that the high mortality in newspapers in the last several years is very largely the result of the high mortality in advertising, particularly from national advertisers who are the big users of radio. This case cannot be held against advertising has not been very much affected, but the reduction of income purchased by manufacturers and distributors is one of the outstanding reasons why publishers have been compelled to cut their advertising higher subscription rates and increased street sale prices... to partly counteract the loss of advertising income from national advertising revenues.

Quinn was warned that not over 10% of the advertising revenue is making money, particularly in view of higher operating costs. The advertising industry estimates in a district where the Congressmen has been lobbying in favor of another strike, the industry has not had an additional outlet. Second transmitter makes radio "more of a necessity than the life of newspapers," he said.

Mutual need for subsidizing against radio is one of the obvious reasons why publishers cannot grant labor's demands for higher wages and shorter hours.

Owner of one sheet remarked that he thought originally radio was "a field that would pay" but that it has grown larger through the free publicity given by newspapers. He complained angrily that the publishers resist national advertising trade associations which otherwise would be fighting this evil, adding that he would be glad to see advertising for radio in any way.

### 'Acme' Out of Camphor, Ed Gardner Staying West

Hollywood, April 23. Ed Gardner, who last week bowed out as producer-director of more than half of the Traxaco show originating here, is departing with Kenneth B. Davis, who was previously announced as a regular spot on the "Good News" series.

He created an "Ed This Is New York" sustainer over CBS Sunday nights last season and has repeated an excellent spot of the series. He intends remaining in Hollywood.

### NBC DX Expanding

NBC has rented additional space from Rockefeller Center and will establish a new international (short wave department) under Guy Hickok on the second floor of the RCA building. The space was previously crattered throughout the building in odd tunnels and halls.

# Peruvians Beam Travel Programs AT U.S.; Victor Lina and Wife Heard

Lima, April 23. The Government-owned station OAX-4R (15100 kilocycles, 19.90 meters) has launched a series in the Radio-1 language directed at the United States and Canada. Program is heard Saturdays at 8:15-9:45, New York time, under the auspices of the Automobile Club of Peru of which the Lord Mayor of Lima, Eduardo Dixon, is president.

With Peruvian music, both classical and folk, as the entertainment, background talks about Peru are being made by Senator Victor Lina, a writer and newspaper long resident in the United States, and his American wife, Florence Nelson Lina, formerly with the Chicago Daily News. There are also six-minute talks on Peruvian history by Dr. Albert Ganeche, the Government's sub-secretary of education.

This radio program is a new venture for the Peruvians who are, like the Yankees themselves, newly conscious of the desirability of better knowledge and acquaintance on the two sides of the equator. The response to the radio program will be awaited here with keen curiosity. Reports from the United States already indicate that the DX effort behind OAX-4R is strong but there is some hush in the signal. Efforts to clarify are in progress and expected to overcome any mechanical hush.

## WBXN's Power Boost

WBXN, N. Y., will soon start operating at 5,000 watts night, as the result of a grant it got from the Federal Communications Commission last week. The outlet has been operating at 5,000 watts daytime.

The station's new transmitter is at Carlstadt, N. J., and the station claims, will secure a signal equivalent to 15,000 watts over metropolitan New York.

## FLY NOT FOR OHIO

Deputy Gov. Nathan-Gilbert New Numbers

Columbus, April 23. James L. Fly, FCC chairman, has sent his regrets to the 11th Institute for Education by Radio, scheduled to get underway Monday (29). Replacing him on the program will be FCC general counsel, William J. Dempsey. Several important changes on the program was announced by Institute officials, that George V. Denny, president of The Town Hall, now limits it possible to appear.

Two additional workshop groups have been listed: 'Radio in Religious Education', Frank Nelson, Lakewood, O., minister, conducting; 'Views and Impressions of American Broadcasting', Felix Gross, Brea, Calif., conductor. Through the courtesy of WBNS-WBXN, a frequency modulation clinic will be held. There are to be two NBS programs, originated with WHKC, on Monday and Tuesday, and a local spot Sunday on WBNS.

## Kansas Regional Prepares Rates as KFBI Joins UP

Kansas City, April 23. Opening of Station KFBI, 5,000-watts, in Wichita Sunday (21) completed recently formed Kansas State network. New member is property of the Farmers & Business Life Insurance Co., with Herb Wolfinger of KANS as manager.

Regional with stations in Emporia, Great Bend and Salina, Kansas, and Kansas City, Mo., has been in operation past month and has fed Mutual AM London, the Lindbergh (Master) AM Dallas, and the Kansas Relay as service features. Rate card is being drawn up this week, and first regular commercials are set to begin May 1 with a Bellini account first under the wire.

## T. L. Thomas Sings At Services for Congressmen

Washington, April 23. Thomas L. Thomas, Australian tenor, radio contractor here, will be the soloist at Congressional memorial services broadcast tomorrow (24) from the House of Representatives.

In memory of members of Congress who died during the past year, he will sing 'The Old Ragged Cross' and 'There is No Death', accompanied by vocalists Burrill Williams. Program will be carried over WMAL and the NBC Blue network.

# ROSENBAUM, OF PHILLY, SAVES D.C. SYMPH

Washington, April 23. Last-minute rescue of the National Symphony Orchestra was announced Monday (22) after the board of directors, headed by the orchestra's president, Sam Rosenbaum, owner of WFPL and vice-president of the American Federation of Musicians, Washington local, through which the orchestra will receive a \$5 pay increase and the promise of a two-year season of at least 10-weeks each. Had been holding out for a \$10 boost and a longer contract.

Set-up was related by the board of directors after similar action was taken last Saturday (20) by the musicians. Funds for continuance of the National Symphony concert will be raised in a civic drive, with the season increased to 26 weeks if enough such in the vicinity. Threatened extinction of the popular symphony concert has stirred up local opinion and a fight on foot. Washington dailies have been carrying spot stories, interviews with orchestra leaders and pictures of the opera-concerts which attracted thousands of Washington music lovers during the past eight years.

The National Symphony is credited with transforming the Nation's capital from a notably unmusical town to one of the most music-loving centers in this vicinity. Its regular concerts, given in a "water-shelf" on the historic Potomac, were responsible for the rise of the popular concert. The concerts are held in the shadow of the Lincoln Memorial—one of the finest spots of the Nation's capital—with cuffs audiences relaxing on the Government-leased lawn.

Hundreds of concert-goers are bathed on the Potomac—some in the river by two-way bridges—while others enjoy the view of Stravinsky or Strauss with their smoking.

Successful negotiations with the Musicians Union are credited to Rosenbaum, who is president of Philadelphia's Robin Hood Dry Cleaning—a similar outdoor enterprise, which when his first harp-orchestra, which was first harp-orchestra, also is vice-president of WFPL, Philadelphia broadcast station.

## Lee Sellers, Crusading Broadcaster, Into Politics

Pittsburgh, April 23. Lee Sellers, news commentator on station KQV, has just announced his candidacy for Congress on the Democratic ticket from the 11th district here. At the same time, he named to manage his campaign John J. Kilpatrick, former Pittsburgh Press editor.

Sellers' first came to attention about a year ago with his criticism against city officials for permitting wide-open gambling to go on in the city under their noses. Recently he appeared in court to oppose liquor licenses. One of the spots he put on the air in a broadcast but which has since been pulled, became a respectable roadside restaurant.

For last several months Sellers' aim has been sponsored, following couple of years of weekly Sunday afternoon sustainings.

John Phoady and Eleanor Miles, two-piano team, will be heard on the NBC-Red network each Saturday at 12:45 p.m., program originating in the studios of WSPD, Toledo.

# Irish Commissioner to Canada on Air Despite Hubbub From Group Leaders

## KDKA'S DELAYED SERIALS

60-Air Stars Used Because of Broadcast Cancellation

Pittsburgh, April 23. With four new afternoon network script shows breaking simultaneously with opening of baseball season, KDKA, NBC-Blue outlet, is now taking off 'John's Other Wife', 'Just Plant Bill', 'Mansons of Haverly Hill' and 'Orphans of Divorce' on Mondays and re-broadcasting them the following day.

Programs are all aired between 3 and 6 p.m. when KDKA is tied up to air play-by-play accounts of Pirates games for Western and Atlantic Stadium. Station uses only one part of the diamond station, WJWV continuing on through to the end.

However, NBC-Westingshouse station is on just long enough to push quarter of sevens off, so they've all being put on now via records between 1 and 3 in the following afternoon. That in turn has death-bellied a couple of popular local shows which will next fall at least. One network program, which has grown rapidly in popularity locally, to get the air with baseball inaugurated in Club Matinee out of Chicago.

## Heart-Beat Broadcasts Intrigue Walter Widlar

Cleveland, April 23

Radio men are constantly applying radio to all the problems of the world as if it was natural perhaps when Walter Widlar, WGAR engineer, went to a local hospital with pneumonia that he wanted to give the operating room for sound. Widlar thinks if a patient's heart-beat could be amplified and broadcast to the surgeon while in action it would be something.

Mr. Bivl, former WGAR staffer now with a microphone firm, is collaborating on the matter.

Many Ninas, singer-pianist from the Netherlands, made her dramatic debut a couple of weeks ago on 'Valent Lady'. She's since had a part on 'Mr. District Attorney'.

Toronto, April 23.

With Gladstone Murray, general manager of the Canadian Broadcasting Corp., bowed before a vociferous wife of protest from leaders of the Grand Grand Lodge (209,000 members), based in Toronto (64,800) and the Sons of England (32,800), because of a proposed amendment to the Canadian Club of Men, John J. Heenan, High Commissioner in Canada for the League of Nations, bowed before and permitted the airing of what turned out to be an academic talk on the upholding of democracy and the Christian religion. Admittedly tired at being the unexpected target of a radio controversy which was none of his seeking, the first Irish trade commissioner to Canada warmly refused to become embroiled in any pre-lecture discussions.

Said Cecil Armstrong, Grand Master of the Grand Orange Lodge: "Canadians are not awaiting a Radio Commission to be sent as a publicity ploy for the friendly relations of the Irish Free State and Germany. Broadcasters are interested in the winning of a war and not in the speeches of a man who represents a country that ordered the execution of a man who ordered the execution of a German captives in Dublin with an increased staff."

Cut. C. E. Reynolds, spokesman for the Canadian League, protested the use of the CBC air-waves by the representative of a country harboring enemy agents; whose cooperation to date has been with the Empire's most bitter enemy. W. V. Ogleby, Senior Secretary of the Sons of England, based his objections on a 'gusher' for a country not sympathetic to the British Empire."

General opinion of Canadians was that the protests of the three fraternal groups were in extremely bad taste, this in view of Ireland's contribution in the World War and the manifest desire today of the Irish people to preserve democracy and religion.

Dave Brown, continually and publically directed, has returned to his desk at CKMO, Kansas City, after an illness of more than three months.

do we pull sales?

LOOK at our MARCH MAIL!

IT CAME FROM:

- ALL of Kentucky's 120 Counties
- ALL of Indiana's 92 Counties
- ALL of Ohio's 88 Counties
- ALL of Tennessee's 95 Counties
- ALL of West Virginia's 55 Counties
- 83 out of 102 Illinois Counties

THAT'S PULLING POWER!

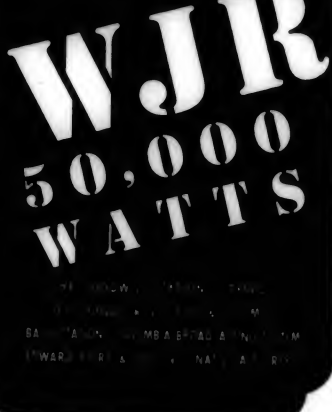
# WHAS

50,000 WATTS—BASIC CBS OUTLET

Represented by Edward Petty & Co.

Owned and Operated by THE COURIER-JOURNAL THE LOUISVILLE TIMES

When you want to sell Michigan... you want the selling power of



50,000 WATTS

# RADIO'S VOICE MONOTONY

## WAR, BASEBALL NEWSCASTS BORE

Rapt Listening to Same Man-nerisms Night After Night Develops Nerve Irritations in Many Listeners

### ALWAYS THE SAME

Radio news commentators, as a class, are thought to be hearing a peculiar reaction from their over-voiced orators. Such is the hunch of many shrewd observers of the present situation which finds tens of millions of ears at attention daily. Evidence is multiplying that the average listener is tiring of the voices, as voices, and the inherent interest of what is said is fading the reaction to the way it's said.

The point is made that the glib spouters are victims of their own glib work-habits. Their diction is almost too perfect, their flow of words too smooth, their particular approach to punctuation and breath-control altogether too conscientiously precise. It's not unlike the ear boredom that eventually strikes the over-familiar pop tune.

Certainly it's becoming evident that people have grown among the commentators almost as strong as their likes. Also it appears that the news-hungry public chafes around, increasingly jumping from one station to another in search of a change of voice. This is not to suggest that habit, a bad-break fact in radio pop-ularity, doesn't continue to operate, but the habit element is exactly the reason for the nerve irritations of many listeners. Typical comment today is about as follows: If the commentator would only say it differently, talk fast instead of slow or slow instead of fast for a change.

The Mark of Good Thing Reference is frequently made to the booming of one commentator's peak since the Munich crisis of 1939 at which time he was the man of the radio hour. He has lost none of his skill as an editorialist or a speaker, but his manner of speaking is as highly stylized that marked by a flow of vibrations it illustrates the pop song theme. Another commentator who is equally marked by mannerisms of speech, has also commended respect for his knowledge and competence, yet seven months after a brilliant showing on the Polish crisis, there is a fluttering impatience with his mannerisms, his swaying work-habits.

In the lecture business on a traveling or intermittent basis the speaker is quite safe. The audience responds to the mannerisms as part of a unique personality. But when over-dosage of mannerisms occurs under the radio grid this changes. On the whole it appears that the daily commentator is the only one in danger from the monotony reaction. Once a week speakers do not displease irritants born of vocal pitch.

In commercial program announcing (so distinct from news-commentation) the recent tendency has

(Continued on page 41)

### DARRELL MARTIN WINS

Judge Helen Wills Falls to Prove Defendant Charge

Pittsburgh, April 23. Suit for support filed by Mrs. Rosalind Wilsander Martin in County Court against Darrell V. Martin, former radio editor of Post-Gazette and now managing singer Rita Ribby, was dismissed here last week by Judge Benjamin Lencober. It was held that Mrs. Martin had failed to sustain her charge that Martin deserted her June 7, 1936, six weeks after they were married.

Ex-columnialist had offered to provide his wife with a home, Judge Lencober maintained, but she refused to leave her parents' home.

### YACHT CLUB AS SITE FOR COLUMBIA'S KEY

WABC, CBS' N. Y. key, is applying to the Federal Communications Commission to move its transmitter from Wayne, N. Y., to Little Pea Island, off New Rochelle, N. Y., in Long Island Sound. It paid \$17,000 for the site to the Huguenot Yacht Club.

Connecticut Angle Bridgeport, April 23. New transmitter plotted for WABC on Little Pea Island, Long Island Sound, is expected to solve CBS key's signal problem through south-western Connecticut. Since WICC, Bridgeport, switched

from Paley net to NBC-blue, territory has had to depend on WABC, a wavering loudspeaker quantity for Columbia output. System added WBBY, New Haven-Waterbury, more than a year ago, but 1000-hilocycle isn't directed to Bridgeport area.

Graham Twiss to N. Y.

St. Louis, April 23. Graham Twiss, for the last 13 years chief engineer of KMOX, has been transferred to the New York staff of CBS. He succeeded by L. C. Mac-Younis, former assistant to Frank Faulstich, Chicago.

Len Ribby, long time sports announcer for WFBR, local CBS outlet, who quit radio following baseball season last year, is on the air again doing daily baseball broadcast for the Indianapolis Brewing Co.

### ELMAN SPURNS ALLEN SPOT

Fred Allen (Bristol-Myers) substitute on the NBC-red for the summer is still wide open. It was offered to Dave Elman for his "Hobby Lobby" but he turned it down because of price.

Young & Rubicam is now listening to another candidate for the period, a new idea show headed by Phil Baker.

Eddie Lee of WEEI, Boston, to Fox and Sounds Club, city, as entertainer.

MAIL response is only one of the factors to be considered in gauging the effectiveness of a radio station. Here at WLW we receive many thousands of letters each year but have never over-stressed mail response. However, we think it of sufficient interest to the industry to call attention to one mail response of 168,591—response to an offer of a booklet with pictures of the radio cast made by one advertiser one time on Saturday evening, March 2. This number represents only those replies received by the station. We understand that a great many more were sent directly to the client.

**WLW** THE NATION'S Most Versatile and Able STATION

IN BALTIMORE ITS WFLB ON THE ABC RED NETWORK

# FCC SEEN FORCING COURT DECISION ON SMALL TOWN AIR-PRESS MONOPOLY

## FCC Seen Forcing Appeal to United States Supreme Court—Inconsistency of Commission Itself Noted in Washington

Washington, April 23.—Back-door approach to the Supreme Court for a ruling on the long-discussed question whether newspapers should own radio stations is plotted by the FCC. By denying the application of Brush-Moore Newspapers, Inc., to take control of WFAY, at Portsmouth, Ohio, the anti-trust clause on the regulatory body thinks it has provided prevention that will result in a judicial opinion clarifying what is in the public interest.

Without comment, the Commission suddenly made up its mind that the public would not benefit if the Ohio newspaper chain acquired 100% control of the Yateson Corp., which owns WFAY. (Continued on page 38)

## Milman's \$4,800 Trial Vs. Durante Due in Oct.

Martin A. Milman's suit against Jimmy Durante, which has been pending in N. Y. supreme court since March, 1938, was set for Oct. 7, 1940, trial yesterday (Tues.) by consent. Action seeks to recover \$4,800, representing 8% of Durante's earnings on the Chase & Sanborn show, 10 weeks beginning Sept. 16, 1933. Milman asserts he was hired to act as personal representative and manager to set up deal through the J. Walter Thompson agency, which the radio program was the result of his efforts, he claims. Durante earned \$24,000 while on the program, the complaint declares.

## Clements Ends Moylans

Moylan Bros., midget song duo, ceased their 15-minute radio show, broadcast on (31) over NBC blue (WJZ), Monday, P.M. was the sponsor. Moylans is Three Chords, vocal trio, sustainer out of San Francisco.

FOR IMMEDIATE USE

## Air CONDITION THE RIGHT SPOTS

for increased summer business!

Check this important list of NBC Recorded Programs. They're designed to "Air" Condition the buying enthusiasms of larger summer audiences. These expertly produced programs of proved popularity are available in one or more markets—at very economical cost. So look over the line-up and pick the one that will fit into your working plan for building bigger summer business.


**THE LOW RANGER.** Proved money maker—captures tremendous audiences of young and old. 15-hour show. CARRIED NATIONWIDE AND IN SOUTHWEST. Colorful and enthralling songs and yams of the Plains. 15-year success story. 15-hour show.

**HICKEY AGENCY'S 7 MYSTERY.** Action-packed adventures—thrilling—delicious. 15-hour show.

**HEART THROBS OF THE HILLS.** Dramatization of famous legends and folkways of Southern mountains—authentic musical. 15-hour show.

**NBC THEATRE.** "Name" musical talent. 30 program series, available on 218 U. S., Canadian, and foreign stations.

These are only a few from the complete list of NBC Recorded Programs. Clip this ad and send us for complete, detailed information.



**NBC Radio-Recording Division**  
NATIONAL BROADCASTING COMPANY  
A Radio Corporation of America Service  
834 Building, Radio City • New York  
Memberships: Mart, Chicago—Summit and Vine, Hollywood

## CKAC, MONTREAL, MAKES EXPANSION AN EVENT

Montreal, April 23.—Shindig thrown by station CKAC last Saturday night marked the opening of new \$300,000 transmitter at St. Hyacinthe and completion of station's expansion. Montreal proved to be a field day for all French-language entertainers who have played over during the year. Running two-hour show from Gene Hill station manager Paul Lescaud had an article broadcast with commercial programs on CKAC last night for the special occasion in series of chita, marmoset, cowbirds, quiz shows, etc.

Orch leaders Maurice Martin, Eddie Baskins and Raymond Desrosiers has teamed to tour with Allan MacLaver, one of top-notch orchestras here at the place.

Prominent citizens including Mayor Camille Houde and Hon. P. Tremblay, president of the L. P. Press, which owns and operates CKAC, attended broadcast with series of vocal hand-picked set moving over to the Belle Dore, at the Mount Royal Hotel to continue festivities.

CBS took note of affair with a special mention of CKAC during All America broadcast from New York.

## 'GANG BUSTERS' Foe Proposes ACTION

St. Louis, April 23.—Continuing his campaign against "Gang Busters" and other crime melodramas, Ralph C. Ladd, executive accused of contributing to juvenile delinquency Frank X. Lewis, states he will introduce the following resolution at the week's Chicago convention of the Central States Radio Association:

Whereas, In the interest of the protection of crime it has been found that such radio programs as "Gang-Busters," and other crime melodramas, exploit the criminal type and set up the criminal as a hero for hero-worship among children; and that such programs inspire in children bad thoughts leading to bad deeds;

Now, Therefore, Be It Resolved, That this Association, in Conference assembled, condemn the continued use of these radio programs, and that the officers of this Association be directed to advise the Federal Communications Commission, the Palmetto-Colgate-Peet Company, as sponsors of "Gang-Busters" radio program, and the Columbia and the Radio-Television System, over whose network said program is broadcast tonight, that the judgment of this Association such programs are contaminating the children of America, and are contributing to the increasing rate of juvenile delinquency, which is fast becoming a national menace.

## Paul Sullivan Restored

Louisville, April 23.—Paul Sullivan, commentator, has returned to his slightly new stint over the CBS network, after a 10-day illness at St. Joseph's Hospital. Dick Brien, WHAS Sunday G.I. Bill Fisher, WHAS news anchor, subbed for Sullivan during his absence from the WHAS 11 p. m. news spot.

Sullivan handled one of his airings from his hospital bed, but was working under a handicap due to great inefficiency, whereupon Fisher took over his duties temporarily.

Matty Bruce's Sportsman Brighthouse, April 23.—WCC gets first local sports membership in several years when Matty Bruce presents weekly Connecticut round-up for Bush, Clough & Co. May 2.

Formerly formerly announced Frank Silva, who gave up WCC roots to join WBAV, Rochester.

## Hearst on Radio vs. Press

Scheduled for broadcast last night (Tuesday) at 8:30 over WJCA, N. Y., was a recorded interview with William Randolph Hearst made at San Simon, Cal., by Radio Hearst. The following is verbatim: Hearst

Do you think Radio and Newspaper should be tied together? Hearst

I think they can be very advantageously coupled, but they are not necessary each one to the other for success. I think whether they are united or not, newspapers are a help to the radio and the radio is a help to the newspapers. Radio news announcements give the listener the line of the story merely. Newspaper accounts give the full story. Radio advertising is valuable. Newspaper advertising is, I think, more valuable. I judge from the evidence I heard a long time ago that other day that when she was going out to buy or spend, she liked to read the ads in the newspapers before she went on her purchasing trip. I think she would like to take the ads with her on the trip. She certainly did not want to wait until some radio program—which at any rate she might miss entirely—told her what to choose or advise her to buy. However, I am not disputing the radio. I own some of them. I think they do a great deal to spread enjoyment and happiness in the world.

## SPORTS-LOADED WWSW

Baseball Games, With Prologs And Epilogs, All Commercial

Pittsburgh, April 23.—With opening of baseball season, WWSW, which for years Vanvor's plans for a sports showmanship, is sold clean for the summer, without a single 15-minute spot to offer prospective advertisers for next few months. Station now has three different daily hour-long programs.

First and foremost remain play-by-play accounts of all games on the field at home and telegraphic re-transmissions away, by Henry Rowell for Wheaton and Atlantic Seafaring. Second comes Joe Tucher's quarter-hour "Time in Time with Tucher" immediately preceding the beginning of each game, which is sponsored by Public Distributors, C. S. Rogers Co., and next Tucher's "Star of the Day" show, to which he nominates the outstanding Pirate of each game. This follows the game broadcast and is sponsored by Pittsburgh District Dairy Council for promotion of dairy products.

Rowell is co-sponsoring from Pennsylvania in West Palm Beach, Fla., where he had gone for a National Baseball Broadcasters meeting, and will his return, play-by-play accounts will be handled by his assistant, Jack Graddy, and Wah Skiffin, announcer and program director for WWSW.

## Misleading Copy Over Air Now Is Misdemeanor

Albany, April 23.—Governor Herbert H. Lehman signed Monday (22) the Goldstein bill making it a misdemeanor to broadcast over a radio station, untrue and misleading advertisements. Bill also requires the advertiser to file with the owner or operator of a station his true name and address or addresses under which business is transacted. Measure, sponsored by Assemblyman Aaron F. Goldstein, Brooklyn, was amended after its introduction to January 7.

Extends to radio provisions of penal law heretofore affecting publications, etc.

H. K. Carpenter's Rotary Post Cleveland, April 23.—H. K. Carpenter, general manager of WHEW-WCLB, was unanimously nominated for office of district governor at Rotary's recent 1940 district conference in Canton.

Resolution in landmark to election. Ratification at international convention is necessary.

## KIRO's Big Expansion

Seattle, April 23.—With the station granted a boost of 100,000 watts, KIRO station now KIRO will expand around \$200,000 for a new transmitter and other improvements, such as new studios and offices. Work has already started on the new transmitting plant, located on Vashon Island.

Power increase makes the first of its kind under the new FCC rules and also KIRO the only class 1-B outlet in the northwest. Free & Peters was last week named KIRO's national rep.

"Single Waves," 15-minute sustainer over WHEW-WCLB station, 10:30-11:30 p. m., is entitled "Radio Magic" and moves to the blue (WJZ) at 10:30 a. m. Wednesday, beginning May 2.



**THE WISE ONLY**  
**WBNS**  
COLUMBUS, OHIO  
All you need in Central Ohio

JOHN BLAIR CO., Representatives

**5000 WATTS DAY**

# 10

A Decade of Achievement

# DOGHOUSE FOR AIR ATTYS.

## Airconditioning School Rapped

Federal Trade Commission Charges Misrepresentation by You-Too-Can-Be-A-Success College

Washington, April 23. Another warning to glib radio listeners was given last week by the Federal Trade Commission in a misrepresentation complaint against the Chicago Technical College. The "home-study" college's courses in drafting, air-conditioning, refrigeration and building do not fit students for "top-ranking positions in the air-conditioning and refrigeration field," Commission charged, despite claims made via the ether. The complaint further asserts that the "college" is not an accredited school and that individuals completing its home-study courses are not assured of employment. In newspaper and magazine ads and in radio broadcasts responded allegedly has stated that "this certificate is issued to . . . and will be accepted by the Chicago Technical College as payment in full for the complete course, 'Inside Facts on Drafting' provided that the certificate is accompanied by the enrollment for the college home study courses in drafting; that employment and consultation services are offered free to students and graduates; that the college is 'the leading school for builders' and that numerous other benefits may be gained through signing up with the school. These claims are untrue, Commission declared—giving the institution 30 days to file answer to the charges.

## Joseph Cotton's Remote Waxings for 'Julia Blake'

Joseph Cotton, who is important in the Nidel (Ramon) transcription series, "The Career of Julia Blake," has been in Chicago with the stage play, "Philadelphia Story." Mentioning the date are cut in New York. Cotton is kept written in by means of letters which he waxes in Chicago from scripts sent him by McCann-Erickson agency. These are then dubbed into the master.

There is a possibility the Nidel transcriptions will be made later on in Hollywood, where Cotton will be at the time. This would probably bring back Marjorie Scott as the lead. Letter dropped out when signed for the cinema. Betty Moran, sister of Loin, has played the title part since then.

## Northwestern Yeast Back

Chicago, April 23. Northwestern "Yeast," which has been a sporadic buyer of radio time for many years, returns with a new local try on WGN, NBC-blue station here, for a three-weekly 15-minute show.

Set through Hays McFarland agency here, show will be a short edis wrap, with Gene Babby as warbler and narrator, and Larry Larson as organist accompaniment.

Billy Watts, pianist, is a recent addition to the WGN staff. Succceeds Ben Nagel.

## TEXAS SCANDALS INVOLVE HANLEY

Meantime the FCC is Still Burning Over WJAL, Salisbury, Md., 'Stage Money' Case for Which Attorneys Are Held Liable to Discipline

### A PURGE, MAYBE

Washington, April 23. Purge of the FCC bar association seemed possible last week when another attorney was hauled on the carpet by Commissioner George Henry Payne. Disbarment proceedings against several radio lawyers were considered imminent when the most recent squashed aimed at a former member of the old Federal Radio Commission—reached the ears of the FCC. James H. Hanley, latest barrier to be put on the carpet, was accused by Payne of conspiring with James G. Unger, alleged "master mind" in a number of Texas cases where dummy corporations were used to befuddle the Commission, to set up four Texas transmitters under false pretenses.

In a scathing denunciation of the Texas transmitters—KTRC, Austin; KMET, Palestine; ERBA, Lufkin, and KOKR, Tyler—Payne told his colleagues, in no uncertain terms, that Hanley was not due for a proper riding over the coals and indicated that (Continued on page 34)

## Networks Set For G. O. P. Convention; Mutual Draws Coveted Centre Booth

Philadelphia, April 23. The Mutual Broadcasting System won the coveted center booth at the Republican National Convention when the CBS rep called the turn at the coin-flipping here last Wednesday (17). CBS booth will be on the north side of the Convention Hall, while NBC will occupy the cubby on the south side. However, there will be no markings on the booths as in former years. Names with the names of the networks will be bunched in the center, giving no network's publicity advantage. Ted Church, radio contact man for the Republican National Committee, did the coin tossing. Miller's Dave Driscoll did the calling. NBC was represented by Abe Seltzer, while CBS's interests were looked after by Paul White and WCAU's Ken Stewart and Joe Connolly.

### Personality Lineups

Mutual is all set for the Republican and Democratic national conventions. Listed to be included in the network's coverage staff are Gabriel Bentler, Arthur Sears Henning, Chicago Trip chief in Washington, Paulson Lewis, Jr., Wylie Williams, Quin Ryan of WGN, and Dave Driscoll, WGN's special events director. Mutual promises to electrify regular program commitments, both commercial and sustaining, for both the Philadelphia (Republican) and the Chicago (Democratic) meets. Also due to be on hand for Mutual are Adolph Ochsner, program service manager; Lester Gettelich, network

publicity director, and Frank Schreiber, WGN press manager.

Columbia's staff at the conventions will consist of Elmer Davis, Bob Frost, Albert Warner, John Charles Daly, of WJLV, and 7 boys also Edwin C. Hill and Paul Sullivan. For the red network NBC will have H. V. Kalsbeorn and Earl Goelzin, while the NBC-blue's accounts will be handled by Raymond Clapper, H. B. Bookbarg and Lovell Thomas, with Ann Underwood doing the women's angle. Both CBS and NBC will have stakes at the show of each state's delegation. In Philly the headquarters for both will be the Bellevue-Stratford, and in Chicago the Stevens.

## 'Ranger' Villain Retires

Detroit, April 23. Fred Rota, the gravel-throated 'bad man' on 'Lone Ranger' for past seven years, has retired and gone to Butler, Pa., for a rest. Has been in show his for many years, in stock, repertoire and vaude with his wife.

### KFEL's Emerson in Hollywood

Denver, April 23. Joe Emerson, film columnist on KFEL, is in Hollywood for two weeks getting his news firsthand, and using the wires to send it to Herb Truckman, announcer. Emerson is sponsored by 11 Denver theatres.

**WCCO**  
**MINNEAPOLIS-ST. PAUL**  
**50,000 WATTS**  
**CBS**  
**UNIQUE . . . in coverage,**  
**in impact, in listener loyalty**

**CBS**

For more information about WCCO, one of the sixteen CBS 50,000 watt stations, inquire of Radio Sales: New York, Chicago, Detroit, St. Louis, Charlotte, N. C., San Francisco, Los Angeles

**50,000 WATTS—WHERE IT COUNTS MOST**

Write Wire Or Phone Your Nearest

VARIETY

Office To Reserve Space In the 1940-41

VARIETY

RADIO DIRECTORY

New York 154 West 46th St. Bryant 9-1153

Chicago 54 W. Randolph Central 4401

Hollywood 1708 No. Vine St. Hollywood 1141

'TAKE IT OR LEAVE IT' With Bob Hawk, Ray Block Ork City 30 Min. WABC-CBS, New York (Show)

This is the good-natured and unpretentious quiz in which the comedian, Bob Hawk, refers to himself as the third jerk on the list of jerks...

The orchestral touches were good for laughs, and so was the general wit. By not taking itself too literally, or too seriously, the quiz has a better chance than could be had of another straightaway I Q showed itself.

This one is slightly plucked. Land.

'CHOOSE UP SIDES' With Howie Medcass, Caswell Adams, Arthur Mann, Graetzland Rice, Ethel Barrymore, Bill Stumm, Jack Wale, Ed Hervey 30 Min. Sunday, 8 p.m. WABC-CBS, New York

With quiz show matching epidemic throughout the country, this one is a real stunner. It is a sharp effort, bringing two groups of quiz questions, but not general knowledge. The quiz is a real stunner from the most violently bitten edition, but is tame-off style for others.

'REED & RANDALL, ATTORNEYS AT LAW' 15 Min. Regional WJLB-TV, San Antonio

From the state capital, Austin, through state KGOV, comes this lavishly staged program. The program is produced by the members of the Texas Junior Bar Association and in the drama are filled by actual lawyers.

'SURPRISE PARTY' With Henry Greer, Henry Strayer, Harry McHugh, Pepper and Götter, 30 Min. WABC-CBS, New York Friday, 8:30 p.m.

This show had only one spring grace, the harmonizing of the Merry Men, who were quizzing by Henry Greer as m.c. 'Party' has an audience participation song and somewhat tasteless wags, guests volunteering to take part in games that originate primarily party preoccupations.

'STONES AND MUSIC' With Henry Greer, Marjorie Chasno, Elizabeth Colwell, Mary Goff Davis 30 Min. WABC-CBS, New York Sunday, 8:30 p.m.

Twice-weekly juve series of fairy story readings, with musical interludes and songs, is offered in association with the New York Public Library. Four themes listed in the credits include 'The Wizard of Oz' and 'The Story of the Three Little Pigs'.

Television Review

'REPORTER' 30 Min. Friday, 8:30 p.m. WABC-CBS, New York (Marshall & Prent)

Interesting but a little much in the primitive stage. Though the theme were loosely defined, the reporter gave a good insight into how the medium could come day to day to handling such elements as photos, maps and live appearances.

Event caught was divided into two parts. The first dealt with the war, aided by especially fine maps and photos of personalities mentioned, the second 'reporter' explicated on the possible implications of the latest war bulletin from Europe.

'RATHBON GREGG' With Henry Greer, Henry Strayer, Harry McHugh, Pepper and Götter, 30 Min. WABC-CBS, New York Sunday, 8:30 p.m.

At the present time both networks are competing for the prize of producing the best program in the genre. Nothing until now matters can be traced into practical radio terms.

The program lends groups of kids out in the fields, woods, the lake or the rocky mountain district of Colorado. Gregg talks of anything and everything they chance upon. Ideally this program is an EAD pack transmitter, rambling around the country as it goes.

'YVETTE' 15 Min. Sunday, 8 p.m. WABC-CBS, New York

Yvette (Harris) is described as from Louisiana. NBC has been giving her a build and she rates the chance. Her Sunday afternoon program, 'Wonderful World', is Victor Herbert review.

Also orchestral and also fluted; not merely the usual piano accompaniment of the standard with guitar Ben Grauer, especially the usage of initials to interpret certain parts, didn't mean much either way.

'HILL OF HOUSE' 30 Min. WABC-CBS, New York Sunday, 8:30 p.m.

Domino Connecticut and Western Massachusetts

'GLOOPY GUY' With Henry Greer, Henry Strayer, Harry McHugh, Pepper and Götter, 30 Min. Daily, 1:30-2 a.m. WABC-CBS, New York

Show is a burlesque on the old-time 'guy-in-the-morning' type. The station bought the air hours in the early hours. Jockey is Marc Lawrence who wears rubber, but the burlesque recordings with cracks set up at such a pace that you get up at such a pace.

'QUIN RYAN' News 15 Min. WABC-CBS, New York

Quin Ryan's program is strong at the old stand for nearly 30 years. With a radio speller with a follow-up and a name, Ryan continues to read the news from the Charles Tribune for 15 minutes nightly starting at 8:30. By 8:37 the news suddenly becomes a quiz until 9:45 by Bond's local clothing store.

'Follow-Up Comment' Alma Elkhoff's 'Streamline Journal' on NBC blue had a 'page' by the cover girl, Antonette 'Tony' Concella, assistant of Bing Crosby.

'WBAL' means business in Baltimore. 50,000 WATTS NBC RED network

WEED AND COMPANY NATIONAL REPRESENTATIVES NEW YORK - BOSTON CHICAGO - SAN FRANCISCO

DON'T MISS PALMOLIVE'S 'HILL OF HOUSE' BESS JOHNSON By Adelaide Marston Dedicated to the women of America

F. C. C.'s WASHINGTON DOCKET

MAJOR DECISIONS

Washington, April 23

Remarks: Plan of WPAF, Washington, for rebranding its station... The WPAF application did not show that the proposed program...

Remarks: The proposed did not include the Columbia in its... The proposed did not include the Columbia in its...

Remarks: The proposed did not include the Columbia in its... The proposed did not include the Columbia in its...

Remarks: The proposed did not include the Columbia in its... The proposed did not include the Columbia in its...

Remarks: The proposed did not include the Columbia in its... The proposed did not include the Columbia in its...

MINOR DECISIONS

Remarks: WAFB, Birmingham, Birmingham, Birmingham... Remarks: WAFB, Birmingham, Birmingham, Birmingham...

'Violation of Confidence' Charged

By Press But Radio Laughingly Replies: 'Got It Off Ticker'

Washington, April 23

When newspaper editors tried to get radio in the New Deal dog-house last week, the dog jumped out and nipped them.

tion by NBC—which slowly decided not to issue any public explanation—proved that Kaltenbach merely repeated an item that came over a news ticker. Salt was poured on the wound in the form of an observation that the wire service didn't kill its earlier story until nearly four hours after it had been microphoned.

EARLY COMERS AT BALL PARK QUIZZED

San Antonio, April 23. KABC here has paid its last 10-minute period prior to the start of its baseball play-by-play account...

When the blue-jackets knuckered on the Chief Executive's door, they were confronted with the fact that H. V. Kaltenbach, in his nightly NBC capacity, had told the public part of what Undersecretary Wetters had told them a few hours before.

Program is handled by Dave Young, sportscaster for the station.

NEW APPLICATIONS

Full-time WFLA, Tampa, increases night power from 10 to 20 kw... Full-time WFLA, Tampa, increases night power from 10 to 20 kw...

Full-time WFLA, Tampa, increases night power from 10 to 20 kw... Full-time WFLA, Tampa, increases night power from 10 to 20 kw...

Full-time WFLA, Tampa, increases night power from 10 to 20 kw... Full-time WFLA, Tampa, increases night power from 10 to 20 kw...

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Full-time WFLA, Tampa, increases night power from 10 to 20 kw... Full-time WFLA, Tampa, increases night power from 10 to 20 kw...

Full-time WFLA, Tampa, increases night power from 10 to 20 kw... Full-time WFLA, Tampa, increases night power from 10 to 20 kw...

LARGEST RADIOAL BUREAU IN SOUTHERN CALIFORNIA

Advertisement for Southern California Radio featuring station logos for 94.9, 97.3, 97.7, 98.3, 98.9, 101.7, 102.7, 104.3, 105.3, 106.3, 107.3, 108.3, 109.3, 110.3, 111.3, 112.3, 113.3, 114.3, 115.3, 116.3, 117.3, 118.3, 119.3, 120.3, 121.3, 122.3, 123.3, 124.3, 125.3, 126.3, 127.3, 128.3, 129.3, 130.3, 131.3, 132.3, 133.3, 134.3, 135.3, 136.3, 137.3, 138.3, 139.3, 140.3, 141.3, 142.3, 143.3, 144.3, 145.3, 146.3, 147.3, 148.3, 149.3, 150.3, 151.3, 152.3, 153.3, 154.3, 155.3, 156.3, 157.3, 158.3, 159.3, 160.3, 161.3, 162.3, 163.3, 164.3, 165.3, 166.3, 167.3, 168.3, 169.3, 170.3, 171.3, 172.3, 173.3, 174.3, 175.3, 176.3, 177.3, 178.3, 179.3, 180.3, 181.3, 182.3, 183.3, 184.3, 185.3, 186.3, 187.3, 188.3, 189.3, 190.3, 191.3, 192.3, 193.3, 194.3, 195.3, 196.3, 197.3, 198.3, 199.3, 200.3.

take your pick OF SOUTHERN CALIFORNIA LISTENERS

Today, as for the past three years, KNX holds the lead in First Place" in Southern California wherever you do your listening.

That's why... for the past thirty-one consecutive months... advertisers have placed more national and local spot business on KNX than on any other Los Angeles station.

For these advertisers... the absent in the nation... KNX is delivering the pick of sales in this billion dollar market, just as it can for you!

KNX LOS ANGELES, 50,000 WAITS COLUMBIA'S STATION FOR ALL SOUTHERN CALIFORNIA

Enjoy a lively Showmanship WINS LARGER AUDIENCES in the MOUNTAIN MARKET FOR JOHN BARR & COMPANY In POPULAR Los Angeles and San Francisco

Add On Brief-Line Washington, April 23. More attorneys admitted to practice before the Communications Commission: Edmund Binder of New York, approved by the Bar Committee, March 8, received an okay. Ten others, who received the same preliminary approval March 8, were admitted same day. They are: Thomas F. Barry, Samuel W. McIntosh, Norman L. Meyer, Peter Q. New, Roy S. Lewis, and Stanley P. Swindler of Washington, D. C.; Robert J. Cressner, Portland, Ore.; Erwin Halpern, New York; J. May, Arthur, Kans.; and James H. Price, Greenville, S. C.





## Willing to Sacrifice Songwriters To Benefit Radio, SPA Angle on BMI

The Songwriters Protective Association has taken up with the controller of a copyright owner's rights as a condition of its own contribution to the SPA's campaign for the protection of the composer's share of the copyright law.

The SPA statement was drawn up by John Schulman, the association's counsel after Irving Caesar, SPA president, had asked him for an opinion on the SPA's plan to take Schulman's statement follow:

BMI officials reveal privately that they are willing to sacrifice the interests of the songwriter to benefit their backers, the chain store operators and their affiliates and independents. I do not agree with the interpretation of BMI that the composer's share within the compulsory license provisions of the copyright law is a sacrifice. If composers are concerned, they would welcome a test of construction of these compulsory license provisions.

Regardless of the BMI contention, the fact is that composers have been treated differently than phonograph records. The compulsory license provisions of the copyright law are not an attempt by a publisher to treat songwriters in the manner of a publisher to treat songwriters in the manner of a publisher to treat songwriters.

Therefore let it be known that my organization will charge but \$2 as royalty for its works used in transcription.

## NEW GROUPS TAKE OVER NEW ORLEANS CHORES

New Orleans, April 23.—New bands moved into city's new Municipal lounge, 640 Canal during past week. Arthur Havel went to Fountain Lounge of Haven Boulevard on Friday (18) with Murray Driscoll's crew. Mel Smith quartet opened in Jung Hotel on Saturday (19). The new group, n. e. and plays sax, while side man Joe Valenti, bass; Tommy Yarn, accordion, and George Wadderman, guitar.

Jack Norman opened at Flynn's with all sax and piano. Ray Escobedo, trumpet; and Leon D'Amico, vibes and violin. Ray Escobedo and crew or orchestra open April 25 at Broadwater Beach Casino, Gulfport, resort near here. Band has brass and crew of 12 in band and lounge of Monteleone Hotel. Jerry plays saxophone and clarinet. Mel Escobedo, piano; Mel Wiley, guitar, and George Persbach, vibes. Wiley also doubles on vocals.

## Charles Baum at Palmer

Charles Baum, who closes a two year engagement at the 200 Regal, N. Y., Saturday (27), has been booked for the Palmer House, Chicago, to open in about a minimum of eight weeks. He will play several one nights on the way out.

Baum will probably follow his Chicago stand with a brief engagement on the west coast. Later is new in the negotiating stage.

## TEDDY WILSON BAND Halted

Teddy Wilson, who left Benny Carter's orchestra to start his own band last spring, has had his 12-piece outfit and rebuild to a 15-piece band, with the addition of a new rhythm group. The new group will play in the Fall—a combo, which recently gave Gate Boulevard, New York, its own Count Basie of Andy Kirk.

Wilson will comprise four rhythm, two trumpet, one saxophone, clarinet and Wilson at the piano. He will also play one trombone also, and intend using a girl singer.

## Columbus Chowmeiny Taken Over by Politicians

Columbus, April 18.—Operating rights in the State Restaurant have been acquired by the capital city Young Republicans Club. The Columbus Chowmeiny restaurant, one of leading dining-dineries to take its place as a private club. Today's orchestra has been retained, but Steve Abner will be dropped.

Former operator was Louis Yoc.

## GEORGE NOT ONLY LOSES BUT OUES

By an action of the N. Y. appellate division last week, David George, claimant to the authorship of "The Wreck of the 97," now stands defendant of the second round in litigation. He held a year ago against Time magazine and RCA Victor. The appellate division in this instance not only reversed Time's judgment, but also held that George's suit against Time was not a bar to his suit against RCA Victor while it was pending in the U. S. supreme court. Time stated that the circuit court of appeals had dismissed his claim as "fraudulent" and the appellate division in its decision last week held that the tenor of the circuit court's comment seemed to support the magazine's contention.

George's suit against Time grew out of the magazine's comment and litigation against Victor while it was pending in the U. S. supreme court. Time stated that the circuit court of appeals had dismissed his claim as "fraudulent" and the appellate division in its decision last week held that the tenor of the circuit court's comment seemed to support the magazine's contention. "Wreck of the 97" controversy has been long and complicated. The magazine had made a copy of the matter back to the lower court for an accounting and after this had been done, the circuit court of appeals. The U. S. supreme court has since then refused to pass judgment on the matter. The ironic twist to the situation is that whereas a year ago George fought a substantial judgment in favor today he is the defendant of judgments involving court costs held against him by Victor and Time.

## Joe Glaser's Chicago Deals

Chicago, April 23.—Joe Glaser of Consolidated is in town setting arrangements for bands and acts for the remainder of the season spots. Ed Fox is negotiating for the reopening of the southside club, the Grand Central Hotel, in which Glaser is also the landlord. It is also unfolding with Joe Sherman and Ben Beers for talent for limited reopening of the "Three Ducks" in August. Three Ducks Club was closed by the city in New Year's Eve, and is now being rebuilt and remodelled.

## Red Star Songs' Prez Goes to FTC, Alleging Pluggers Restrain His Biz

M. K. Frank, owner of Red Star Songs, Inc. has taken his controversy with the music industry to the U. S. Washington. In a complaint filed with the Federal Trade Commission, Frank is asking the entire industry to act in a concerted effort to operate by diverting their goodwill from Red Star members.

Frank was asked by the U. S. in progress for over three weeks and it was called after Frank had refused to sign an agreement with the union even though he employed union contractants. The union insisted that Frank had violated the contract and that he had acted in a manner which it claimed that only through such conduct was it insured of protection. Frank was asked by the U. S. he wanted to be free to get his plugs as he saw fit without being subject to heavy fines by the union.

## Suburbs, With Wires and No \$3 Tax, Favored for Bands

### P. A.'s Never Logical

Gene Krupa's band will lug his instruments from the Paramount Theatre, N. Y., to the Van Nuys Railroad station next week, set up in the middle of the suburban district. The band's exploitation versions of "Manhattan Transfer," one of its latest records, for the education of commuters and newspaper photographers.

Columbia Records p. originally scheduled Krupa to do his stuff at the real Manhattan Transfer in New Jersey, where trains switched engines for locomotives and vice versa. Everything was set, it was thought through that the Transfer had booked for over four years ago. Penn Station gets the best there. Nobody knows the connection with the record's title.

## MCA Sets Kay Kyser In Ft. Worth's Casa; Spot Opens June 28

Ft. Worth, April 23.—Kay Kyser will open the Casa Manana's 30-day show season here June 28, according to an agreement reached between the MCA Corp. of America and directors of the popular club-theatre, staged annually as a divertissement. The show will consist of band, six acts of vaude, a line of 60 dancing girls and a local orchestra.

This marks the 6th season for this Texas summer show that was born with the Texas Centennial celebration and first operated by Billy Rose. MCA expects production costs to run around \$75,000. The Casa Manana group agreed to raise a \$10,000 guarantee and foot the bills for remainder of the season, totaling between \$10,000 and \$15,000.

## Benny Goodman's N. Y. Trip Alone for Recordings

Benny Goodman's band will take another short vacation on the Coast to end May with recordings in New York to record for Columbia Masterworks in one session and to make a record for Decca. Lester will work with Count Basie on piano, backed by the rhythm section of his band. Goodman will play an outside trombone, either Jack Tegenear or J. C. Higginbotham.

## Turpkie Grosses

Lincoln, April 23.—Herbie Kay announced a net \$500 at the Turpkie Comedy Sunday (14). His first touring appearance was in two years. Turpkie's Fourth Birthday party, using Lee Dixon, netted \$500. Kay is coming back next weekend (31) for similar reason. Shirley's Spring Dance at Turpkie Tuesday (17) was just for fun.

Lee Dixon is booked for this weekend.

## LURCFORD AT BARCETERIA

Jimmie Lunceford's orchestra will take its first location date in New York in several years when it opens at the Elmore Theatre for four weeks June 7. Bud is currently on a nighting its way back from the Coast. Lunceford has a double bill at stretch at the Elmore beginning Oct. 4.

Westchester County, just above New York City, may become a nest of some band stands this summer, and all with network wires at the foot of the road. This road is a come through. There are at least nine stands, some of which have had some outlets seasonally for some time, presently being named as possible band, but not including a few. Westchester County, just above New Jersey, also out of reach of the \$3 tax per hour broadcast, the main reason for the suburban buildup, is to get two additions to Meadowbrook, Colton Grove and the Victoria Club Express, Blomfield, N. J., and the Chatterbox, Montclair, N. J.

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## DAVE FERGUSON VICTIM OF TRAILER ACCIDENT

Dave Ferguson, 31, died last Thursday (19) after being confined in the hospital, where what was thought to be a head bruise, sustained in an auto accident on the road, was being treated. He was drummer with Harry Felton's band and was driving in the light trailer truck, carrying the band's instruments, when it was struck by the River Parkway, was reported as being killed last week, called Bill McCune's orchestra.

A sister of New Haven, he started Ferguson (19) after being confined in the hospital, where what was thought to be a head bruise, sustained in an auto accident on the road, was being treated. He was drummer with Harry Felton's band and was driving in the light trailer truck, carrying the band's instruments, when it was struck by the River Parkway, was reported as being killed last week, called Bill McCune's orchestra.

## Hummer Band to Omaha, But Barnell Stays in K.C.

Omaha, April 23.—Wilson Hummer and his instrumental sextet for the first time Martin's Tavern for Chas Parvo in Omaha. Hummer's crew of piano, drums, bass, guitar, saxophone, clarinet and guitar was organized for Martin's intimate spot here last week.

Serial of this type is ideal for the Martin spot, as Bernie Barnell, of former original group, was to lead a new assemblage of the same type.

## Barney Rapp Gets Plaster

Cincinnati, April 23.—A tax lien for \$24,313 against Barney Rapp was set by Federal Court here Friday (18) by Thomas J. Quinn, collector of internal revenue. Manned is alleged to owe the U. S. for income taxes for 1933 and 1934. Rapp, who headed the New Englanders for many seasons, has been playing at the Elmore Theatre since the Sign of the Drum, here.

Off and on he has been directing a combo under his old tag.

Amos Weeds playing week's engagement at the Omega Night Club, San Antonio.



Hit-Pickers Not Hitting

It's no trouble secret that almost all of the music firms with hand-picked committees in the music business...

As one established music man puts it: 'It's certainly strange that band-leaders who think they can't pick any for their own firms...

COLLEGE RHYTHM

The fourth of a series of articles on collegiate likes and dislikes as regards dance music and dance bands.

Variety publishes the articles to give music men and band leaders a cross-section of current underground opinion on dance music and bands...

UNIVERSITY OF NORTH CAROLINA

By Bill Stauber, '40

(Editor, 'Caroline Recorder')

President Roosevelt called it liberal; Kiy Kyrer called it April; but to 4,800 students it is just plain old heaven.

With 35% of the Carolina enrollment out-of-state students and 25% of these Yankees, ball seasons are divided between the subjects of who was chosen in World War and T. H. Ford what they're about here?

Kiy Kyrer is head cheerleader in his undergraduate days. Although his music is not rated top at Carolina, there are few students that miss when he is progressing.

That our school paper will well-known alumni to not an indication that we are prejudiced in our opinion of good bands.

While swing reigns supreme for listening, sweet music is the favorite for dancing. This is attributed to two things: First, the dance committee has a ruling against jitterbugging.

With the coming of the spring season, North Carolina has quite a treat in store. Tommy Dorsey was booked for the annual May Frolics which invariably come in April.

Best liked among the bands appearing here during the past two years are: Kay Kyrer and Hal Kemp—'it's always old home week with them when they're returning after five years, would still be the same if it were but he really brings a circus with him.

Variations of what is commonly known as the 'Tankee' is the most popular style of dancing. (We hate rhumba's). The 'Yankies' may be used with almost any tempo.

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VOGEL SUES MILLER

Involved Litigation on Same Strain Twice Filed by Same Writer

Ferry Vogel Music Co. filed suit Wednesday, April 11, 1940, against Miller Music Inc. seeking an injunction against the defendant's publication of the defendant's 'Blues' and a decree declaring that Vogel is the owner of the song.

On May 10, 1939, one Adam Gerbel wrote the words and music to 'Visions of Sleep.' In 1935 a song called 'Sleep' written by Earl Ledford, a pseudonym for Gerbel, used 30 bars of 'Visions of Sleep.' This one was published by Sherman, Clay & Co., which subsequently assigned its rights in the defendant.

Copyright renewal on the first song was secured by Vogel in 1931, the year of Gerbel's death. The widow assigned her rights in the renewal to the plaintiff. The defendant, according to the complaint, is now attempting to claim it has the right to use the similar 33 bars, given it by the use of these bars in 'Sleep.'

Gene Buck Makes 25th Annual ASCAP Report Tonight; B'd Maps Campaigns

British Best Sellers

(Week Ending April 6, 1940)

- 'Over Rainbow'..... Day
'Who's Taking Me'..... Day
'Tributes'..... Keith
'Kathleen'..... Day
'Lovely Day'..... Chappell
'The Good Dream'..... Lattin
'I'll Candle in'..... Norris
'Made Me Care'..... Wright
'Quarter Master'..... Cavendish

\*1 (18c) Editions; others 6c.

On the eve of the 25th annual report of the ASCAP (Wednesday) by Gene Buck, president, to the American Society of Composers, Authors and Publishers, at the Ritz-Carlton hotel (N. Y.) meeting place, the board of directors yesterday met in close session all afternoon on a number of industry problems.

PUBLISHER-WRITER PACT RENEWAL MAY 1

Music publishers have until May 1 to decide whether they want to extend their present contracts with the Society of Music Publishers Association for six years or ask that certain clauses in the agreement be revised.

Italian Book Co. Catalog

Italian Book Co., has sold every issue that he had published to Dec. 31, 1939, to Dr. Clay A. Boland, Philadelphia dentist and songwriter. With these copyrights De Martino transferred his membership in the American Society of Composers, Authors and Publishers.

DIRT SONGS DRAW SLAPS FOR TV

A committee chaired by Edgar Leslie at the ASCAP board meeting Wednesday (April 11) after the found Paul Deser, writer of 'I'm a Virgin on the Verge' (Joe Devita' George Smallie Co.) and Leeds Mearns (Lionel Spang) (Lionel Spang) publisher of 'The Had to Go and Love It at the Astor,' guilty of 'leaving innocents with the dirtiest music in the world.'

THE HARP'S BROAD JUMP

From Back to George Wogles Some in Hip

Sylvia Marlowe, singing harpist at the Rainbow Hotel, N. Y., has waded an album of three 10-inch discs, 'From Back to George Wogles Some in Hip.'

'One of them is a classical Bach extract, 'Ave Veritas' from 'The Well-Tempered Clavier' by Johann Sebastian Bach, and another 'Jenny on Mount,' but the other selections—'Rocky Train,' 'Yancy Special,' 'Fine Topie Rag' and 'George Wogles Some in Hip'—are unclassical jazz.

Missy Agnew composing the music, wrote for 'The Doctor Takes a Walk' at Columbia.

Suspend Youth's Sentence For Stealing Sheet Music

Abraham Greenfield, 26, was sentenced to three years in the penitentiary and fined \$500 by Judge John Quinn of the Special Session of N.Y. last week for stealing music from the Ashley Music Supply Co. The sentence was commuted to probation. The fine is to be paid out of Greenfield's future earnings.

CANADIAN VERDICT

Campaign Against Lyrical Piracy Sees An Important Victory

Word was received by the Music Publishers Protective Association from Ottawa, Canada, last week that the Ruby Nut Co., magazine distributors, had pleaded guilty to handling illicit song sheets and had been fined \$100.

Londen Publishers in N. Y.

Two London publishers, John Abbott, of Francis, Day & Hunter, and Roy Gilbert, who heads the firm with the same name, are in New York on a visit, and Reg Connolly, of Campbell, is expected to arrive any day. Gilbert is making his headquarters at Shapiro, Bernstein & Co.

Make your Advertising do a Better Job!

USE VARIETY It puts your message across -To Those Who Buy What You Have to Sell -With Greater Results -At Least Expense

Send us your idea of any advertisement you may have in mind. We will furnish attractive layout and suggestions without charge. Variety - 154 W. 46th St. - New York

RECORD REVIEWS

Sammy Kay's "Tough Member"—"Homebody" (Victor 35468)

One of Kay's most successful "Homebody" records... sound effect to help a bit... Jimmy Brown, backed by a hand chorus...

Sammy Goodman "Beyond the Moon"—"Night and Day" (Columbia 35416)

Travis Mendelsohn's solo stand out of the smoothly jumping "Moon" like a sure thumb... Goodman's interludes are solid... "Special" is equally strong...

Hal Kemp "Believing"—"Oogie Write a Book About You" (Victor 35556)

Kemp's arrangements carry many likable color effects... "Believing" is a corker... "Oogie Write a Book About You" is a smart arrangement...

Gene Krupa "Woodpecker Song"—"Say It Sil" (Columbia 35466)

Two drum solos from a band that has been improving steadily... "Woodpecker" drives solidly and is cut with added punch... "Say It Sil" is well handled...

Leslie Hampton "Dinah"—"Single in the Snow" (Victor 35667)

Hampton, Coleman Hawkins, sax Benny Carter... "Single in the Snow" is a corker... "Dinah" is a corker... "Rainbow Garden" is a corker...

Glenn Miller "The Home Jive" (both sides) (Decca 35669)

Unusual stuff from the Glenn Home Jive... "Jive" is solidly played original rhythm... "The Home Jive" is a corker...

Jeanne Lawrence "Time to Jump and Shout"—"Pretty Boy" (Vocalion 35491)

Lawrence is leaning much too heavily toward hopped up originals... "Time" wastes no time getting into a jassy groove... "Pretty Boy" is a corker...

Glenn Miller "Pals Don't"—"What's Matter With Me" (Bluebird 16607)

Miller does a nice job on "Moonbeams" arranged for colorful ensemble work... "Pals Don't" is a corker... "What's Matter With Me" is a corker...

Larry Chates "Dagobert Bang Heart"—"The Old Town" (Victor 35644)

"Heart" is played with an easy beat... "The Old Town" is a corker... "Dagobert Bang Heart" is a corker...

Orrin Tucker "Apple Blossoms"—"My Baby's Adonis" (Columbia 35466)

This is a bit different from the Tucker band... "Apple Blossoms" and "My Baby's Adonis" are corkers... "Bonnie Baker" is a corker...

Bob Crosby "Over the Waves"—"From Another World" (Decca 36061)

Good standard stuff at a faster than average... "Over the Waves" is a corker... "From Another World" is a corker...

It's "LOOK DOWN MY RAIN BARREL" they want— It's "SLIDE DOWN MY CELLAR DOOR" they ask for— Don't be fooled—what they really mean is—

RAYLES SATIPLY-JOY-SELECT That Big Novelty Sensation! The Most Requested Number! 1619 Broadway, New York

Band Bookings

Will Bradley, May 7-9-11, Raymond B. Boston, 10, Williams C. Williamson, Mass., 11, Orpheum Theatre, Conventville, N.Y., 12, G.F. Pavilion, Johnson City, N.Y., June 7, Woodbury Pavilion, N.Y., 12, Ferris Va., 15, three weeks, Surf Beach Club, Va. Beach. Teddy Powell, May 10-11, Duke U. Durham, N.C. George Hall, May 8, Met Theatre, Providence, R. I.; 11, Lake Bruce Theatre, Middlebury, Ohio; 12, Moon Glow Club, Cape Girardeau, Mo. Glen Gray, May 8, Golden Gate B. N.Y. City. Johnny McGee, June 25 week, Hipp theatre, Baltimore. Glenn Miller, May 23, Armory, Rochester, N.Y. Bill Barde, May 13, Murlinbeeb hotel, Kansas City. Larry Clinton, May 3, Notre Dame U., South Bend, Ind. Will Calverton, June 15, three weeks, Edgewater Beach Hotel, Chicago. Wanda Herman, May 13, Allen Theatre, New York. Richard Himber, May 2, four weeks, Roosevelt Hotel, New York. Early Duchin, May 21-June 1, North Carolina State U., Raleigh, N. C.; June 6-11, Washington & Lee; R. Johnson Green, May 18, Surrybrook B., Portsmouth, Pa. Johnny Long, April 30-31, Davidson College, N. C.; May 2, West Virginia U. Russ Morgan, May 8, Orpheum Club, St. Louis, Mo.; 11, Texas College for Women, Dresden, Tenn.; 12, South B. Oklahoma City; 11, and Can Del. Dallas, Okla.; R. Rice hotel, Houston, Tex.; Cooper C. Houston, Okla.; 11, Team A. M. & C. College Station, Tex.; 12, Rainbow Gardens, Little Rock, Ark. Little Jack Little, May 20-21, U. of Maryland, College Park, Md. Reggie Childs, May 11, Crystal Beach, Vermillion, Ohio, 18, Penn State U., Harrisburg, Pa.; 12, Erie, Pa.; July 1-13, Carnival, Hamilton Square, N. J.

15 Best Sheet Music Sellers

Table with 2 columns: Song Title, Publisher. Includes 'When You Wish Upon a Star', 'Woodpecker Song', 'With the Wind and the Rain in Your Hair', etc.

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

WABC is a notation of the combined plugs of current tunes on NBC (radio) and WJZ and CBS (WABC) compiled for the week from Monday through Sunday (April 15-21). Total represents accumulated performance on the two major networks from 8 a.m. to 1 a.m. Symbol \* denotes film songs, # stop musicals, all others are pop. Paraphrastic summary after the title indicates how many weeks the song has shown up in these

Table with 3 columns: TITLE, PUBLISHER, GRAND TOTAL. Lists 15 songs and their publishers like Bobbins, Shapiro, Parson, etc.

Voice Monotony

Continued from page 33... been in the direction of easy, informal, offhand delivery... The what's-his-name-going-to-do-next profession has practically gone along without letup for a couple of years...

Music Notes

Gerald Carneaux checked in at Columbia to do an original music score for 'I Married a Devil'... Victor Young doing the musical score for Paramount's 'The Way of All Flesh'... David Sussel preparing music for 'The Romance of Catherine' at Metro...

Don't You Think of Everything... Blossom: There's a New Gaudy Comin'... When the Spirit Moves You... Bobbins publishing.

Caulsw Meats has opened a Chicago office with Bob Cole as a principal manager.

Alfred Newman scoring background for 'Lillian Russell' at 20th-Fox with 100-piece orchestra.

Earl Brent wrote words and music for two songs to be used by the Marx brothers on their road tour.

Fred Astaire and Glady's Shirley turned out two ditties, 'Sweet Sorrows' and 'Just Like Taking Candy From a Boy'.

The Hit Song from Eddie Cantor's M-G-M Film "FORTY LITTLE MOTHERS" Written by CHARLES TOBIAS. Illustrated by ALAN SIMON. THE GREATEST KID SONG since "Sonny Boy". LITTLE CURLY HAIR IN A HIGH CHAIR. DIAMOND SUCCESSOR DUE. HARRY LINK, Gen. Prod. Mgr. LON MOONEY, Prod. Mgr.

Night Club Reviews

PERSIAN ROOM, N. Y. (HOTEL PLAZA)

Edgy Duxbin Orch (12), Jose Fickens, Paul Hanson; 9:30 and 11:30

With Paul Draper still hospitalized, Paul Hanson is doing a good substitute job. (New Acts) with Hanson's orchestra is doing a good substitute job. (New Acts) with Hanson's orchestra is doing a good substitute job.

As with Hanson's impersonation, equally noteworthy is Jose Fickens' in his Wagnerian style. Jose Fickens is doing a good substitute job. (New Acts) with Hanson's orchestra is doing a good substitute job.

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PANTHER ROOM, CHI (HOTEL BERMAN)

Chicago, April 20. Ben Pollack, Art Hodes, Arnold (Whisper), Eddie Raven, Alexander & Smith; 9:15, 11:15

Polack is no stranger to Chicago as he has a history of many club appearances. He always shows up with a bang leading a first-class instrumentalist; in the past many of them have graduated to the leadership of their own bands.

Current aggregation in one of his bands and depends on the quality of the music in addition to certain soloists. He has a certain method in itself, and should be stressed more than it is distinctly individualistic.

YESTERDAY'S HIT TODAY'S REQUEST

APRIL IN PARIS

Recorded by Victor King and His Orch, on His King 2478

BLUE ROOM

Recorded by Benny Goodman and His Orch, on Victor 26068

and by Isahm Jones and His Orch, on Decca 193

HARMS, INC.

3000 Sixth Avenue, New York City, N. Y.

BLACKHAWK, CHI

Chicago, April 16. Bob Crosby Orch (14), with Mervon James, Sam Washburn, Bobby Haggart; 9:15 and 11:15

Repeat appearance here for the Crosby orchestra is bringing smash hits, and the new material is well received. It is well received.

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WIENER FIACHER, N. Y.

Fritz Spielmann, Charles Dickert Trio, Mildred Wendell, Peggy Permond; 9:00 and 11:00

The growing Viennese vogue, particularly in the case of the Wiener Fiacher, is well receiving.

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LA MARTINIQUE, N. Y.

Danny Kaye, Betty Hutton, Linda Mason, Milt Hinton, Charlie Dixon, Fusto Corbelet's Rhumba; 10:15 and 12:15

With Betty Hutton, one of the pioneer hitgirls in the live show, is doing a good substitute job.

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Just to make 'em pay attention, Miss Hutton is a sure cure for insomnia. She is doing a good substitute job.

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Inside Stuff—Music

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AN OUTSTANDING SCORE! From Paramount's "BUCK BENNY RIDES AGAIN" by FRANK LOESSER and JIMMY McHUGH SAY IT (Over and Over Again) MY! MY! MY! MY KIND OF COUNTRY DRUMS IN THE NIGHT FAMOUS MUSIC CORP., 1619 Broadway, New York SIDNEY KORNHIEBER, Prof. Mgr.



Monte Proser's Zombie Spots Spreading to Boston, N.Y. Fair

Monte Proser is parlaying a name into a national institution, with a new Zombie just opening in Boston in two weeks on the night of the Casanova...

Frico's Sitdowner

Hollywood, April 23. Sitdown strikes have spread to the interior. Joe Frisco pulled one last Wednesday (17) and a short time before the New York...

EMPIRE, STR., CLOSES AFTER STR.-FILM WEEK

Syracuse, April 23. Shut by financial difficulties for the past three weeks, the Empire completely dark this week after trying second-run films for a week...

Billy Rose Asks Equity to Take Over Jurisdiction of N.Y. and Frisco Fair Aquacades; Calls Haddock 'Red'

Billy Rose yesterday (Tuesday) contended with Earl Lyttel, pro president of Equity, requesting that he should have jurisdiction of the New York and Frisco fairs...

performers in his Aquacades show at the New York and Frisco fairs a minimum of \$40 a week for 20 performers...

This Guy Gave No Bones About Copying O. & J.'s Telzapoppan

Milwaukee, April 23. 'Telzapoppan' was started by Glenn and Johnson is still going. When 'Telzapoppan' clicked it was followed by 'Telzapoppan' in the Chicago area...

PLAZA, ACE PITT NITERY, LOSES LICENSE

Pittsburgh, April 23. Boss license of Plaza Club, one of town's top nightspots, was revoked here last week by the Mayor's Council...

John Roy's Aide Falls To Death Accidently

Mrs. Opal Macdonald, 36, long-time executive aide to John Roy, died last Tuesday (16) night, while driving her Buick in the city...

Joe Flaps Haddock

Rose claims that Haddock does not want to make a deal, but wants to 'tomato' trouble. To substantiate this, Rose states that Haddock Monday (23), asked for \$800 a week for chorus girls from Rose...

One AGVA case declared that he is tired of compromising with those who are in favor of measures to halt the spread of the disease...

After reaching an agreement with Haddock for all his shows at the Fair this summer, AGVA was forced to relinquish 'Stevens of Paris' to Haddock...

I-DAY NEW HAVEN VAUDE GOING STRONG

New Haven, April 23. One-day vaude is going strong in the village. Shows, centered pit shows, plays five acts Saturday, while the Arena, sports auditorium seating 10,000, has seven acts and name bands Sunday...

Abbott-Costello Set For N. Y. Roxy Date

Mid Abbott and Lou Costello have been booked for one week at the Roxy, New York, city, for the following week (1), the comedy team rejoins 'Streets of Paris' which it ran under 'Toots' name since the Music Hall at the N.Y. World's Fair...

MUNRO and ADAMS STAY AT CHICAGO Week April 24-26 ROXY, ATLANTA, GA.

Hannah Williams' (Mrs. Dempsey) Comeback

Hannah Williams (Mrs. Jack Dempsey) may go into the Verallians, New York city. Deal is being worked out by Music Corp. of America...

Spiritany

of them going to Philadelphia (utilities) company for peddling it at New York. Kalmine immediately hit roof, called Spiritany in Cleveland, who in turn got in touch with GE officials...

Don's Want AGVA

So far as AGVA's statement that Rose is 'anti-union' the showman claims that he has been producing for 18 years and has never had a strike or picket line...

Greater Union to Push Vaudein in Australia

This coming winter, Greater Union Theatres will drive deeper into stage productions in the sea zones. Execs believe time is ripe for vaudein.

UVA WYTE TO LONDON

Uva Wyte, young singer from Britain, will arrive in New York for the Coast Theatre (25) to open at the Hammerstein, Broadway (11th St.)...

Best Coffee in England QUALITY INN Leicester Square LONDON, WEST END

THE BOYS MUSICAL CARICATURES New CHICAGO THEATRE, Chicago Head-JACK DAVES and MELTON BENDER Foot-MARY GREENE

THE INTERNATIONAL CHARACTER COMEDY CLYDE HAGER Doubling LOEW'S STATE and BILLY ROSE'S DIAMOND HORSESHOE, New York (WEEK APRIL 30) Directed WILLIAM MORRIS AGENCY BOOKED BOLD WITH BILLY ROSE UNTIL OCTOBER, 1940 'THAT'S ALL BROTHER'





# Broadway Surprised at Signing Of 75c Premium Bill by Lehman

When it was announced from Albany Monday (23) that Gov. Herbert Lehman had signed the Mitchell bill limiting the premiums on tickets sold by operators to 75c in the Broadway price, there was surprise in the Broadway agency circles. It had been agreed that the governor would act as did Mayor La Guardia, who vetoed a similar ordinance on the theory that it would be found unconstitutional. Agency interests had asked for a hearing, but the governor declined.

The statute is much more inclusive than the ticket code. All tickets have the 75c limit, the code is operative only for legit shows to tickets, whereas the Mitchell bill covers all public exhibitions, including fights, hockey, baseball and other sports events, which are sometimes in high demand and command excessive prices.

There appears to be a difference of opinion over the effect of the state measure upon the code, framed by the managers and Equity. Contention on the theory is that the Mitchell bill strengthens their ticket control system. Agency advisers claim that it weakens it, because the code unnecessary. The brokers agreed to comply with the code unless it is, but the code provides whereby agencies can withdraw as signatories after March 31. Contention also exists as to whether the Mitchell bill strengthens their ticket control system. Agency advisers claim that it weakens it, because the code unnecessary. The brokers agreed to comply with the code unless it is, but the code provides whereby agencies can withdraw as signatories after March 31.

Control of the agencies is now put up to Paul Moss, License Commission. New York License Commission has approved a bill that empowers to charge \$1,000 yearly for a license. New law provides for a license charge of \$1,000. A premium shall be charged with a misdemeanor, punishable by a fine and imprisonment for not more than one year.

Question of testing the new statute is being handled by ticket inspectors this week. There is a U. S. Supreme Court precedent, which says that a law which is voided as price-fixing. At the time of that ruling, the premium limit was 50c. The new law is different. Just now sitting in Congress, also the Mitchell bill is a protective statute designed in the interest of the public, those in support of ticket control believe that the earlier decision would be reversed if the matter reaches the highest tribunal. His ranch, included about 30 miles from Hollywood in Griffith Park, where he placed his always in the limelight. When the ranch was covered in mud following floods, Carey delved into the situation and is an expert on soil erosion. He is a man that subject over several years in "Balladeer" articles at the N. Y. World's Fair last season and has handled that assignment with starting smart money. Carey, recently graduated from a summer drama. Carey's father was a judge, presided at City Hall, in the Bronx.

## Harry Carey

Continued from page 2. moyer Jimmy Walker and they graduated at the same time. Later president of the same company. Carey became an actor and playwright, turning out "The Man" and "The Man" which was called "Two Women and The Man" when presented at the Metropolitan. Carey is married. Both plays toured the Shubert & Haverland circuit and other individuals. Carey is married to a woman who is in stocks and test show reviews. His first screen engagement was with the Griffiths in "The Unholy Trinity" for Biograph, was turned into a "verbal" star. He pursued cowboy parts for years, then went into character performances, his recent work being "The Man, Smith Goes to Washington."

## LeGalienne Closes Last LTC Survivor

By Eve LeGalienne, trouped by the Lytville Theatre Corp. in their recent production of "The Last Survivor" in Cleveland Saturday (23). She was the sole survivor of a shipwrecked vessel, "Golden Bay," on "Borrowed Time," "Golden Bay," "When a Life" having been withdrawn from the stage. Miss LeGalienne was booked into Detroit, but cancelled.

All four shows last money. The LeGalienne outfit had considerably more bookings than the other shows, and playing for not only a few contracts which might have involved LTC in damage suits because of results arranged for by local operators, advertising and other expenditures.

Clashes of players in 'Time', which closed, but was supposed to resume, will be put to arbitration. Definite playing will be done, but there were assurances the show would abandon tour after Equity closed its doors. The show's receipts crossed \$2,000.

## EQUITY ORDERS SHUN TAC

A reconsideration proposal of Equity council that will continue to remain to confer with the Theatre Arts Committee on the subject of a new code of conduct. The proposal was voted last week. Equity will not attend meetings of TAC, nor participate in that organization's activities. The proposal was adopted by the theatre, has developed into a controversial matter.

The proposal is that a number of Equities are members of TAC, and it was contended that the order is a type of prohibition and would be disobeyed by that element. Farber argued that even though TAC would not attend meetings of Equity still it is not a political organization. Equity has the right to instruct members as to their conduct outside the theatre, but that a number of complaints were made about players being led actors away from the stage. Equity merely took action on the position that it was not responsible. The TAC resolution therefore appears to be inconsistent with the previous stand. Regardless of last week's move, the subject is bound to be taken up by the Equity.

An actors' committee appointed to conduct a week ending that the reputation in the relief stands for being the use of such funds for relief work. The committee report was on hand early this week. Committee is expected to adjourn in about five weeks.

Charges were filed with Equity agency which was operating under the head of Labor Stage. It being claimed that several actors used in "Piano and Hooters" received action from Equity minimum of 646. Schaeffer, whose stand against TAC figured in the recent controversy, had planned that in searching for new talent newcomers from the garment district. Vanderbilt, Jr., last Friday (18) concluded his lecture series of 177 dates in which he repeats. He appeared in every state in the country at least once and in the city of New York. He was booked by Horner-Meyer, of Kansas City, Bertha Wells, Boston, and Ford City, Chicago. Vanderbilt is a member of the Equity.

## Bob Campbell Hurt

Robert Campbell, secretary of the Actors Fund, is in Leon Hill Hospital, N. Y., with a fractured hip, having been injured early last week. He slipped while entering a taxi and fell on Friday (18). His condition was not serious, but he drove to the hospital and X-rays disclosed the more serious condition.

A plaster cast was applied, but because of his age an operation was performed on Friday (19). His work he was reported resting comfortably.

## MOVING DAY ON B'WAY UPS POP FIELD

Three shows switched berths on Broadway over the weekend, two cutting the ticket sale 50%, thereby adding to the list's pop-priced attractions. Two of the moves were "The Fifth Column," now at the Broadhurst, leaves the Alvin, and "The Night" next week. "Margin for Error" goes to the Majestic from the West, which will leave "Love, Old Sweet Song," also arriving next week. Don then, is an "Out From Under" which will leave the Majestic, it being the biggest premiered act in some time.

The move to move is "Two Many Girls," which shifted from the Imperial to the Broadway, dropping the ticket sale 50%. "The Night" next week. "Margin for Error" goes to the Majestic from the West, which will leave "Love, Old Sweet Song," also arriving next week. Don then, is an "Out From Under" which will leave the Majestic, it being the biggest premiered act in some time.

Imperial will do "Lorraine Purchase," which, however, is not due until late May. "The Night" next week. "Margin for Error" goes to the Majestic from the West, which will leave "Love, Old Sweet Song," also arriving next week. Don then, is an "Out From Under" which will leave the Majestic, it being the biggest premiered act in some time.

## John Golden Apologizes To Shuberts; 'Shylock' Extends Stay On B'way

Managerial mishap over the engagement of "Shylock," starring John Golden, at the Shubert Theatre, N. Y., was straightened out between John Golden, show's producer, and the Shuberts. Golden, who had for the former inserted ads to the effect that the comedy would terminate Saturday (27). Last two weeks was yanked from the copy and "last week" substituted. Those ads had nothing to do with the matter. Golden apologized to Leo Shubert and agreed to fulfill his contract by departing this closing date.

Difference was occasioned by the fact that "Shylock" and, when the Shuberts learned of the matter, they were not to be objected to withdrawing. He planned to play the role in some key stands during spring. Shubert insisted on the exact terms of the contract. Golden, however, did not. The Shuberts improved considerably. Announced that the stop-limit of \$10,000 was understood the figure is \$10,000 under that level. Show, now in its 7th week, was rated over \$13,500 last week.

# Dispute With N.Y. World's Fair On 'Jubilee' Cost Equity \$2,000; Actors' Bad Press and Squawks

## New Fashion Lease May Stop B'way Face-Lifting

If a new lease on the Fulton, N. Y., is awarded, it may result in the often planned refurbishing of the block on the west side of Broadway between 40th and 49th streets. Reported proposals called for raising four houses whose stages are adjacent and creating a hotel plus one or more theaters. Fulton, which fronts on 49th street, is next to the building which is to be the New York Astor. On the 48th street side is the Bijou, closed for years. Astor has been with the West on a reserved seat basis. Gaiety operating stock holdings.

Fulton is slated to be operated by Paul L. Barney and Richard Shill, new producing duo who will be in with a new name "Gaiety." George Fitchett is named as house manager, with George Ashby treasurer.

## BLAME UNIONS FOR LEGIT'S TROUBLES

A symposium on what's wrong with the theatre, appearing in the Theatre Arts Magazine, was the subject of an extended article by the author, edited by Brooks Atkinson. The magazine gives the views of 25 people of the profession, including actors, union heads, actors, scenic designers and producers.

Some points forth are varied and some are uncertain, but the general tone is that the responsibility for the decline in legit production appears to be the stage unions. General idea is that the unions should "represent all the chaotic elements working in the theatre and have sufficient authority to act on specific matters."

Interesting angle to the varied opinions is the fact that in the absence of criticism of the press and the legit brokers. Both subjects have been discussed in the article over a long period of years. Explained that the questionnaire sent by the mag did not mention newspapers nor agencies. Some regarded the questions propounded as "unfair" and "unjust" and they made no response. Others were surprised that their answers reached print. Some had probably been sought were only for statistical purposes.

## 'Blackbirds' Rise

Lyric cancelled showed "Blackbirds" last week when operators of house decided to put on an additional \$10,000 bond required. The show, however, is still playing as now a new policy following clear of the first act. The show, however, is still playing as now a new policy following clear of the first act. The show, however, is still playing as now a new policy following clear of the first act.

Cent to Equity of inserting extra space ads in New York dailies early in the year. The magazine has no indication that the actor's "view" of its stand in the N. Y. situation. The magazine has no indication that the actor's "view" of its stand in the N. Y. situation. The magazine has no indication that the actor's "view" of its stand in the N. Y. situation.

Some Equity leaders were opposed to the act, but were voted down. The magazine has no indication that the actor's "view" of its stand in the N. Y. situation. The magazine has no indication that the actor's "view" of its stand in the N. Y. situation. The magazine has no indication that the actor's "view" of its stand in the N. Y. situation.

Form were editorially couched in favorable terms. This was a reversal of her for Equity, which, in previous disputes with management, was always couched in unfavorable terms. This was no last summer when the actor's unions went into action against the magazine. The magazine has no indication that the actor's "view" of its stand in the N. Y. situation.

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Prior to last week's settlement the water actors union signed with Miller and the magazine. The magazine has no indication that the actor's "view" of its stand in the N. Y. situation. The magazine has no indication that the actor's "view" of its stand in the N. Y. situation. The magazine has no indication that the actor's "view" of its stand in the N. Y. situation.

## MEDICINE CASE BYS WITH KICKBACKS

"Medicine Show," a recent entry on Broadway at the New Yorker, reportedly has the backing of John Hay Whitney, who is a high level official of his theatrical representatives, Mrs. Carly Hooten and Martin Gabel. The show, however, is still playing as now a new policy following clear of the first act. The show, however, is still playing as now a new policy following clear of the first act.

New drama, which is propaganda for the show, is being put on a moderate admission scale at \$1.00 top. Reported that there is a 25% discount on the ticket code at least as far as agencies are concerned. Neither the promoters of "Medicine" nor the show's management are members of the League of New York Theatres, which endorses the show.

Practice of managers giving brokers a fee for selling tickets for shows under a high price plan is being put on the "p.m." system. Agencies would be paid on the basis of 50c per ticket. Producers claimed such a practice was not new. The show, however, is still playing as now a new policy following clear of the first act.



### LEIGH-OLIVIER'S \$111,000 NO CHI PANIC

Chicago, April 23.—Business is not particularly hot in the first place, and the shows are not being held in the situations which are being top. There are some notable exceptions and Juliet's "Philadelpia" here and "Philly" in Detroit.

Katherine Hepburn in "Philadelpia" is making a fine job. Her performance is being well received by American Theatre Society.

Over at the Great Northern the all-over "Tropical Paradise" is struggling to catch on, but law operating out may keep it going.

**Estimates for Last Week**  
New Engel's "Delaney" (3d and final week) (\$100,320). Had a margin of \$100,000.

**Week of April 23**  
"The Grey Fox" (4th week) (\$90,500).  
"Philly" (1st week) (\$87,375). Heavy mail order sale has kept this one in the top brackets with a bright light at almost \$100,000.

**Blackout in Philly**  
"Love's Song" (\$13,000).  
"The Grey Fox" (4th week) (\$90,500).  
"Philly" (1st week) (\$87,375).

**Philadelphia, April 23.**  
Philly is set up light this week so far as light is concerned, with indications of little activity for a couple of weeks to come.

Last week second for Saravon's "Love's Old Sweet Song" at the Park, set at approximately \$115,000. Play drew sharp differences of opinion.

**Foxes' \$17,000, Gets Good Count in Det.**  
Detroit, April 23.—With only a few middle-week performances off, "The Little Foss" wasn't too morbid for the taste of Detroiters.

**Louis Light Bright \$20,000 in Balto.**  
Baltimore, April 23.—"There Shall Be No Night" starting in Louis, built to capacity here at end of last week and drew very solid figure estimated at nearly \$20,000, with a \$3,500 net.

**Love's Old Sweet Song** is current at Ford's.

### LINCOLN DIPS TO L. A. SEASON LOW AT \$6,000

Los Angeles, April 23.—Six weeks in the theatre, the new version of "Abraham Lincoln in Illinois" with Raymond Massey, has held remarkably strong for taking the edge of the same combination, as the production is heading home for west two weeks subsequent Saturday (27) with no replacement either for Charles Laughton or for Charles Laughton.

**Current Read Shows**  
(Week of April 22)  
"Abraham Lincoln in Illinois" (Raymond Massey)—Biltmore, Los Angeles.  
"Cyrano de Bergerac" (monologues)—Cox, Detroit.

**Estimate for Last Week**  
"Abraham Lincoln in Illinois" (Raymond Massey) proving little draw and opening week net \$6,000 on first of two-week run.

**Ploughs of Benefits in N. Y. Crises 4A's Ball, Lambs Gambol**  
Two may benefits probably replace disappointing attendance to the ball at the Waldorf Astoria, held at the Waldorf Astoria hotel, New York, Sunday (21), and the cancellation of the Lambs Gambol, which was under for the fourth week Sunday (23). Four A's affair was reported to help recoup its finances.

**Ploughs of Benefits**  
"A Horse of Air" (1st week) held strong at around \$7,000.

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### Margie N. C. Toronto

Toronto, April 23.—Last-minute booking of Clare Bowdler's "Margie" for the Elgin Theatre at \$5 net saw the actress return to the stage in a play which is drawing very well. It is expected to run for approximately four weeks at the Elgin Theatre here last week.

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### B'way Picks Up Despite Downpour; Higher Clicks \$28,000, Lady' 14G, Improving, Medicine' Fair \$6,200

Manhattan, April 23.—The Broadway theatre scene picked up despite a downpour, with higher grosses in several key shows.

**Estimate for Last Week**  
"The Grey Fox" (4th week) (\$90,500).  
"Philly" (1st week) (\$87,375).

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### Wash. Again Active

Washington, April 23.—National City's only legit spot, re-lighted this week after two dark weeks, with "Love and Fantasy" in the new Broadway theatre in connection with George H. Cohen's new one, "Return of the Vagabond," sequel to "The Travers."

### 'SCANDALS' OK \$19,000, 'DINNER,' 9G, IN FRISCO

San Francisco, April 23.—George White's "Scandals" got approximately \$19,000 last week, a nice take, but slightly under the expected figure. "The Man Who Came to Dinner," best actor at the Geary, will continue two more weeks, but was dropped to \$9,000 in its sixth week.

### Cohen's 'Vagabond' OK \$12,500 in 1st Hub Wk

Boston, April 23.—"Return of the Vagabond," new comedy-melodrama by George H. Cohen, is, toward it a satisfactory gross for the first of one week, but has been getting approximately \$12,500 a week.

### Cincy Season Ends

Cincinnati, April 23.—Cincinnati's theatre season ends with four matinees presented in five performances the forecast of last week at the end of one week, with a weekly gross of \$42,000 in 267 days of box office.

**Engagement concluded** Cincinnati's legit season, which had a total of 165 plays, closed at the end of the last week of the season.

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### REBECCA

London, April 8.—Drama in three acts by Daphne du Maurier. Directed by George Bernard Shaw.

**Plays Ahead**  
"The Grey Fox" (4th week) (\$90,500).  
"Philly" (1st week) (\$87,375).

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**EDDIE GAYER**  
"KEEP OFF THE GRASS"  
Mgt., LEO GLATTON

**WANTED IMMEDIATELY**  
Material for musical show, intimate and funny in songs. Write to: J. BURROUGHS, 211 Broadway, New York City.

Literati

"Peglerian"—meaning, calling on alleged labor racketeer... "Peglerian" is a new word to go into the dictionary...

It subsequently developed that Scelzo had asked for a Presidential pardon, and that the sponsor for the request was William Greve, the A. P. prez. "Pegler" then got Greve to have in his column...

The charge against Scelzo is that he conspired with the publisher to make deals to extract \$100,000 or more from hotels and companies that contract to advertise in the Times in New York's business offices.

Leaders of the A. P. press, which is overwhelmingly anti-New Deal, reported an impressive turnout... Leaders of the A. P. press, which is overwhelmingly anti-New Deal...

A.N.P.A. convention, which opened Monday (22) morning at the Waldorf-Astoria... A.N.P.A. convention, which opened Monday (22) morning at the Waldorf-Astoria...

New York Weekly's Short Life... New York Weekly's Short Life. The New York Express, has suspended after one issue...

PH's No-Ad Policy... General operation over the past few weeks has been to keep the most part passed over what is perhaps the most important aspect of the industry...

PH's No-Ad Policy... General operation over the past few weeks has been to keep the most part passed over what is perhaps the most important aspect of the industry...

Name newspaper people on the staff already include Robert Neville, who has been in the news for a few foreign editor; Louis Kronenberger, from Time, where he was theatre

eric; Carl Randau and Subertland Densinger, from the Newark-based... eric; Carl Randau and Subertland Densinger, from the Newark-based...

Having just been upped to Re. 1 as editor of the N. Y. Times, when Frank B. Nugent, the No. 1 man, shifted west on a 20th-Fly film writing job with R. E. Craker, leaving the Times to sign with the new New York staff. He will do general editorial features, not restricted to films.

Cecilia Aar (Vanni) is the film editor of PM. She will have two sides, as yet unselected, not in the Hollywood rag picked: George Me... Cecilia Aar (Vanni) is the film editor of PM. She will have two sides, as yet unselected, not in the Hollywood rag picked: George Me...

Monse L. Annenberg, publisher of several daily papers and evening publications... Monse L. Annenberg, publisher of several daily papers and evening publications...

Edwards' \$20 million indictment had demanded \$5,548,354 in taxes, interest and penalties for the years 1933-34... Edwards' \$20 million indictment had demanded \$5,548,354 in taxes, interest and penalties for the years 1933-34...

Other defendants in the case, besides the newspaper and its execs... Other defendants in the case, besides the newspaper and its execs...

Sullivan moves in N. Y. Avg. 1... Sullivan moves in N. Y. Avg. 1. Ed Sullivan winds up his Hollywood vaulsule unit May 19... Sullivan moves in N. Y. Avg. 1. Ed Sullivan winds up his Hollywood vaulsule unit May 19...

PH's No-Ad Policy... General operation over the past few weeks has been to keep the most part passed over what is perhaps the most important aspect of the industry...

American News Up Spillane... Bill Spillane has been promoted to v.p. of American News in charge of the operations in Philadelphia... American News Up Spillane. Bill Spillane has been promoted to v.p. of American News in charge of the operations in Philadelphia...

Curis Again Nixes Rum Ads... Efforts by minority stockholders to force Curis to again nix rum ads... Curis Again Nixes Rum Ads. Efforts by minority stockholders to force Curis to again nix rum ads...

Trade Staff News Letters... News newspapers in the belligerent countries, together with approved distributors by that part of the U. S. government... Trade Staff News Letters. News newspapers in the belligerent countries, together with approved distributors by that part of the U. S. government...

It's a packet in an envelope, generally mimeographed, in which the low-down on things here and abroad... It's a packet in an envelope, generally mimeographed, in which the low-down on things here and abroad...

Another new letter is that gotten from George Seidler, now called in Fact. Like Uncovered. It's also issued weekly... Another new letter is that gotten from George Seidler, now called in Fact. Like Uncovered. It's also issued weekly...

Charles M. Isaacs, 70, former newspaper publisher, and, until his death, a well-known radio manager... Charles M. Isaacs, 70, former newspaper publisher, and, until his death, a well-known radio manager...

Edward Tullman joining matinee for new in South America... Patricia Kelly in Hollywood to do a radio studio yarn for the Bell company... Edward Tullman joining matinee for new in South America. Patricia Kelly in Hollywood to do a radio studio yarn for the Bell company...

Arthur V. Gorman, the author, is to be the main attraction... Arthur V. Gorman, the author, is to be the main attraction...

W. E. Herrer, editor of the Baltimore Herald, and Douglas for North Carolina house of representatives... W. E. Herrer, editor of the Baltimore Herald, and Douglas for North Carolina house of representatives...

Patrick K. McEvoy, former shipping editor of the Coast for 18-day Commerce, on a South American cruise... Patrick K. McEvoy, former shipping editor of the Coast for 18-day Commerce, on a South American cruise...

Reich Dalg, managing editor of the Fawcett mag, planned rendezvous with the Coast for 18-day visit to the studios... Reich Dalg, managing editor of the Fawcett mag, planned rendezvous with the Coast for 18-day visit to the studios...

Disturbance broke out in California... Disturbance broke out in California... "Picket 'Lion". Disturbance broke out in California (I.F.W.C.) during the preview of "The Lion Has Wings". Member of audience shouted, "We don't want propaganda!"

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Plays on Broadway

MORNING STAR

Comedy drama in three acts presented by the Theatre Guild... Comedy drama in three acts presented by the Theatre Guild...

Under Broadway's present indelible setup there's little chance for plays like "Morning Star". A mild, but curiously appealing little piece, it would undoubtedly please certain audiences if there were still a middle ground between the far and the sane... Under Broadway's present indelible setup there's little chance for plays like "Morning Star". A mild, but curiously appealing little piece, it would undoubtedly please certain audiences if there were still a middle ground between the far and the sane...

Henry Dunsen, with a heroic widow who devotes her life to her children... Henry Dunsen, with a heroic widow who devotes her life to her children...

John (Julius) Garfield, back from the front... John (Julius) Garfield, back from the front... "Philly Local Protests To AFM About AGMA". Local 77, American Federation of Musicians, Friday (22) jurisdiction dispute between the AFM and the American Guild of Musical Artists over instrumentalists. In a letter to Joseph P. Kamp, AFM's general secretary, Local 77's secretary, A. Rex Riccardi, accused AGMA of encroachment on AFM's territory by including musicians in the AGMA ranks...

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Heavenly Express... Heavenly Express is that train with a diamond as a headlight and wheels of platinum... Heavenly Express. Heavenly Express is that train with a diamond as a headlight and wheels of platinum...

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Broadway

Antoinette Perry limping with injured leg...
Edward K. Hale of Equity laid up with rheumatoid arthritis...

Loa Galsmond has joined P.A. from bank division...
Auriet Lee, legit producer and director...

Leon Heller booked a dolphin on a publicity trip off Miami beach...
Home Cronin has gone on his home in London, Oct. 1, for indefinite...

Billie Burke off for South America for a publicity trip off Miami beach...
Margaret Weston, managing director...

John Cheevers got shiner when Sewer-pit hit him during 'Hellzapoppin'...
Pat and Anne Harrington back Club...

King Vidor sailed for England...
Billie Burke off for South America...

Eleven-year-old son of Dave Lyle, 11, has been taken to hospital with streptococcus infection...
Harry Bushman, Jr., now handling...

Frances Haddon, former story for 'The Good Girl'...
Robert Johnson planning to Court...

Both Brown, David and David, Jr. are in New York...
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Australia

'Babalaks' seek for Metro in Sydney...
Fred Bluet, 62, comedian has retired from stage...

Landa

Goa Elin, comedian, left \$300.00...
The Mouse Winnikins in mortal combat...

A. W. Backus, comedian, left \$200.00...
George Foster celebrated 76th birthday...

Tracy and Ray signed by Bert...
British Demand Hour respiration...

Jack Healey, of the Miron field...
Go Gilbert, writing and music publisher...

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Paris

Mary of Montparnasse theatre...
Berthe Cerly, 72, of the Comedie...

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Berthe Cerly, 72, of the Comedie...

Hollywood

George Raft laid up with St. Alfred Cook to hospital for observation...

John Joseph back from New York hospital...
Clara Jean celebrated her 12th birthday...

Clara Jean celebrated her 12th birthday...
Dorothy Lamour vacationing in Hollywood...

Dorothy Lamour vacationing in Hollywood...
Norma in from Broadway for a concert...

Norma in from Broadway for a concert...
Margaret Whybark back in picture...

Margaret Whybark back in picture...
Horace Jackson being sued for marital maintenance...

Horace Jackson being sued for marital maintenance...
Bernard Pines to book up for a vacation trip to Alaska...

Bernard Pines to book up for a vacation trip to Alaska...
Wally Atherton moved out of 30th...

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Bernard Pines to book up for a vacation trip to Alaska...

Bernard Pines to book up for a vacation trip to Alaska...
Johnny Hager moved out of 30th...

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Pittsburgh

Charles Washburn in town ahead of the Mark Brown...
The Mark Brown are home again after a month's tour in Big Sky...

South Africa

Easter holidays paid for show his Elizabeth and Rex...
A hit at Coliseum, Cape Town...

Chicago

Max Lova has resigned as local try for Leola Harbin...
Mother and Nat, and Al Platt is...

Minneapolis

RKO still holding lead in Film...
George White's 'Scandals' conceived...



Follow-Up Comment

Continued from page 28

been given. It was an engagement with Billie Holiday on Thursday night (18), playing the same title as the double featured...

thereas was announced to appear on Broadway in the musical comedy "We're Back in the U.S.A."...

Anna Neagle, Donald Crisp and June Porter guested Thursday night (18) on the Kraft chain program with Billie Crosby...

WNCA's series of Concert Minutaires every Monday afternoon, featuring by National Youth Association...

Local Monopoly

WPAY, even though Brush-Moore has been half the proprietor since the hearing was held, as the decision was based solely on the fact that...

Strategy is to force the Brush-Moore outfit to ask for reconsideration of the controversial ruling...

Suspicion Aroused

Suspicion has been aroused by the way in which the WPAY matter was handled by the interested parties...

No findings of fact were issued by the Commission, while commissioner-appointee Jan. 1939, issued from the decision, without giving a majority opinion...

Logical reason for the transfer of controlling interest in the license was the fact that Brush-Moore was shown to have advanced \$43,111 in the brief time...

The refusal to permit the Ohio chain to take over an outlet in which Brush-Moore is partner...

With other interests in the station, a vigorous dissent, the majority concluded that the public will benefit if the Martinville Broadcast-

ing Co. petition is granted, in contradiction of the policy reflected in the past...

Jack Kirsh's Analysis Editor, VANVARY: The Acton-Kitchen fact that 'Bluebird' and 'Abe Lincoln' in Illinois have been double-featured...

It would be felt it is round to deny an application when one of the petitioners represents the only newspaper in the community...

Bills Next Week

Continued from page 6

- Read Horne (M) Harry Sawyer (M) Fred Astaire (M) Doris Day (M) ...

CLEVELAND

- Bob Alpert (M) George Jessel (M) Johnnie Walker (M) ...

SYRACUSE

- Paul Kelly (M) Johnnie Walker (M) ...

WHAT THEY THINK

numbers to justify the double film rental. The public in those smaller towns cannot believe both features...

Most small towns in this territory have solved the problem by increasing the number of double feature changes per week...

The Actor's Church Work Editor, VANVARY: The Actor's Church and League of Union Church, 228 West 44th St.

In most other industries in the country the bigger chains are concentrating on the smaller outlets...

It should not require a genius to understand that there is something wrong with the distribution and exhibition of motion pictures...

Editor, VANVARY: In your issue of April 10 you state that you are going to discontinue the live live Galliano touring company...

Knowing that Vanvary is a stickler for correct information, I thought you and saying that Mr. Larimore, although ill, was not ordered to travel...

'Compers'

Continued from page 1

by the outfit yet, as it figures to roadshow the initial film to a ready-made audience in its own territory...

Double-features must go. Triple-features must go. Premiums must be eliminated...

Editor, VANVARY: We heartily agree with your editorial on the double-feature evil...

Editor, VANVARY: In your issue of March 21, you refer to the fact that the industry is to have a major setback in the near future...

Budget on 'Compers' is slightly over \$50,000, but will be allowed to run to \$50,000 if necessary. Lucius Adler will begin tests shortly for title rental...

In addition to coin from the two AFL leaders and Weill, major portion is being supplied by a private individual...

President of the new outfit is Robert A. Lasker, a member of Grand National union in recent past. Spyndy Weill, owner of a large number of theaters...

# "40 LITTLE MOTHERS" who know the importance of looking very lovely-

**ACTIVE-LATHER FACIALS with Lux Toilet Soap are important to Loveliness!**

"40 LITTLE MOTHERS" Every one as pretty as the cast of a gay musical movie ought to be. Loveliness is important. That's why 9 out of 10 screen stars, lovely women everywhere use Lux Toilet Soap to help them keep skin smooth, attractive. Let Lux Toilet Soap's ACTIVE-LATHER FACIALS help you. Pat in the rich lather, rinse with warm water, then cool. Pat to dry. Now your skin feels fresher; smoother! Try these facials for 30 days!



"ACTIVE-LATHER FACIALS ARE A GRAND BEAUTY CARE. THEY HELP MY SKIN STAY SO SMOOTH AND SOFT"



"A LOVELY SKIN'S IMPORTANT TO EVERY GIRL. I WOULDN'T GIVE UP MY ACTIVE-LATHER FACIALS FOR A SINGLE DAY"



"I AM KEEN ABOUT ACTIVE-LATHER FACIALS WITH LUX SOAP. IT'S SO EASY. THEY LEAVE THE SKIN FEELING SO SMOOTH"

EDDIE CANTOR  
with  
RITA JOHNSON  
BONITA GRANVILLE  
DIANA LEWIS

and  
CHUM

Metro-Goldwyn-Mayer's

"FORTY LITTLE MOTHERS"

Now Showing Locally



"CHUM" — youngest star of "40 Little Mothers." Naturally his tender, baby skin gets gentle Lux Toilet Soap care — just like the grown-up stars!



**9 out of 10 Screen Stars use Lux Toilet Soap**



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